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House of Representatives

The House met at 2 p.m.

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

Let us pray, using the words of St. Francis:

''Lord, make us instruments of Your peace; where there is hatred, let us sow love, where there is injury, pardon; where there is doubt, faith; where there is despair, hope; where there is darkness, light; and where there is sadness, joy.

''Oh, Divine Master, grant that I may not so much seek to be consoled as to console; to be understood as to understand; to be loved as to love, for it is in giving that we receive; it is in pardoning that we are pardoned, and it is in dying that we are born to eternal life.'' Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from California [Mr. ROGAN] come forward and lead the House in the Pledge of Allegiance.

Mr. ROGAN led the Pledge of Allegiance as follows:

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

APPOINTMENT AS MEMBERS OF NATIONAL CIVIL AVIATION REVIEW COMMISSION

The SPEAKER. Pursuant to the provisions of section 274(b)(2) of Public Law 104–264, the Chair appoints to the National Civil Aviation Review Commission the following members on the part of the House:

Mr. John J. O'Connor, Philadelphia, PA;

Mr. D. Scott Yohe, Washington, DC.

COMMUNICATION FROM THE HON. RICHARD A. GEPHARDT, DEMOCRATIC LEADER

The SPEAKER laid before the House the following communication from the Hon. RICHARD A. GEPHARDT, Democratic leader:

CONGRESS OF THE UNITED STATES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, March 17, 1997.

Hon. NEWT GINGRICH,
Speaker of the House,
House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 274(b)(2) of Public Law 104–264, I hereby appoint the following individuals to the National Civil Aviation Review Commission: Col. Leonard Griggs (Retired) of Chesterfield, MO, Mr. John O'Brien of Lovettsville, VA.

Yours very truly,
RICHARD A. GEPHARDT.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, March 17, 1997.

Hon. NEWT GINGRICH,
The Speaker,
U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Friday, March 14th at 4:35 p.m. and said to contain a message from the President wherein he submits a 6-month periodic report on the national emergency with respect to Iran.

With warm regards,
ROBIN H. CARLE,
Clerk, U.S. House of Representatives.

REPORT ON CONTINUING NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105–53)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

I hereby report to the Congress on developments concerning the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995, and matters relating to the measures in that order and in Executive Order 12959 of May 6, 1995. This report is submitted pursuant to section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c) (IEEPA), section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa–9(c). This report discusses only matters concerning the national emergency with respect to Iran that was declared in Executive Order 12957 and does not deal with those relating to the emergency declared on November 14, 1979, in connection with the hostage crisis.

1. On March 15, 1995, I issued Executive Order 12957 (60 *Fed. Reg.* 14615, March 17, 1995) to declare a national emergency with respect to Iran pursuant to IEEPA, and to prohibit the financing, management, or supervision by United States persons of the development of Iranian petroleum resources.

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This action was in response to actions and policies of the Government of Iran, including support for international terrorism, efforts to undermine the Middle East peace process, and the acquisition of weapons of mass destruction and the means to deliver them. A copy of the order was provided to the Speaker of the House and the President of the Senate by letter dated March 15, 1995.

Following the imposition of these restrictions with regard to the development of Iranian petroleum resources, Iran continued to engage in activities that represent a threat to the peace and security of all nations, including Iran's continuing support for international terrorism, its support for acts that undermine the Middle East peace process, and its intensified efforts to acquire weapons of mass destruction. On May 6, 1995, I issued Executive Order 12959 to further respond to the Iranian threat to the national security, foreign policy, and economy of the United States.

Executive Order 12959 (60 Fed. Reg. 24757, May 9, 1995) (1) prohibits exportation from the United States to Iran or to the Government of Iran of goods, technology, or services; (2) prohibits the reexportation of certain U.S. goods and technology to Iran from third countries; (3) prohibits dealings by United States persons in goods and services of Iranian origin or owned or controlled by the Government of Iran; (4) prohibits new investments by United States persons in Iran or in property owned or controlled by the Government of Iran; (5) prohibits U.S. companies and other United States persons from approving, facilitating, or financing performance by a foreign subsidiary or other entity owned or controlled by a United States person of certain reexport, investment, and trade transactions that a United States person is prohibited from performing; (6) continues the 1987 prohibition on the importation into the United States of goods and services of Iranian origin; (7) prohibits any transaction by a United States person or within the United States that evades or avoids or attempts to violate any prohibition of the order; and (8) allowed U.S. companies a 30-day period in which to perform trade transactions pursuant to contracts predating the Executive order.

At the time of signing Executive Order 12959, I directed the Secretary of the Treasury to authorize through specific licensing certain transactions, including transactions by United States persons related to the Iran-United States Claims Tribunal in The Hague, established pursuant to the Algiers Accords, and related to other international obligations and United States Government functions, and transactions related to the export of agricultural commodities pursuant to preexisting contracts consistent with section 5712(c) of title 7, United States Code. I also directed the Secretary of the Treasury, in consultation with the Secretary of State, to consider authorizing United States persons through specific licensing to participate in market-based swaps of crude oil from the Caspian Sea area for Iranian crude oil in support of energy projects in Azerbaijan, Kazakstan, and Turkmenistan.

Executive Order 12959 revoked sections 1 and 2 of Executive Order 12613 of October 29, 1987, and sections 1 and 2 of Executive Order 12957 of March 15, 1995, to the extent they are inconsistent with it. A copy of Executive Order 12959 was transmitted to the Speaker of the House of Representatives and the President of the Senate by letter dated May 6, 1995.

2. On March 5, 1997, I renewed for another year the national emergency with respect to Iran pursuant to IEEPA. This renewal extended the authority for the current comprehensive trade embargo against Iran in effect since May 1995. Under these sanctions, virtually all trade with Iran is prohibited except for information and informational materials and certain other limited exceptions.

3. The Iranian Transactions Regulations (the ''Regulations'' or ITR), 31 CFR Part 560, were amended on October 21, 1996 (61 Fed. Reg. 54936, October 23, 1996), to implement section 4 of the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996, by adjusting for inflation the amount of the civil monetary penalties that may be assessed under the Regulations. The amendment increases the maximum civil monetary penalty provided in the Regulations from $10,000 to $11,000 per violation.

The amended Regulations also reflect an amendment to 18 U.S.C. 1001 contained in section 330016(1)(L) of Public Law 103–322, September 13, 1994; 108 Stat. 2147. The amendment notes the availability of higher criminal fines pursuant to the formulas set forth in 18 U.S.C. 3571. A copy of the amendment is attached.

Section 560.603 of the ITR was amended on November 15, 1996 (61 Fed. Reg. 58480), to clarify rules relating to reporting requirements imposed on United States persons with foreign affiliations. Initial reporting under the amended Regulation has been deferred until May 30, 1997, by a January 14, 1997 *Federal Register* notice (62 *Fed. Reg.* 1832). Copies of the amendment and the notice are attached.

4. During the current 6-month period, the Department of the Treasury's Office of Foreign Assets Control (OFAC) made numerous decisions with respect to applications for licenses to engage in transactions under the ITR, and issued 13 licenses. The majority of denials were in response to requests to authorize commercial exports to Iran—particularly of machinery and equipment for the petroleum and manufacturing industries—and the importation of Iranian-origin goods. The licenses issued authorized the export and reexport of goods, services, and technology essential to ensure the safety of civil aviation and safe operation of certain commercial passenger aircraft in Iran; certain financial and legal transactions; the importation of Iranian-origin artwork for public exhibition; and certain diplomatic transactions. Pursuant to sections 3 and 4 of Executive Order 12959 and in order to comply with the Iran-Iraq Arms Non-Proliferation Act of 1992 and other statutory restrictions applicable to certain goods and technology, including those involved in the air-safety cases, the Department of the Treasury continues to consult with the Departments of State and Commerce on these matters.

The U.S. financial community continues to interdict transactions associated with Iran and to consult with OFAC about their appropriate handling. Many of these inquiries have resulted in investigations into the activities of U.S. parties and, where appropriate, the initiation of enforcement action.

5. The U.S. Customs Service has continued to effect numerous seizures of Iranian-origin merchandise, primarily carpets, for violation of the import prohibitions of the ITR. Various enforcement actions carried over from previous reporting periods are continuing, and new reports of violations are being aggressively pursued. Since my last report, OFAC has collected a civil monetary penalty in the amount of $5,000. The violation underlying this collection involves the unlicensed import of Iranian-origin goods for transshipment to a third country aboard a U.S.-flag vessel. Civil penalty action or review is pending against 21 companies, financial institutions, and individuals for possible violations of the Regulations.

6. The expenses incurred by the Federal Government in the 6-month period from September 15, 1996, through March 14, 1997, that are directly attributable to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to Iran are approximately $800,000, most of which represent wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, The U.S. Customs Service, the Office of the Under Secretary for Enforcement, and the Office of the General Counsel), the Department of State (particularly the Bureau of Economic and Business Affairs, the Bureau of Near Eastern Affairs, the Bureau of Intelligence and Research, and the Office of the Legal Adviser), and the Department of Commerce (the Bureau of Export Administration and the General Counsel's Office).

7. The situation reviewed above continues to involve important diplomatic, financial, and legal interests of the United States and its nationals and presents an extraordinary and unusual threat to the national security, foreign policy, and economy of the United

States. The declaration of the national emergency with respect to Iran contained in Executive Order 12957 and the comprehensive economic sanctions imposed by Executive Order 12959 underscore the United States Government opposition to the actions and policies of the Government of Iran, particularly its support of international terrorism and its efforts to acquire weapons of mass destruction and the means to deliver them. The Iranian Transactions Regulations issued pursuant to Executive Orders 12957 and 12959 continue to advance important objectives in promoting the nonproliferation and antiterrorism policies of the United States. I shall exercise the powers at my disposal to deal with these problems and will report periodically to the Congress on significant developments.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 14, 1997.*

SPECIAL ORDERS

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

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

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

AGENDA OF THE 105TH CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Georgia [Mr. GINGRICH] is recognized for 60 minutes as the designee of the majority leader.

Mr. GINGRICH. Mr. Speaker, I rise to describe what the Congress has been doing and what I believe it will be doing in the near future, because as we enter the Easter recess at the end of this week, Members will be going home, and I think it is fair for our constituents to ask us where are we going, what is this Congress going to be like, and what have we achieved on behalf of the American people.

There are five basic messages that I think House Republicans in particular can take home, but a number of Democrats can agree with these messages. I think in a broad way, this is a principled bipartisanship that outlines a direction that most Americans will want to go in.

First, we have developed and unveiled a 2-year agenda, creating a better America for ourselves and our children, and I will talk about that agenda in just a moment.

Second, we are focusing on keeping our children and communities safe by winning the war on drugs as a top priority for this country.

Third, we are committed to lowering interest rates and creating better jobs by producing a balanced budget this year.

Fourth, we have as an objective ending the Internal Revenue Service as we know it. We want to help the taxpayers save time and money by providing real tax relief, simplifying our needlessly complex Tax Code, and reforming the Internal Revenue Service.

And fifth, as proof that what we are working on can be achieved, welfare reform is a success story. The 104th Congress, by passing dramatic, bold welfare reform, has made a difference and the facts prove it. That gives us reason to hope that we are going to be able to work in 1997 and 1998 on other reforms that will be of similar importance. There, I might mention education as an example of an area that we truly want to work on.

Let me start by describing the agenda that will create a better America for ourselves and our children. The House Republican majority, led by the majority leader, the gentleman from Texas, DICK ARMEY, and by the policy chairman, the gentleman from California CHRIS COX, developed a number of items which we believe will outline for the country 13 major areas of improvement. I would like to outline the steps we are taking, because I think they illustrate a firm, balanced agenda for developing a better future.

The first area is balancing the budget. We believe it is vital to pass a balanced budget amendment. We were saddened to see the other body fail by one vote, but we believe at an appropriate time this House should bring up the balanced budget amendment again, and I think if it passes in this House, as it probably will, when we send it to the other body maybe we will be developing the momentum and popular support to then get that one final vote that is missing to send it on to the States.

But a balanced budget is vital, first, because it is morally wrong for us in peacetime to spend our children's and grandchildren's money. It is just plain not right. We have the same obligation to set priorities, to set limits, to have discipline in our Federal budget that every family and every business has in their own budgets.

In addition, passing a balanced budget will lower interest rates that will improve the economy, increase the number of jobs, improve take-home pay. Think about a college student who graduates with a balanced budget. They will save over $2,100 in repaying an $11,000 loan over 10 years. That is over $2,100 that that college graduate can save because interest rates will be higher lower.

Or imagine a couple buying a new house. They could save up to $37,000 on a 30-year mortgage for an average-priced house. That is, literally they could pay for one child's college education just with the savings from a lower interest rate from a balanced budget.

Or imagine a family buying an average-priced new car. They could save $975 over 4 years in lower interest payments on the average new-priced car.

Our point is that there is a moral case, there is a practical case, there is a self-interest case for balancing the budget. In addition, when you have deficits and you borrow more money, interest payments go up. The interest payments, when John F. Kennedy was President in the early 1960's, were about $6 billion a year. This year the interest payment will be $245 billion. That is, the average American will pay more in taxes to pay interest on the debt than they will pay for the Army, the Navy, the Air Force, and the Marine Corps combined.

So balancing the budget ultimately leads to lower taxes through lower interest rates and less payment on the debt, and our hope would be eventually through a balanced budget to actually begin to pay down the national debt.

But this is not just a constitutional amendment. We are committed to bringing spending in line with our commitment to balance the budget by the year 2002 without raising taxes. In fact, we want to be able to focus on saving money in Government so we can lower taxes so the American people have more take-home pay and a greater ability to create new jobs and new opportunities.

We have asked the President to submit a balanced budget. The first budget that was sent up was apparently a mistake. It is about $62 billion in deficit in the year 2002, which is our target year for balancing the budget. So we have asked the President, since he came right to this room and promised 12 times in the State of the Union, on 12 occasions he said he was for a balanced budget, he had a balanced budget plan, so we have asked him to submit a balanced budget that would allow us to begin the process of passing a balanced budget.

In addition, we believe we need to overhaul the budget process. It frankly does not work very well. We think there are steps that can be taken that allow us to control Government spending and to reduce taxes better with more cooperation between the executive branch and the Congress, and we believe that requires reforming the budget process.

Finally, we think that when the President asks for additional spending for emergencies or for overseas activities by our military, that that should be paid for at the same time we are passing it. We think that the age of credit card financing, where we just charge more and charge more and charge more, is over. If we are going to spend more money in one area, we should have the discipline to set priorities and spend less money in another area, so we are going to insist that supplemental spending bills be paid for on a pay-as-you-go basis.

Our second goal after balancing the budget is to improve learning for all

Americans. I want to commend the chairman, the gentleman from Pennsylvania BILL GOODLING, and the Committee on Education and the Workforce, which is doing a tremendous job in a project called Operation Crossroads.

They are looking at all the Federal programs for education, they are looking at, with the oversight subcommittee chairman, with the leadership of the gentleman from Michigan, PETE HOEKSTRA, they are going out and have already held nine hearings asking what works; where are the best schools in America? Where is the best inner city school for poor children? Where are the best charter schools? Where is the best math education? Where is the best science education?

They are trying to determine how can we improve Federal education assistance so we get more resources to teachers and students for classroom learning while keeping fewer resources in Washington.

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Our goal is to help the teacher in the classroom and the student in the classroom rather than to build more and more bureaucracies. We believe that by this examination in Operation Crossroads of what works and what does not, we can begin to sort out the Federal programs.

There are approximately 720 Federal education programs. They spend about, they have spent over the years over $539 billion in education. Our goal is to shrink the number of bureaucrats in Washington, take the savings, get them back home to the local school district, have them spent with the local student and the local teacher so that the parent, the student, and the teacher are affecting education.

In addition, one of our goals is to enhance local and parental control of education. It is very important to recognize that real learning occurs where the student is. It does not occur at the State department of education. It does not occur at some regional office. It does not occur at the Federal department in Washington. It occurs in the school where the teachers are and it occurs at home. That is why we think it is important to strengthen parents and we think it is important to strengthen local control so that people who actually have hands-on experience with the students are in a position to work in education.

Finally, we intend to cut education redtape and excessive bureaucracy and work with local teachers to help children master the basics. We think it is very important, and we agree with the President when he said that every child should be able to read by 8 years of age. We would have added they should be able to read English, which would save a great deal of money on bilingual education. We think it is important for every American child to have an opportunity to participate in the fullness of our culture, to be able to get the best possible jobs. We think that requires mastering English, and we think that requires a focus on reading and on writing and on basic math. We think every child at a fairly early age should be able to go to the store and buy something without being cheated because they are able to do the math to check exactly what they were charged and what they paid.

We also believe that by focusing on the basics we can strengthen young people so that they are then in a position to continue to learn all of their lives because we recognize that lifetime learning is an essential in the information age, and we recognize that every young person is going to have to grow up in a world where they may have seven or eight or nine jobs in the course of their lifetime. Each of those jobs is going to require new learning and new experiences. They may move to many cities. Those are going to require new learning and new experiences.

So we are committed to lifetime learning. We believe you begin by examining, out of the 720 Federal programs, which ones work, which ones fail, which ones have too many bureaucrats in Washington, how can we shrink the amount of redtape, get the money back home and help teachers and students and parents where the real learning occurs.

Our third goal is to strengthen America's families. First we want to pass the Working Families Flexibility Act, which will permit working mothers and fathers to take time off using overtime for family and medical emergencies and other personal needs. This essentially recognizes that in the modern age very often people want time as much as they want money. It allows you to earn 1½ times off or 1½ times income, whichever you want. So if somebody has a need to go and see their child in the ballet or go visit with the teacher or be in a situation where they need to go take care of a parent who might have a health problem, this program, the Working Families Flexibility Act, would allow people to take their overtime and turn it into time off, more free time to be with their family if that is what they prefer.

If they prefer to continue to get paid time and a half in cash, they could get paid. This creates greater flexibility and greater choice for workers and allows families to decide which do they need more, more money or more time. We believe that the Working Families Flexibility Act is a key step in the right direction.

In addition, we will take steps to end partial birth abortions. It is very clear from the testimony we have had in the last few weeks that many Members of Congress were misinformed a year ago when one of the leading advocates of abortion suggested that partial birth abortions, these are abortions performed very late in pregnancy and they are performed in a way that the child is basically born except for their head and then their brains are taken out. It is a very gruesome procedure, and it is one which virtually no one defends. Yet we had been told it was very rare; it happened only in very unusual cases. Now we have had testimony that that information was false, that in fact it is fairly common and it often happens involving healthy babies and healthy mothers. We believe it is important when a child is that close to being born that they be protected and that this particular procedure, which is particularly gruesome and inhuman, be ended. That vote will be, I believe, this week.

We are working to end this kind of partial birth. We also are working to expand the availability of adoptions. We think that adoption is a dramatically better answer than abortion. In the last Congress we passed adoption tax credits to give people some money to encourage them to be able to adopt a child. We are going to continue to work to have the adoption process streamlined because we believe that nothing will be better than to have someone decide that, rather than have an abortion, find a loving couple that wants to raise a child and help them in the adoption process. We also believe that helps fight child abuse and child neglect and helps take children out of foster homes and get them into homes where there are loving couples that want to adopt them.

We also believe it will strengthen American families if we protect the rights of people of faith. For too long God has been driven from the public arena. We believe it is important that people be in a position where they can talk openly about their faith and where they are not subject to religious persecution. I should note on this subject that not only is it a challenge sometimes here at home but that we have seen a tremendous upsurge in the last 5 years of religious persecution of all faiths around the world and that we have an obligation to be vigilant in our commitment to the right of people to worship God in their own way and to protect their right to worship.

We also want to strengthen America's families by protecting retirement security. We want to expand the number of individual retirement accounts that are available. We want to remove the kind of impediments that block expanded pension coverage, and we want to make sure that workers have a chance to earn greater retirement savings. Let me suggest that every citizen should look at the new program in Michigan, where Gov. John Engler has passed with the State legislature a new pension program that I think begins April 1 which allows the State employee an individual personal pension account that they control, that they invest, that they are vested in, that allows them to follow what is happening in the market and allows them to be involved in earning more money.

I think it is going to be a very big step in the right direction toward giving the pensioner control rather than

having a union-controlled pension fund or a State Government-controlled pension fund or a corporate-controlled pension fund. We are looking for ways that you can control the money you are saving for your retirement. We believe that most Americans want to have that right to be able to make sure that they are investing their money wisely so they know how much money they really have for their own retirement.

In addition, we will continue to work to make the Social Security trust fund safe and secure. It is currently sound, well into the next century. We believe it is possible to work to continue to make Social Security safe for everyone who is currently on it.

Our fourth goal is to increase family income by lifting the burden of excessive taxes from working Americans. We believe that we should eliminate if possible or at a minimum significantly reduce taxes on savings and investment. We want more jobs and better jobs. We want Americans to have the best technology and the best science in the world. That requires that we have the kind of savings and investment that allows our laboratories to produce the best, that allows our factories to buy the best, that allows new companies with new ideas to start up. That is the only way to have the highest income in the world. That is why we believe it is vital to reduce the penalty on savings and investment. We favor strongly either eliminating or significantly reducing any kind of capital gains penalty because we want people to have an incentive to save and to invest because that way they are going to create the jobs for the future so their children have even better jobs with even better take-home pay so they can save even more. That has been the cycle of prosperity that has made America work.

In addition, we want to pass tax relief that strengthens and encourages American families. We believe that it is vital for American families to have a $500 per child tax credit. We are going to do everything we can this year to both balance the budget and move toward a tax credit for children. We think that is the best way for parents to then decide how to spend the money on their own child rather than having higher taxes to hire a bureaucrat in Washington to then decide how much of the money after their salary and expenses should go back to take care of their child. We are trying to shift resources back into the family by increasing family take-home pay.

We also believe that we should either repeal or substantially reduce death taxes. Why should someone work all of their life, build a small business or a family farm and then find the government taxes are so high that, when they die their family is going to have to sell that farm or sell that business just to pay the taxes. We think, if you work hard and you already paid taxes on the money, you should not have double taxation. We think it is wrong to say that, if you die, that your entire family business is going to have to be sold just to pay government taxes or your entire family farm is going to have to be sold. So we believe we should dramatically reduce or if possible eliminate the death taxes.

For all Americans, we think that we should dramatically simplify tax laws in order to end the Internal Revenue Service as we know it. You may have read recently that the Internal Revenue Service had a $4 billion computer project which failed. It turned out that, even when you spent $4 billion, the Internal Revenue Code was so complicated that they could not make it work. I think the message is not to build a $6 billion computer, it is to dramatically simplify the Internal Revenue Code. That is going to take some serious work. We have asked the President to submit to the Congress a proposal for tax simplification. We believe it may be possible for as many as 40 million Americans to no longer have to file their income tax. That is American taxpayers who are currently filing.

We believe it should be possible to dramatically decrease complexity so that the IRS office can give the same answer everywhere in the country. As you probably know, today if you call different IRS offices, you often get a different answer to the same question. So it is very hard to know exactly how to fill out some of the more complex parts of the code. So we are committed to dramatically simplifying the tax law in order to end the IRS as we know it and to get to a much simpler system with much less Government intrusion.

Finally, we believe the Internal Revenue Service itself should be audited. After all, it has 110,000 employees. You can compare that with the Border Patrol, which has about 5,500 employees, or with the Drug Enforcement Administration, which has about 7,400 employees. So that 110,000 people working for the Internal Revenue Service, they just failed completely with a $4 billion computer project. And it is very clear that we need to have a thorough management audit, not just a financial audit but a management audit of exactly how the Internal Revenue Service is run and exactly why it has had these major management problems.

Our fifth goal is to improve access to quality health care. We believe it is possible for every American to have dramatically better health care because science is moving us into an era where the breakthroughs in scientific knowledge are going to be quite remarkable. The fact is the research, much of it done by the National Institutes of Health, others done by universities and private corporations, by research centers, that research is beginning to give us, in the human genome project, a level of knowledge about how humans operate which is greater than anything we have ever seen before. In fact, it is fair to say that in the next 20 to 30 years, we will have a level of knowledge that would have been unimaginable just 20 years ago. We are entering what one scientist called the age of molecular medicine, a period where our knowledge of our body is going to be so dramatic and our ability to look at birth defects, to look at cancer, to look at a variety of issues is going to be a dramatic change.

In that framework, we want to start by working on health care for senior citizens. We want to start by saving Medicare from impending bankruptcy. Even though we in the Congress have been talking now for 2 years about the danger of Medicare going bankrupt, we still do not have an adequate solution. We are working with the President. He has sent up some ideas. We hope if he submits a balanced budget proposal, he will have even more ideas for how to save Medicare.

We believe it is important to save Medicare by increasing the number of choices available for senior citizens so that they have the same right to choose as do their children and their grandchildren. We believe it is important to fight fraud and in part to at least experiment with giving senior citizens a financial incentive to help us fight fraud.

We believe it is important to create provider-sponsored networks where doctors and hospitals get together to compete with health maintenance organizations so we can have lower-cost, competitive choices so senior citizens are not trapped by any one kind of care. We also believe it is important to give senior citizens the same right to have a medical savings account as their children and grandchildren do. That is a program where you get a fairly high deductible. But if you take good care of yourself and if you watch your health, you get to keep all the money you save, if you do not in fact spend all of your deductible.

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It is now being offered in the private sector. We believe it should be offered to senior citizens and that it has very many opportunities, particularly for folks who want to have more control over their own lives and who are willing to look at the cost of medical care and to look at the cost of medicine. We think there are big savings to be made through medical savings accounts.

In addition to saving Medicare so it does not go broke, we want to improve it. We believe it is important to promote wellness through enhanced disease research and to improve Medicare preventive benefits, for example, diabetes and breast cancer screening. We think it is very important to recognize that the current model of the Health Care Financing Administration, which is the Government agency that runs Medicare, does not put enough emphasis on wellness and on preventive care.

Diabetes is a topic I am particularly interested in because my mother-in-law is 81 and she is diabetic, and because she has really managed her diabetic care and she has watched her

blood sugar and she has watched her insulin, she has in fact been able to take pretty good care of herself. Yet the tragedy is that of the 16 million Americans who have diabetes, 8 million do not know it. They will not learn it until they have had it for 6 or 7 years, and they begin to get sick enough that they show up at the doctor and the doctor then tests them and discovers they have diabetes.

If we can find somebody early enough and if we can teach them how to take care of themselves, the evidence is that we may be able to save between 80 and 90 percent of the people who go blind, so that they can retain their sight and continue to see. Think of that. Think about a program where by early screening and early prevention and early education, 80 to 90 percent of the people who go blind because of diabetes would be able to keep their sight. We believe at least half the people who lose their kidneys or have severe heart disease or lose their feet to amputation, at least half would be able to avoid those problems.

Imagine you could wave a magic wand, and by preventive care and education and a focus on wellness, you could stop half the people in the next 10 years who will lose their kidneys due to diabetes. You could stop half the people who will have their feet amputated. You could save half the people who will end up in intensive care with severe heart disease.

That is the opportunity that an aggressive, active diabetes program in the short run gives us, and then beyond that, beyond the focus on prevention and wellness and education there is the opportunity for continued research at the National Institutes of Health, where I particularly want to commend Chairman JOHN PORTER who has done just a magnificent job over the last 3 years of really making sure that we continue to fund health research at the most basic levels, which is going to pay off for every American.

But to go back to diabetes, let me give just a couple of numbers because they are so startling. One out of every three American Indians suffers from diabetes. What a tremendous opportunity to improve health among American Indians by really working on preventive care and education in diabetes. Some 19 percent of the people on Medicare suffer from diabetes, and 1 out of every 4 dollars in Medicare cost is spent on people who have diabetes. It is a tremendous opportunity for a better quality of life, a tremendous opportunity to save resources for the taxpayer, and it is the right thing to do.

In addition, we want to improve the quality and coverage of Medicaid. We have been working with the Governors to develop more flexibility so each Governor can apply to their State the local solution that will let them serve the widest number of people in their State. It is important to remember this is a big country, there is no simple answer that solves everybody, and so we have an obligation to reach out and to do everything we can to make sure that the Governors have the flexibility, so that Tennessee is different from Nevada and Maine is different from California.

Each State ought to have the opportunity to spend their Medicaid money as intelligently as possible so they can then cover more people and in particular extend coverage to children. We believe as many as 3 million children could be covered by Medicaid who currently are not covered because the system is being run too much from Washington, with too much red tape and with too many bureaucrats.

In addition to that, we believe that private citizens should have an expanded access to medical savings accounts. Right now the total number you can have in the whole country is 750,000. We think that that is an unrealistic cap. We believe if you want to have a medical savings account, which is a system where you basically pay a fairly high deductible, you are paying a much lower insurance premium because you are taking the risk of paying maybe as much as $2,000 or $3,000 in your deductible. But if you do not spend it, you are then in a position to put it away in a savings account so it begins to work for you and it adds up over the years.

It is getting very wide-range approval. It leads people to start to shop for their medical care. They do not automatically just go in to any doctor, automatically just take any prescription drug. They begin to look at what does it cost and where can I get it less expensively and what is at stake, just like any other marketplace, and it has a dramatic impact on cost.

We believe that it is going to be a system where people, those people who are willing to take the time, who want to engage in preventive care and wellness, and who are willing to shop for the best possible health care are going to find medical savings accounts very desirable, and we do not think that they should be limited to only 750,000 in a country of 260 million people.

Finally, we want to improve access to quality health care by modernizing the Food and Drug Administration to speed up approval of medical advances that save lives. Whether it is medical technology or medical devices, or whether it is prescription drugs or the brand new breakthroughs in biotechnology, we are entering an age of dramatic change in health care.

The faster we can get to the market, to the customer or the consumer and to the sick person, the best possible medicine, the best possible medical technology, the best possible biotechnology and the best possible medical devices, we are not only going to have better health care in America, we are also going to have a bigger American work force. Because in most of those areas, if we can get the Food and Drug Administration to certify products in a reasonable length of time, we have an opportunity to dramatically expand jobs in America selling better technology, better devices, better biotechnology and better medicine all over the world. We have a real interest in overhauling and modernizing the Food and Drug Administration.

Our sixth agenda goal is to increase economic growth and create more jobs through regulatory reform.

We recognize that with Washington bureaucrats engaged in regulations, many of them years and years out of date, that it is time to adopt commonsense regulatory reforms based on the principles of flexibility, consensus, private property ownership, free enterprise, local control, sound scientific evidence and the latest technology. We think that there is all too much time and money tied up in Washington red tape that could be used looking at creating more jobs, competing better in the world market, and having new scientific developments.

We want to protect the public, to make sure the Government does the policing necessary, for example, for safe food, for clean water, for a healthy environment, for public health, but at the same time we recognize that there are an awful lot of bureaucratic regulations that either are not necessary or are more expensive than their benefit, or are just outmoded. They might have made sense 25 years ago but they do not make sense today.

We want to apply sound science, we want to look at new ways of doing things, and what we want to do is have a better approach where we have the right incentive. We think it is possible to have commonsense regulatory reforms that allow small business and the private sector to create more jobs, which is particularly important, as I will discuss in a minute, when you get to welfare reform, because we need more jobs in America if we are going to take all the folks who are leaving welfare and make sure they can go into the private sector work force.

In addition, we want the money spent on scientific research and on investment in new technology and new machinery rather than on red tape and regulations, so that Americans can have the best jobs in the world with the highest take-home pay, so that we can have the best quality of life.

We are also going to work toward introducing competition into the American electricity marketplace. Just as introducing telecommunications reform over the last 10 years has brought down the cost of long distance telephones, just as we have seen competition both in airlines and in trucking bring down the cost of transportation, we believe that we can get to a marketplace where anybody who produces electricity can sell it and anybody who wants to buy it can purchase from a wide range of people.

There are a lot of hearings that have to be held, but I particularly want to commend Chairman DAN SCHAEFER of

the subcommittee that will be looking into this and Chairman TOM BLILEY of the Committee on Commerce, who are going to be leading extensive hearings into the question: Can we reduce the cost of electricity? The estimates are we could save the consumer possibly as much as $60 billion by lowering the cost of electricity through competition. We need to look at it carefully, we need to make sure that we know what we are doing because it is a big, complicated topic, but competition in the electric marketplace might save you, the consumer, $60 billion a year in lower electric bills, and that is something that we have to look at very, very seriously.

We also want to encourage greater competition in financial services by modernizing outdated regulations. We now live in the age of the worldwide market. We see on our television the Tokyo Exchange, the Shanghai Exchange, the Frankfurt Exchange, the London Exchange, Mexico City. We recognize that through the Internet and through international financial electronic transmissions, money moves worldwide literally in nanoseconds. A million dollars can be in New York at this second, in Hong Kong a minute later and in Seattle a minute after that.

So we need to modernize our financial services and recognize that we adopted many regulations in a different era when different things happened, but that now with the computer and the Internet we have a whole new need to rethink how we provide the best financial services at the lowest cost to maximize the American public's opportunity to use finances and to save and borrow at the lowest possible cost.

We also are encouraging State and local governments to review all existing unfunded mandates. The last Congress took a major step forward by ending future unfunded mandates. We said no longer could Congress pass a requirement, that is what a mandate is, without paying for it; that we were not going to be able to say to a local county government or a local school board or a local city or a State, ''You are going to have to raise your taxes to pay for something this Congress has required but refused to pay for.''

But what we did not do is go back and look at the existing mandates. So in meetings with mayors, with State legislators, with county commissioners and with governors, we have been urging them to review the current list, find the ones that make no sense, find the mandates that are very, very expensive and do not meet any kind of rational cost-benefit test, find the mandates that are based on bad science, bring them to us, and we hope this year to be able to repeal the least effective and most expensive of the unfunded mandates.

Finally, we want to ensure full compliance with the Results Act to force government to meet set performance standards. We believe it is important that government not just measure input, how many billion dollars do we spend in a department, but that government measure output: What do we get for our money? If we have spent $579 billion in Federal aid to education, why have scores gone down? If there are 14 different literacy programs, which ones are effective and which ones do not get the job done? If we spend $3 billion a year on drug rehabilitation, which drug rehabilitation programs work and which ones do not? We think this is a very, very important area for us to be reviewing.

Our seventh area is to fight gang violence and drugs. We want to prevent juvenile crime and target gangs and hard core juvenile offenders, and we are working with President Clinton on a Juvenile Justice Act that we hope will lower the amount of violent crime among young people and give us a better chance to have safe neighborhoods. We also want to renew our commitment to stigmatized drug use, to say flatly, as Nancy Reagan said it, ''Don't do it.'' ''Just say no'' worked.

We are challenging the news media and the commercial networks and the cable channel operators to put antidrug ads and antidrug messages on the air. We believe we have to fight drugs on MTV and on VH–1, and we have to fight drugs at the local level with local parents and local schools.

We are also calling on the Clinton administration to provide a strategy for winning the war on drugs, and we want to restore the needed resources for the war on drugs. We passed a bill last week out of this House which draws the line very clearly. We are committed to saving our children from a drug culture which threatens to destroy them. We have had 5 straight years of increased drug use in this country. For 5 straight years, more and more young people have been using drugs, marijuana, cocaine, heroin, and the modern marijuana is much stronger, much more addictive and much more dangerous than the drug of 25 years ago.

We are faced with a great challenge. We believe it is vital to have a strategy to win the war on drugs, and we are prepared to work with the Clinton administration on winning that war.

Our eighth goal is community renewal and investment. We want to help people move from poverty to prosperity by enacting community renewal initiatives. Here I want to particularly commend on a bipartisan basis Congressmen J.C. WATTS and JIM TALENT and FLOYD FLAKE, who have worked together on a bipartisan basis to develop a community renewal initiative. I also want to commend Senator DAN COATS and CONGRESSMAN JOHN KASICH, who have developed ideas on tax credits for volunteers to be involved in volunteerism and to donate to charities, because I think it is very important that we get more money to charitable organizations, and particularly to faith-based charities which we believe have the best possible chance to help people.

□ 1445

I think it is possible to reform public housing. We think we can have dramatically better public housing where people have a better quality of life, more control over their neighborhood, a better way of living in a drug-free environment.

We want to promote home ownership so people move from public housing into an opportunity to own a home, and I am very proud of my Habitat for Humanity pin, and the gentleman from California [Mr. LEWIS] is particularly to be commended for working with Habitat for Humanity, and we hope to have this summer a house that Members of Congress will build here in Washington, DC, to prove our commitment and then go back home and work back home in building houses because Habitat for Humanity is the model example. It both grows the family and builds the house. It requires people to meet a test of character and hard work. It requires them to spend a hundred hours working to help build somebody else's house. It requires them to spend 300 hours working to build their own home. It requires them to take a 20-hour course in home ownership. Habitat understands that you have to worry about the people inside the building or the building will rapidly fall into disrepair.

It is a tremendous concept, and the gentleman from California [Mr. LEWIS] and the gentleman from New York [Mr. LAZIO], chairman of the housing subcommittee, are working together. Congressman LEWIS is chairman of an appropriations subcommittee, and they are working together on a range of housing reforms, and I must say that from early reports Secretary Andrew Cuomo seems to be moving in the right direction and have the right ideas, and we want to work with him in developing dramatic reform in housing in America.

We also want to increase educational opportunity scholarships, and we want to have incentives to create jobs, and to help people in the poorest neighborhoods. You cannot move from welfare to work if there is no work, and so we are looking at opportunities, including enterprise zones and tax breaks and deregulatory steps to help small businesses and others provide more jobs in poor neighborhoods to help people move from welfare to work, and finally, as I said, we are working to promote charitable giving, both directly by saying people ought to do it and by creating a tax incentive led by the gentleman from Ohio [Mr. KASICH], and Senator DAN COATS.

We also are working to rebuild America's transportation system to support the 21st century economy. The ISTEA legislation, the interstate transportation legislation, is very, very important. The gentleman from Pennsylvania [Mr. SHUSTER] and the Committee on Transportation and Infrastructure is going to be offering some major steps in the right direction to continue

to develop, but let me say I do disagree with one thing the President said last week when he proposed toll roads on the interstate system:

I am against double taxation. Every time you buy a gallon of gasoline you are paying for the Federal highway program. Much of that money currently is hidden and not being spent in order to cover social spending that it was never designed to raise. We believe you should spend the money in the trust fund to build and modernize and repair the highways because you have already paid that tax when you paid for the gasoline. I think it is wrong to have you pay a toll tax on top of the gas tax that you are already paying.

Finally we are committed to making Washington, DC, the finest capital city in the world. Every American should want their national capital to be a city they can be proud of, and I think it is vital that we work with the citizens in Washington, D.C. and with the delegate from Washington, DC, Ms. NORTON. I commend in particular the gentleman from Virginia [Mr. DAVIS] who has done a tremendous job of working on this. Last year's chairman of the Committee on Appropriations' Subcommittee on the District of Columbia, the gentleman from New York [Mr. WALSH], who is a former mayor and council member back home in Syracuse, has a great understanding of what was needed and did a very, very good job, and now the gentleman from North Carolina [Mr. TAYLOR], the new chairman of the DC Subcommittee of Appropriations. This is very important for every American, I believe. We should be dedicated to our national capital being a capital we can be proud of, and we should work to make sure that with the help of the local citizenry that we can reform and rebuild.

Our ninth goal is to reform the civil justice system. We think it is important that we send the signal that judges are appointed to interpret the law, not to make the law. We think the judicial activism where judges become petty dictators and they impose their opinion is dangerous and wrong. It is a violation of the constitutional separation of power. I am proud that the gentleman from Illinois [Mr. HYDE], chairman of the Committee on the Judiciary, is going to be holding hearings on judicial activism. It is an important topic.

In addition, we need to reduce the time, expense, and burden of using our courts. It should not be so expensive to go to court that you cannot afford it, it should not be such an inconvenience that it is a major burden, and we need to make sure that it is easy to gain access to our court system.

Finally, we should enact bipartisan product liability reform and other commonsense legal reforms, including protecting charities and local governments from abusive lawsuits. I hope we are going to be able to pass a Volunteerism Liability Protection Act before the Philadelphia summit on volunteerism. It just seems to me if you go out and you are a volunteer, you should not be a target for some trial lawyer, that there ought to be reasonable protections and reasonable caps, and as long as you are not grossly negligent, you should not have any dangers at all, and there is something wrong when you to try to help the Boy Scouts or help the Girl Scouts or be involved in the Salvation Army and it leads you to potential bankruptcy through some trial lawyer trying to make money off of your activities.

So we hope to pass both bipartisan product liability reform and protecting charities from abusive lawsuits.

Our 10th goal is to make our environmental protection efforts smarter and more effective. I used to teach environmental studies, and I believe deeply that we can have an effective environmental program, that we can secure biodiversity around the planet, that we can do a better job of using our resources, that we can have cleaner air and cleaner water, that we can clean up the toxic waste sites. The fact is today we are spending too much money on lawyers and too much money on bureaucrats and not enough money on engineers and not enough money on actual cleanups. We think we can reform that process so that we actually get better cleanups at lower cost faster.

We also believe we can clean up the brown fields of our cities so they can be reused to create jobs by setting proper standards and proper commonsense regulations so that our cities can use the already industrial areas rather than forcing industry to go out to new green areas and tear down existing natural areas to build new factories. We think they ought to be able to reuse the areas that already exist in our cities, and today government makes that too difficult and too complicated.

We also believe in improving our existing conservation programs. We want to save every possible endangered species. We think it can be done in a practical commonsense manner with local leadership involved in local efforts to maximize the kind of diversity that we all want for our children and grandchildren.

Our 14th goal is to rebuild a strong national defense to remain the leader of the world. We want to reverse the neglect of defense modernization, of high tech research and development and of the quality of life of veterans, service personnel, and their families. The fact is that this administration is underfunding defense, it is not modernizing the weapon systems, and it has cut the amount of money that would be spent on military service personnel and apparently has outyear cuts on veterans that will be horrendous in terms of cutting the quality of their health care and their services.

We believe it is important that American men and women in uniform be the best trained, the best equipped, and the best prepared in the world. We are able to do what we do with very low casualties because our young men and women have the support of their country year in and year out in developing the best possible military. That requires investing in research and development and investing in defense modernization, and if we are going to keep a high quality force, they have to have a decent standard of living back home and a decent standard of living on their bases, and that requires the kind of modernization we need, for example, in terms of barracks and housing.

We also though think that you should not just salute waste because it is in uniform. We believe that it is possible to improve efficiency in defense spending and to reduce bureaucracy. We are committed, if I might say this symbolically, to reducing the Pentagon to a triangle in terms of the amount of mid-level management. We think you could have a 40-percent reduction in the mid-level managers in the Pentagon. We believe you could go to multiyear contracting and have a dramatic improvement in the ability to buy weapons, to buy fighter aircraft and ships and other things.

There is no reason to buy a complex big system 1 year at a time that makes them the most expensive possible way to do it, and so we hope we will see a major shift toward multiyear contracting so we can buy the most equipment at the lowest cost to give our men and women the best chance to survive on the battlefield of the future.

We also think it is important to expand the North Atlantic Treaty Organization to ensure peace in Europe for future generations. We strongly support having Poland and Hungary and the Republic of Czech entered as soon as possible, hopefully by July of this year. We believe that Romania certainly deserves consideration, so does Slovakia. There are a number of places that we need to look at and realize that it is important for countries that want to be free, countries that are democracies, countries that seek only the right to associate themselves with a strong defense organization to protect their freedom collectively. We have every interest in being the allies of those kinds of countries.

Finally, on defense it is vital that we protect American territory from missiles from terrorist states or from dictatorships. We need to be honest about the threat to this country. There are missiles today that can reach America and eliminate our greatest cities literally in 30 minutes. Some of those missiles are held by states that may not be favorable to us. Within a decade other countries that we know are not favorable to us are going to have similar missiles. Whether the weapon of mass destruction is nuclear or chemical or biological, we are faced with a tremendous threat in the next 20 years. The time to begin to defend America from that threat is now. Just as Britain had to have the foresight to build radar in the 1930's to survive the Battle

of Britain, the time to prepare to defend ourselves is not when the crisis occurs, not when we are blackmailed, but now. And every evidence, I think, of every independent observer is that the threat is real, it is already here and that we should be building today a national missile defense system capable of protecting the United States, capable of protecting Europe and Israel, and capable of protecting our allies in the Far East, if necessary, so that no one who has a missile can think that with impunity they can blackmail the free countries of the world.

Our 12th goal is to reform the United Nations. We believe that the United States should get full credit for its financial contributions to the United Nations, including military capabilities, facilities, local government services, and the security we provide. We believe that it is important that the American taxpayer have wasteful bureaucracy reduced at the United Nations and have the United Nations reformed in general. We believe it is important to control expanding U.N. troop deployments around the globe to ensure that U.S. troops are not placed under U.N. command and to improve the consultation with Congress.

We are in a different world than the one of our Founding Fathers. We now have real-time 24-hour a day television news on CNN. We have an ability for something to happen in minutes all around the world. And so we need a better consultation process between the executive and legislative branches if, in fact, we are going to be able to continue to have the will of the American people expressed. We support the United Nations, but we think we have every right as its largest donor to insist on reforms in return for that support.

Our 13th goal is to ensure the integrity of American elections. We have been very bothered by the number of cases of fraud, including voting by illegal aliens or voting by immigrants who are not yet legal. We have the evidence that as many as 10,000 convicted felons may have become American citizens last year, which is illegal; the evidence that there was an all-out effort in some communities to have government-funded agencies registering people who were not American citizens. We think that preventing voter fraud and ensuring the voters of an honest election is very important.

We also think that it is vital to preserve and protect the constitutional right to free speech. The efforts to make speech bureaucratic have failed. We need to really look at this question: Should the Government really have controls over what people can say? Should the Government really have the ability to tell you you cannot buy a television ad or a newspaper ad, you cannot say what you believe in? Is that not the opposite of what Americans stand for? So we are committed to protecting our constitutional rights to free speech.

We also believe that union members ought to have the right to know how much of their union dues are spent on politics and how much are spent on representation, and we believe that the political part of their dues should only be taken out voluntarily with the written permission of the union member, that they should not be coerced into automatically paying political money to pay for an ad against the opponent they are going to vote for. We think it is not the American way to have somebody have to buy ads for their own opponent, but that instead political contributions should be voluntary. We also believe citizens should be encouraged to participate in grassroots political involvement, and we would require full and timely disclosure of all campaign contributions.

So we believe that with the Internet it is now possible for every campaign at the end of business every day to file electronically all of its contributions for that day with the FEC and to have those contributions be made available to the public so that your right to know who is donating to a candidate would appear immediately and you could know that night if you wanted to look it up or the next day in the newspaper.

□ 1500

So my first theme, which was that we have a 2-year agenda, has been long because the agenda is long. Thirteen major areas:

Balance the Federal budget;

Improving learning for all Americans;

Strengthening America's families;

Increasing family income by lifting the burden of excessive taxes from working Americans;

Improving access to quality health care;

Increasing economic growth and creating jobs through regulatory reform;

Fighting gang violence and drugs;

Community renewal and investment;

Reforming the civil justice system;

Making our environmental protection efforts smarter and more effective;

Rebuilding a strong national defense to remain the leader of the free world;

Reforming the United Nations; and

Ensuring the integrity of American elections.

That is a powerful agenda. It covers, really, the three topics that I listed as the next three, keeping our children's communities safe by winning the war on drugs, which is really, I think, one of our highest priorities. When we realize the children who are being destroyed by the drug trade, when we look at the violence that is directly related to drugs, when we look at the child abuse and the spouse abuse that grows directly out of drugs, winning the war on drugs should be as high a priority as any priority this country has.

I am very proud of the resolution we adopted last week, and of the leadership of the gentleman from Illinois, DENNY HASTERT, in offering the amendment, which really made clear our commitment is to win the war on drugs, to work with Mexico, to work with Columbia, to make sure that everybody who is committed to fighting the drug dealers is on the same team.

As I said, we are also committed to lowering interest rates and creating better jobs by producing a better balanced budget this year; and we are committed to ending the IRS as we know it, to have tax relief, and to simplifying the tax system.

But the other item I want to spend a moment on is welfare reform. I want to take a moment because not only is it very, very important to the country, but it is proof that the Republican Congress has succeeded. The 104th Republican Congress made a major commitment to reform welfare. It took us over a year. We passed welfare reform twice, and twice President Clinton vetoed it. The third time we passed it he signed it. It ends the 61-year-old Federal entitlement to welfare, and says if you are an able-bodied adult, you should have expectations of working.

Our goal is to help people move from poverty to prosperity by moving from welfare to work. Because there was so much talk about reforming welfare, people began to hear about it on radio, on television, in the news media, and welfare recipients began to voluntarily come into the welfare offices and say to the welfare workers, I guess I am going to have to get trained. I guess I am going to have to go find a job.

In 22 States welfare caseloads have already fallen by 20 percent or more. Think about that. The bill has only been in effect since January 1, yet with the psychological momentum, the news media coverage, the conversation on the street in 22 States, they have already had a drop of 20 percent or more in the number of cases on welfare.

By the way, because we block-granted the money, we gave the States a set amount of money that allows them now to have more money per welfare family; in fact, one estimate is that there will be 56 percent more money available for the families still on welfare to help with child care, with retraining, and with job placement. So we see this welfare reform as important, not important because of the poor in terms of let us get them off welfare so we do not have to pay for it, but important for the poor because it helps them become prosperous.

Our goal is not to save the taxpayer, it is to save those in poverty. It is to make sure that every citizen has an opportunity to pursue happiness which, after all, in our Declaration of Independence, we say that we are endowed by our Creator with certain unalienable rights, among which are life, liberty and the pursuit of happiness. So we are trying to get that Creator-given unalienable right to the welfare recipient so they get in the habit of going to work, they get in the habit of having a job, they get in the habit of

saving on their paycheck, they begin to acquire private property.

Then maybe they work with Habitat for Humanity or, the other pin I wear, Earning by Learning, a program to help poor children learn how to read; and in a few years they are on the road to prosperity, to becoming middle class, to becoming normal Americans engaged in the normal business of going to work and studying, and engaged in the normal process of having a home and having a better future.

We are committed. We think we proved with welfare that we can get a lot done. We are committed to continuing to work to get a lot done. I just believe, as our colleagues go home for the Easter break, that they are in a position to report on a very exciting agenda, to report on a very exciting success with welfare reform.

We are in a position to work on the Crossroads project, visiting local schools and other programs of excellence, conducting town meetings on education. We have a chance to have a school superintendent survey to establish an education advisory board to meet with our Governor and our State superintendent of education to talk about educational excellence.

I think we really have an opportunity on a bipartisan basis, and I hope every Democrat and every Republican will join in the Crossroads project, and contact Chairman HOEKSTRA and Chairman GOODLING to work on how to improve education.

I believe, based on the record of the last Congress, that we have proven that while it takes a while to get it done, if you keep working at it, it is amazing what we can get accomplished here in this Congress. We are going to build on our success with welfare reform, we are going to have more successes over the next 18 months.

I just think starting this weekend, Members have a chance during their district work period to really carry out a message of opportunity, a message of hope, and a message of working together as a team on a principled, bipartisanship that gets good things done for America. That is my message for the Easter break that is coming up.

OUR EDUCATION CHALLENGE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentlewoman from Hawaii [Mrs. MINK] is recognized for 60 minutes as the designee of the minority leader.

Mrs. MINK of Hawaii. Mr. Speaker, the issue that I wanted to specifically comment on during this hour that I have is the education challenge which the Congress has faced in the past and must continue to face.

All of the polls that we have seen over the last year, or perhaps even longer, indicate that the American people are absolutely driven with the concern and worry about the fate of our educational system. When simply brought into a room and asked to indicate what they think the most critical problem and issue this country faces in the next several years is, without any prompting, the vast majority of the persons that are questioned answer spontaneously, the education system.

So I believe that the Congress is correct in placing a very large emphasis on the educational goals for this Nation, and certainly our President is to be commended for highlighting his commitment to education, to support reform, to make it possible for more families to send their children to higher education, to make the educational opportunities real for families all across this country.

It seems to me, Mr. Speaker, with the national administration committed to support of education, with our local communities already engaged in the process of educational reform, that the Congress has a very great responsibility to develop a program which enhances the educational programs for our country.

In that context, it therefore disturbs me greatly when I am confronted, as the ranking Democrat member of the Subcommittee on Oversight and Investigations of the Committee on Education and the Workforce, with an approach that is being sponsored by the majority, which is called Education at the Crossroads: What Works and What Doesn't Work, leading to the presumed conclusion that there is so much out there in education which is funded by the Federal Government that does not work that the Congress ought to pay heed and perhaps revamp the system of educational support.

I think that completely misstates the issue, Mr. Speaker. I have been advised that at various hearings that this subcommittee has held, and I only came to this position a few weeks ago, so I did not participate in the previous hearings, I went to one a few weeks ago in Delaware, but it is my distinct impression from talking to staff and others that the people who have come to testify and to give of their views and impressions about Federal programs in their area, that the Federal programs have worked very well; and that while there are some that perhaps could be altered or changed, or the emphasis switched to something else, most of the people who have come forward have indicated that the Federal programs are working.

Fundamentally, I think it is important also to understand that by and large, most of the Federal programs for education, at least in the elementary and secondary levels, are voluntary. The school systems, the States, the districts, come forward themselves to ask for funding, and they are given, by and large, a very large latitude in determining how these funds are to be spent.

They find the target areas, they develop the programs, they manage it, and of course, they have to account for the spending. We are not in a position to allocate funds, even though they are voluntary, without examining how they are spent. That is really the responsibility of the oversight committee, which I joined. It is our responsibility to see how the moneys are spent. What works and what does not work is legitimate, but we are confronted by a document issued by the Republican majority, consisting of about 50 pages, and the repeated scenario both on the floor here and elsewhere, suggesting that there are just too many programs. We heard the Speaker here on the floor make mention of 760 education programs.

I have no idea where they obtained this list. Someone said it was probably the Library of Congress or some other source which collected this data. But it has no bearing or very little bearing to the Office of Education and to the areas of educational responsibility assigned to the House Committee on Education and the Workforce, of which I am a member.

As far as I can determine from discussions with the Department of Education, they took a look at this list of 760 programs, and any of the Members interested might obtain a copy of this very easily by calling the majority staff of the House Committee on Education and the Workforce and ask for this list of the so-called 760 education programs, and they will be surprised that the majority of the programs listed here are not in the Office of Education, not in the Department of Education at all.

The Department tells me that there are 298 identifiable programs out of the 760 that is often mentioned, 298 out of 760. So why do they go around the country saying they are 760 education programs? It is simply not true.

Out of the 298 programs that the Department says are listed in this document, 114 have already been eliminated, many of them eliminated in the list that Vice President GORE and President Clinton produced at the beginning of their first term. These have been defunded, eliminated, consolidated. They do not belong on any list. So the list for the most part is totally outdated and serves no particular purpose whatsoever.

At any rate, in the 760 programs listed in this document produced by the majority party, there are 184 programs, according to the U.S. Department of Education, that are legitimately listed as functions and programs that are currently administered by the U.S. Department of Education.

What else is in here that makes up the 760? It is important to know that they have listed all research programs, for instance, all training programs, anything having to do with a study activity. For instance, in agriculture, a long list of research programs are listed as well as other kinds of training grants in that Department, totaling 33 programs.

I am not a particular expert about the Department of Agriculture, so cannot analyze the 33 programs, but my

quick look at it indicates that they are probably grants that have been issued by the Department, but they are being listed as though they were programs that have to be managed by that Department.

The National Oceanic Administration, which has to do with the study of pollution and management and resources of our marine environment, is listed with 16 so-called education programs. Most of them, perhaps, are the collection of data or research or items of that kind which are terribly important, but they do not belong on an education list.

The Defense Department has 20 programs listed in this document, a lot of it having to do with research activities that the DOD conducts: information gathering, information disseminating, training programs within the Defense Department. They are not education programs, as such.

The Energy Department has 22 items listed. The Health and Human Services has 169 programs listed in this document, and they range from child welfare programs, substance abuse, AIDS prevention programs, programs for diabetes and so forth that the Speaker was making reference to, all of the Centers for Disease Control programs of research, terribly important to this country, but not education programs.

□ 1515

Indian health has 10 items here, and the NIH, which the Speaker was commending for supporting and increasing funding because it is so vital to the future health of this country, has 48 items in here. Does the chair of the Subcommittee on Oversight and Investigations of the House Committee on Education and the Workforce indicate by the listing of these 48 programs that these are excessive interventions in this area? I seriously doubt it. No one has taken the time to look through the 760 items on this list. If they did, I am sure this publication would never have been released.

We have the National Science Foundation, 16 items, Indian affairs has a score of items listed in this report, Indian health, Indian affairs under the Department of the Interior, many of them having to do with resource management, information, data collecting, health services, and so forth. The Transportation Department has 19 programs listed here. The Justice Department has 21. The Labor Department has 24, most of it having to do with job training services. Arts and Humanities has 33.

So, Mr. Speaker, I urge Members to take a look at this so-called 760 item list that has been frequently mentioned on the floor of this House and referenced by the Speaker as an indicator of the concerns that the majority has about the directions of the educational apparatus in the United States. For one, 760 programs are not in the Department of Education. At the most, 184 are. And they have to do with elementary, secondary education, higher education, vocational education and all the things that are legitimate concerns.

So let us narrow the focus. If we wanted to truly see what is working and what is not working in education, let us refocus on the 184 programs and put away this diversionary tactic of suggesting to the American people that 760 programs are out there and that nobody knows anything about them. They are being managed by other Departments, and it is not the business of the Department of Education to go in and become the czar of all of this research, information gathering and try to manage it as a huge bureaucracy. That is absolutely antithetical to what the majority party believes anyway. They do not believe in this large type of management facility.

So this search for some kind of inquiry that would minimize the import of the Federal programs in education by suggesting that there are these 760 programs that are not being managed well is simply not true.

What we need to focus on in education is what really happens in the Federal funding mechanism. We hear a lot of criticism that the scores, the SAT scores are coming down, that the students are not performing well, that by other kinds of management or measurement techniques, the students are not doing as they should be doing and that our competitive status in the world is being threatened because education is functioning poorly.

Somehow in putting that criticism together about education and the concerns that have been expressed by parents and educators everywhere about the need for greater emphasis on quality education is lost in the debate because right now we are talking about 760 programs that really do not exist in our Department. So let us focus on what is really happening in education.

Most of the money for public education is coming from the local and State communities. It is not coming from the Federal Government. The average Federal contribution of the local-State budgets for education is somewhere around 6, 7, or 8 percent. That is all; 6, 7, or 8 percent of the total budget of the local school district or of a State is federally linked. The rest of the funds are coming from local taxes, local support or by the State governments in making contributions to the health, to the education of the children of that community. So the bulk of responsibility is in the local communities, in the management of the funds that they collect from their own taxes and from their own constituents.

The emphasis for the school-based management, the return of the management of your schools to parents and teachers and to the students arose from the fact that people felt that solutions and edicts and management suggestions coming from on top were not necessarily applicable to local school districts or even to individual schools. And so the strength of the parent movement has suggested that parents and teachers in a local school environment ought to be given greater authority to determine the kinds of educational thrusts that the school ought to have, how it was to spend its money, what kinds of additional courses needed to be added onto the program and to individualize the budget process on a school-by-school basis.

Many areas have done this. My own State is one of the early pioneers in school-based management concepts. I believe to a large extent it has worked. The fundamental principle there is local school control. They make the decisions. So in this apparent decision to go across the country to determine what works and what does not work does not fit into this whole pattern which we have established over the last decade. A program may work well in one area, but that does not mean one size fits all and we are to take that program and try to replicate it, clone it so that everybody else follows that same pattern. That is precisely what the parent-teacher model is specifically opposed to. Every school situation is different. They may want to emphasize different areas of study or they may have different problems that they need to deal with in their school environment.

So while the search of what works and what does not work is important, it certainly is not to find that premium program, that absolutely great idea that works in one area and expect to replicate it throughout the Nation. I think that that is absolutely contrary to this whole notion of local responsibility and local decisionmaking. So our search for what works and what does not work ought to be for our own information in enabling us to determine what kinds of programs we ought to emphasize and what programs we ought to be sponsoring under the Federal auspices.

Now, in much of the discussion that I have heard on the floor presented by the chairman of my Committee on House Oversight, he frequently has a large map and he points to the bureaucracy that is suggested by this map in Washington and argues that the moneys that are being allocated to education are not being spent for the education of our children. In other words, it is not going to the classroom, it is not paying the teacher's salaries and, therefore, ''It is being wasted inside the beltway in this humongous bureaucracy.''

Well, a simple search of the statistics in the Department will tell us immediately that the Department of Education has probably the smallest overhead manpower pool of any Cabinet position in any of the recent administrations. The Secretary tells me that roughly about 2 percent of the moneys that pass through the U.S. Department of Education is spent in personnel in Washington for the management and administration of the funding process. That is a very small amount of money.

So second, I want to debunk this idea that the moneys that the Congress has appropriated for education is somehow being wasted, on 760 programs, because that is not true; and second, in the overly heavy administration or bureaucratic mechanism somehow in place here in Washington. It is not true and I invite Members to look at the details and arrive at their own judgment.

The budget process is extremely important, and I heard the Speaker again make a challenge to the President that he come back with another budget which is balanced. That is an extraordinary request. Basically what I think it does is to confess failure on the part of the majority to have their own budget to come forward which is balanced by the year 2002. That is their basic responsibility. The Constitution requires us to be the manager of the funds and revenues of this Government and to do allocations for the programs that we feel are necessary.

The President of the United States, on the other hand, merely submits his proposal. He does not enact it. We do. He proposes. He suggests how he would like to see the revenues of this country spent on the various programs that he favors. I am pleased that he came forward with very large increases for education.

I believe the President's budget will be balanced in 5 years, 2002. It is difficult for anyone sitting in this Chamber or anywhere else in the country to specifically guarantee that any budget will actually balance out because budgets that are based upon 5-year forecasts are nothing more than forecasts. They are projections. They are based upon assumptions of what the economy is going to be like next year and the year after that and the year after that, how much revenues are going to be forthcoming into the Treasury, how much unemployment there is going to be in the country that might cause a reduction in the receipts or the necessity to pay out unemployment compensation or perhaps other kinds of effects. Inflation might rear its ugly head, for instance, and diminish the strength of our economy and the gross national product might not be as vigorous as is anticipated by this administration.

They have every right to be proud of the projections they have made over the past 4 years. Their projections were always criticized as being too rosy, too affirmative in terms of what the outlooks were going to be down the road 4 or 5 years. But it has turned out that the administration's budgetary forecasts have been very conservative and that the deficits which they projected were far too high. In fact, the actual deficits were far below what they even thought it would be.

Consequently, to attack the President's budget document because it does not balance in the year 2002 is quite an incredulous performance and really, I think, confesses the absence of the majority party to have their own document forthcoming.

Under the statute which governs the budget process, and we could criticize the process interminably, but the process is here and we are required to follow it, and that process says on April 15 the majority has to come forth with a budget resolution. We have yet to take it up in the committee.

In addition to serving on the Committee on Education and the Workforce, I also serve on the Committee on the Budget, and so it is interesting to me that we have engaged in this banter about asking the President to come forward with another budget. He does not have to. He submitted one. He says he believes it is balanced. Even the Republican designated head of the Congressional Budget Office in a letter to the Senate said in her view the budget was basically in balance and that there would be a deficit of zero in the fifth year.

□ 1530

So the CBO having said that, it seems to me that the majority ought to accept that letter and move forward and produce their budget document for this House to consider, as it is required to do, at least by the 15th of April. We are about to go on a long recess, not due back until the 7th of April, so in that period, which is called the district work period, I hope that the leadership on the majority side will rethink their responsibility and work vigorously to produce a budget that they can defend and which is equally conservative and balances out in the year 2002. I think that is something they owe not only this body but also the American people, all that rhetoric notwithstanding.

The budget process is very complicated and subject to a lot of misunderstanding. I for one very strongly support the capital budget idea. The Speaker made reference to the fact that people manage their own family budgets and have to live within the moneys that they earn and that just as families are required to do this, the Federal Government ought to do the same. That sounds like a very simple message, but it is far from the truth.

Families do not live on the income that they earn, and that is the plain fact. Most families, if they want to own a home, go to the bank and borrow, if they want to enjoy a quality of life. They go to the bank and get a mortgage for $300,000 or $400,000 and enjoy a home that they will eventually pay for in perhaps 30 years. They go to the bank and borrow to make sure that the best quality education is afforded their children.

Businesses in America do not grow and expand and become prosperous on a cash balance basis. Their strength as a business is measured by their ability to go to the bank and borrow a million dollars or $5 million to capitalize their business and expand and generate jobs and be productive. Their wealth is determined on their ability to get this capital funding in order to finance their ventures, and this borrowing extends over a fairly long period of time.

State governments, local governments also have found it necessary to borrow under a capital budget idea. My own State, for instance, has a constitutional requirement that the operating budget must be balanced, but that the State may also through its legislative branch approve the borrowing for capital improvements, roads, highways, airport facilities, a huge convention center, an oceanfront development, university structures and athletic facilities and so forth. All of these are now enjoyed by the community because the State has taken upon itself the ability to go out and sell bonds and to build these physical structures.

The Federal budget, on the other hand, is very unique. It does not have a separate capital budget, and yet we all know that a very large hunk of the Defense Department, of the space and aeronautics budget, the transportation budget, the airport budget, numerous other areas of our budgetary documents are filled with capital projects.

Why is it that the Federal Government only has to come up with the cash, pay-as-you-go concept? It seems to me that that is really the basis of our difficulty. If we truly have a zero deficit constitutional amendment, balanced budget means a zero deficit, it will completely hamstring, straitjacket the Federal Government and its ability to go out into the market and borrow for necessary capital improvements.

I hope that a day will come when the Congress and the administration can sit down and discuss the merits of implementing a capital budget, because that is the way to go. Then I believe we could adopt a statute, an amendment, a whatever, that would require that our operating programs, year after year operating and paying for the services that the people expect of their Government, would be in a budget which is balanced and shows no deficit but would allow the Government to go out and borrow for defense purposes, for acquisition of strategic weapons, go to Mars or whatever, build the facilities of infrastructure for our highways and airports as a necessary, without confronting the overage year after year on the negative side in our budget. I think that that is the way to go and I hope that our discourse will take us at that point.

Talking about the budget, I think it is important, if I may just refer to this chart, for people to understand where we are in terms of education funding. I do not think that the vast majority of people in the country understand the significance of this diagram, but this is what we are stuck with in terms of what we can budget in our debates here in the Congress.

Defense spending, although it is discretionary and comes up to about $266 billion, is not likely to be reduced by the Congress. It could be, theoretically, but it is basically a fixed allocation, and the chance of reducing it so that we could fund something else is very, very remote.

The interest that we pay on our past debts, which is over $5 trillion, is also an area over which we have no control. The interest must be paid, the moneys were borrowed, and that is a Federal financial responsibility, and that is 14 percent of the budget at $248 billion.

Social Security as part of the budget, it is a fixed requirement. It costs 21 percent of the budget. $364 billion must be paid out to beneficiaries who are eligible in the system, and there are no ifs, ands or buts about it, it is a fixed obligation. We do not appropriate it in the budget at all. It is an entitlement.

The same is true for Medicare and Medicaid. Both of them are strict requirements for funding: Medicare at $209 billion, which is 12 percent of the budget; Medicaid, $99 billion at 6 percent of the budget. These are fixed requirements and their expenditures are dependent upon the number of eligible people who come in to get those services.

There are other kinds of entitlements, 14 percent, $244 billion. Those are the retirements, civil service retirement, military retirements and other items such as that which are not part of our budget process.

This small little pie-shaped sector here is all that is left and all that we labor to appropriate in the budget process. All the rest of it is, in my view, fixed items of allocation. We are debating 16 percent of the total budget, or $288 billion, and out of this amount, out of this $288 billion must come all the range of services in Justice, in Commerce, in Interior, in Agriculture, in research, in NIH, in Health and Human Services, in Education and Labor. So that is where this struggle comes in terms of the budget process.

Anyone that suggests that education funding is excessive and should be cut back really has not focused on the small amount of money that is allocated for education. It is an incredibly small amount of money, something in the range of 2 percent of the funding. I had a chart here, but I seem to have misplaced it. Education funding roughly is about 5 percent of the discretionary and 2 percent of the total Federal budget. It is a very small part of the total expenditure. The total Federal budget is $1.5 trillion, and the education budgeting as of fiscal year 1997, last year, was somewhere around $28 billion, which is not very much.

In this education budget, you can see how the funding is allocated. Local educational agencies receive 39 percent; State educational agencies receive 13 percent; college students receive 16 percent of the total funding; institutions of higher learning, about 15.6 percent; other kinds of group agencies, 6 percent. The Federal share, and that is what the Republican Chair of the Oversight Committee is making reference to, the overhead in Washington, the Federal share of the total Department of Education outlays is a mere 1.8 percent, or roughly 2 percent of the total budget, which is the lowest, I am told, of any Cabinet agency in the Government.

There is not an excessive bureaucracy and the funding is very low. Anyone that suggests that too much money is going into education simply has not taken a look at the overall budget. Two percent of the total budget for education is woefully inadequate.

All the discussion and the voices that you hear constantly is that education is the most important responsibility of our society, to translate to the future our children's ability to compete in business and in trade and in global interactions. If that is true, and the future of this country is to be in the hands of the children whom we have the responsibility to educate, do you not think 2 percent of the Federal budget is woefully inadequate, 5 percent of the discretionary is woefully inadequate?

So I hope in this one area, particularly in this one area, that there can be a concerted effort on both sides of the aisle to come together with a committed program of support for education. We may differ on the emphasis, but let us not waste time pointing fingers at the Department and challenging them to reduce their bureaucracy when it is the smallest of any Cabinet agency, or alleging that there are 760 programs when in fact there are only 184. Take a serious look at those 184 and see how we can expand their impact if they are good, eliminate them if they are bad, and continue on the steady march of increasing and focusing and targeting the Federal support for education on the neediest students in our country and those programs that school districts have the greatest difficulty in funding because of the excessive cost.

It seems to me we can join hands on that simple agenda and create a great deal of good for this country and make tremendous progress.

I shall join the Republicans on their hearings across the country on Education at the Crossroads, because I believe that the people who will come forth to testify will support the Federal presence in education. It is so small. It is a minutia in the totality of responsibility that local school districts have; 6, 7, 8 percent is not a great deal of the funding, and most of it is voluntary. They get to use the money in whatever capacities they deem best, and so the essence of local control and flexibility is there for them to manage.

We should listen to these school officials, because we have much to learn. We still do not know why, for instance, the National Assessment of Educational Progress report on math recently shows certain schools are very high on the list and other schools are very low. My own State scored very low, and I am distressed by seeing our State listed at the bottom quarter of the list.

□ 1545

Many educators and administrators will say, ''Well, those kinds of report cards don't mean anything. They're probably based on erroneous data or old data or whatever.'' That may be true, but it seems to me that if one is seriously interested in looking at what is happening to education and how the States are dealing with it, the statistics that are put forth are very important and that we ought to pay attention to it. That does not mean we have to abide by everything that is said in it, but it is certainly a lesson to heed.

The recent report that was published January 22, Education Week in collaboration with the Pugh charitable trusts, called ''Quality Counts: A Report Card on the Condition of Public Education in 50 States,'' is a document which I urge you all to obtain and to study very carefully if you are interested in education as a student, as a parent, as a member of a board of education or in the school system as an administrator or a teacher, or someone who is an elected legislator or whatever. The materials that are contained in this educational report are very instructive. You could probably find nitpicking reasons for discarding this particular analysis or that analysis, but the tables that are presented in this report which rank each State in the performance based upon a whole range of criteria is very, very instructive.

I found it instructive trying to see where my State placed, for instance, in the math scores that were recently released under NAPE'S and found that my State ranked in the lower fourth. It is very disturbing. The best part of the report said that we probably had the highest advances in the last 6 years in terms of the scores, so that is something of a positive note. But I think we should look at these statistics and learn from them what we are doing in our schools in teaching math.

Certainly it is not the Federal Government going into the schools teaching math. We hardly ever even fund math per se. We might fund title I, which takes moneys into the economically disadvantaged school areas to try to help students in those communities, but math as such is not a Federal program as far as I can determine. So looking at math, NAPE'S has picked out one area of performance by the students, fourth grade and eighth grade. They did this 6 years ago, and they just released their report now. They do the same for reading. It is important, I think, for us to look at the reading scores and to see how one ranks.

It has in the report the average per pupil expenditure; very, very interesting to see the States that are spending a considerable amount of money and what the results are in terms of academic achievements. One of the States that I looked at was New Jersey. Their average per pupil expenditure is $8,118. That is a very large per pupil expenditure. My own State is around $5,000, so it is significantly larger. The report says that 60 percent of those moneys that New Jersey spends for education goes directly into instruction, contrary

to what the Republicans on my committee have alleged. This report indicates overall about 60 percent of all school funding is for instructional services.

Now we know to run a school requires a whole lot of other expenses. You have the school lunch program, you have the maintenance program, you have the building program, you have all these other extras. In some cases you might even have to have a police officer and other kinds of protective mechanisms added. So to find a school that is spending out of its $8,118 per pupil expenditure 60 percent that goes into instruction is very, very laudatory.

Another statistic contained in this report, and you can do this for every State; in New Jersey, the percent of teachers with 25 or less students. That was 63 percent of their school population. This is another point that they need to be commended for. My State has somewhere around 40 percent only of teachers with 25 or less students. So we have a far distance to go to achieve that record.

The average teacher's salary in New Jersey is $38,422, and it is probably one of the highest in the country. New York is a little higher. The average teacher's salary in New York is $41,157.

So these States and communities combined are making a tremendous effort to put education at the top. People in a very derisive kind of voice say you cannot throw money at a problem and expect to solve it. In the instance of education I believe that funding education is primarily the way to improve it and to develop quality education. One way you do that is to hire teachers that are qualified to teach, and they have a chart in this report showing how many teachers in high school are not qualified to teach the subjects that they have been assigned by the system, and you can certainly predict that those students are not going to do well if the teacher is not a qualified teacher.

So the teacher enhancement program, the average teacher salary, the amount of money that is going into the system are, it seems to me, key elements for success.

Why I pick New Jersey is that 97 percent of their public high schools offer advanced placement. Advanced placement is one of the criteria used in this report to determine the kind of initiative and thrust in quality education that the school system is placing on instruction, and so the schools that are putting their money into advanced placement turn out students that excel. And so here you have New Jersey at 97 percent AP courses. New York has an 83 percent advanced placement course. So they are doing well. The average per pupil expenditure in New York is 7,173 with a teacher average salary of $41,157.

The No. 1 ranking State in this report in terms of—excuse me, not in this report, in the NAPE'S report for 1996 on mathematics, the No. 1 scoring State, and I have to commend that State, is Minnesota. Minnesota placed first in the outcome of the examination on math for their fourth graders and for their eighth graders. So surely they must be doing something right in Minnesota, and we need to go there to see what it is so that we can inspire other school districts to do the same; not to use the example of Minnesota to force-feed a program for the rest of the Nation on a one size fits all, but to learn from the instructional program in Minnesota how it is they have done so well in the instruction of math and to excel year after year in the command their students have of this very, very important subject. Math and science together is really the path to the future if we are to be competitive with our foreign counterparts. The average teacher's salary in Minnesota is $37,570, so that is an indication also of their tremendous support.

Sixty-four percent of the moneys that they collect and spend in education go for instruction, and their average per pupil expenditure is $6,983.

So there is much that I commend to you in this Education Week. Let us not just look and hear the rhetoric and expect that that is the fact or that is the truth. Let us examine Education Week, look for your State's performance. There are dozens and dozens of criteria which have been used to make the evaluation, some of it more relevant to some situations and some perhaps not. But it is certainly a way to start an oversight investigation course which takes us across the country to make this examination.

The Speaker in one of his remarks made reference to the fact that we might do away with bilingual education. I take strong issue against such a proposal. Bilingual education is to teach people how to read and write and think in English. You cannot abandon this program with the expectation that by doing so and forcing students who are not proficient in English coming to the class, perhaps speaking at home in another language, to be able to accomplish and learn what they are required to learn. Performance would be disastrously lowered if we did not have this accompanying program which allows the students to make a transition from the language that they are familiar with and use at home or a language that they use outside the classrooms. To bring that language in and to make it the source of instruction for mastery of English is really the philosophy of the bilingual education.

So I hope that the Republicans will reexamine that issue and not come up for its eradication.

The House will be debating this week the matter of flexible time for families. Again the Speaker made reference to their strong belief in families first and their desire to allow families the option to take a sick child to the doctor or to go to school to discuss their children's performance in school with the teachers and other school personnel or to take an aging parent somewhere. These are all laudable reasons for allowing people to get time from their employers to do this important work. It seems to me that employers throughout the country have that compassion and are willing to make time available. But the flex time bill, H.R. 1 that we will be debating this week, does not come close at all to this aspiration that families have for flexible time.

It seems to me it is very simple for employers to say, ''OK, you have to do this for a couple of hours. You can stay late the next day.''. That is flexible time. There is no pay loss or anything of that kind. But H.R. 1, the compensatory time bill that is coming forth for debate, does not guarantee the employee his or her choice of the use of that extra time.

I like to refer to the bill as the repeal of Saturday and Sunday. You know under the Fair Labor Standards Act we had the guarantee that people could only be worked 40 hours a week. That meant you freed up Saturday and Sunday to be with the family. Long ago, when the Fair Labor Standards Act was passed, we had the feeling about families first and they ought to have time to be with their families to enjoy the family situation. If you have an employer that is going to require overtime work and not have to pay wages in time and a half and have the option of giving time and a half time off at his, the employer's, choice, this is not flexibility for the worker at all. In my committee we tried to make it more flexible, more at the option, more at the choice of the employee, but each time we offered those amendments they were struck down.

Consider yourself as an employee being asked by your employer to stay late, work Saturdays and Sundays because there is a job order that has to go out, the business is in great jeopardy if the schedule is not met. There is no way that you would turn down your employer. You would work the extra hours.

□ 1600

You would work the extra hours. You would have to be away from your family the extra hours. That is not flexible time. That is working for no compensation at all, because the offer is work overtime and at some point later you will get time and a half off at the option of the employer. That is not fair.

If it is truly family first, family flexible, then the employee ought to be able to say, well, I want to take my time and a half next week, because I want to be with my children over their Easter break. There should not be any allowance on the part of the employer to say, no, I have to decide for comp time at a later point.

Under the bill, 260 hours of compensatory time can be saved, it can be put aside for each worker. That is a total of 160 hours of work without pay, and

time and a half of that 80 hours would be the time and a half factor accumulation of 240 hours that you cannot decide when you are going to take, and the employer will have 12 months in which to decide when to give it to you. That is not flexible time. That is a diminution of quality time with your family, that is working without compensation for a promise of compensatory time off 12 months hence.

The tragedy also is that for many workers, overtime compensation at time and a half is what they depend on to be able to pay for the expenses and make ends meet. So to have a bill that will take this away would be truly a hurtful kind of legislation.

The problems with comp time also go to the whole bankruptcy issue. Compensatory time off is not wages, and therefore it does not go into the computation of Social Security benefit time earned. And if the company goes bankrupt because the company truly was in distress, and files bankruptcy, as an employee owed compensatory time, not wages, you will not get any priority payment whatsoever.

This is a bill fraught with a great deal of potential harm and damage to working families, and does not meet, absolutely does not meet, the promise of flex time and family first, which the Republicans are touting.

As a worker I want to have my Saturdays and Sundays off, and if I am required to work either an extra 2 hours or so during the week or on weekends, I want to have the absolute right to decide whether I want it in wages or whether I am willing to take it as compensatory time off, and the time off should be at my option.

If the bill can be drafted to make those assurances, I am sure that most of us will find a happy circumstance in joining with the Republicans. But as I see it, the misfortune of so many workers under this legislation would be forced employment, no wages, and compensatory time off at the will of the employer after a 12-month period.

That I think is unfair, unjustified, and I do not want to see the Fair Labor Standards Act protection of workers' 40-hour week, and time and a half compensation, which is attributable to Social Security credits and to bankruptcy protections and all other means for determining benefits, being jeopardized under a comp time concept.

So this debate this week should be very, very lively, and I look forward to the minority side having an opportunity to debate it and to advance our objections to this proposal.

GENERAL LEAVE

Mrs. MINK of Hawaii. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my special order.

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

There was no objection.

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 Member (at the request of Mr. ROGAN) to revise and extend his remarks and include extraneous material:)

Mr. CANADY of Florida for 5 minutes each day, on March 18 and 19.

EXTENSION OF REMARKS

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

(The following Member (at the request of Mrs. MINK of Hawaii) to revise and extend his remarks and include extraneous material:)

Mr. LANTOS.

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

Mr. QUINN.

Mr. COMBEST.

Ms. ROS-LEHTINEN.

Mr. HYDE in two instances.

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

Mr. TOWNS.

Mr. SMITH of New Jersey.

Mr. KANJORKSI.

Mr. LEWIS of California in three instances.

Mr. WALSH.

Mr. BONIOR in two instances.

ADJOURNMENT

Mrs. MINK of Hawaii. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, March 18, 1997, at 12:30 p.m. for morning hour debates.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports and amended reports concerning the foreign currencies and U.S. dollars utilized by various committees, House of Representatives, during the 4th quarter of 1996 in connection with official foreign travel, pursuant to Public Law 95–384, are as follows:

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1996

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Charles Rangel	12/12	12/15	China								
Commercial airfare							1,909.98				1,909.98
Committee total							1,909.98				1,909.98

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

BILL ARCHER, Chairman, Feb. 12, 1997.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1996

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Jim Kolbe	12/7	12/9	Hong Kong		776.00		(3)				776.00
	12/9	12/13	Singapore		1,092.00		4,229.95				5,321.95
Hon. Joe Skeen	12/5	12/6	United States		135.00						135.00
	12/8	12/9	New Zealand		238.00						238.00
	12/9	12/16	Australia		1,501.50						1,501.50
	12/15	12/18	United States		510.00						510.00
Commercial airfare							7,743.65				7,743.65
Frank Cushing	12/6	12/13	New Zealand		950.00						950.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1996—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	12/12	12/15	United States		493.00						493.00
Commercial airfare							6,112.62				6,112.62
Elizabeth Dawson	10/14	10/19	Italy		1,228.00		48.00				1,336.00
Commercial airfare							3,703.85				3,703.85
James Dyer	10/14	10/19	Italy		1,228.00						1,228.00
Commercial airfare							3,703.85				3,703.85
Charles Flickner	12/1	12/3	Belarus		400.00						400.00
	12/3	12/7	Ukraine		800.00						800.00
Commercial airfare							3,858.05				3,858.05
Douglas Gregory	11/15	11/22	New Zealand/Antarctica		700.00						700.00
Commercial airfare							1,850.95				1,850.95
William Inglee	12/14	12/15	Panama		75.00						75.00
	12/15	12/17	Guatemala		378.00						378.00
	12/18	12/19	Argentina		293.00						293.00
	12/19	12/21	Chile		314.00						314.00
Commercial airfare							4,119.00				4,119.00
R. Scott Lilly	10/14	10/19	Italy		1,288.00						1,288.00
Commercial airfare							3,703.85				3,703.85
James Ogsbury	12/6	12/17	Antarctica		950.00						950.00
Commercial airfare							5,442.95				5,442.95
Timothy Peterson	12/6	12/13	New Zealand/Antarctica		950.00						950.00
	12/12	12/16	United States		684.00		82.00		120.50		886.50
Commercial airfare							6,030.62				6,030.62
Timothy Sanders	12/5	12/6	United States		135.00						135.00
	12/8	12/9	New Zealand		238.00						238.00
	12/9	12/16	Australia		1,501.50						1,501.50
	12/15	12/18	United States		510.00						510.00
Commercial airfare							7,743.65				7,743.65
John Shank	12/4	12/7	Romania		999.00						999.00
	12/7	12/8	Croatia		331.00						331.00
	12/8	12/12	Bosnia		1,404.00						1,404.00
	12/12	12/13	Croatia		331.00						331.00
Commercial airfare							3,891.55				3,891.55
Paul Thomson	12/6	12/13	New Zealand/Antarctica		950.00						950.00
	12/12	12/16	United States		684.00		82.00				766.00
Commercial airfare							6,030.20				6,030.20
Patricia Schlueter	11/17	11/21	Australia		1,230.00		18.00				1,248.00
	11/21	11/26	Thailand		1,018.00		186.50				
Commercial air							7,721.35				7,721.35
Total					24,435.00		76,302.59			120.50	100,858.09
Surveys and Investigations staff:											
Albert J. Boudreau	10/5	10/10	Chile		932.50		3,746.95		91.00		4,770.45
Joseph R. Fogarty	10/11	10/17	Italy		1,117.75		3,887.75		23.80		5,029.30
Terrence E. Hobbs	10/11	10/17	Italy		1,117.75		3,887.75		91.44		5,096.94
Robert J. Reitwiesner	10/13	10/17	Italy		670.50		3,768.95		65.00		4,504.45
	10/17	10/17	United Kingdom		122.50	(3)					122.50
R.W. Vandergrift, Jr.	10/13	10/17	Italy		670.50		3,861.95		99.23		4,631.68
	10/17	10/17	United Kingdom		122.50	(3)					122.50
L. Michael Welsh	10/5	10/10	Chile		908.75		3,746.95		59.40		4,715.10
Vicki O. Williams	10/5	10/10	Chile		932.50		3,746.95		83.85		4,763.30
Committee total					6,595.25		26,647.25		513.72		33,756.22

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

BOB LIVINGSTON, Chairman, Feb. 24, 1997.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1996

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Peter Deutsch	10/17	10/18	Nicaragua				719.95				719.95
William F. Tyndall	11/18	11/22	Costa Rica		553.00		584.95				1,137.95
Robert Meyers	11/18	11/27	Costa Rica		1,340.00		584.95				1,924.95
Catherine Van Way	12/11	12/14	Switzerland	1,334.22	1,014.00		906.75				1,920.75
Susan Sheridan	12/9	12/14	Switzerland		1,690.00		911.95				2,601.95
Hon. Charlie Norwood	12/10	12/10	Bosnia		(3)		(4)				
Hon. Charlie Norwood	12/10	12/11	Hungary		(3)		(4)				
Hon. Charlie Norwood	12/11	12/12	Germany		(3)		(4)				
Committee total					4,597.00		3,708.55				8,305.55

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Lodging, meals provided by DOD.
[4] Military air transportation.

TOM BLILEY, Chairman, Jan. 31, 1997.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1996

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
David Adams	12/2	12/5	Bangladesh		500.00						500.00
	12/5	12/8	Nepal		[3] 724.00						724.00
	12/8	12/10	India		656.00						656.00
	12/10	12/14	Pakistan		[3] 699.00						699.00
	12/14	12/15	England		259.00						259.00
Commercial airfare							6,242.05				6,242.05
Paul Berkowitz	12/2	12/5	Thailand		651.00						651.00
	12/5	12/8	Vietnam		1,176.00						1,176.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1996—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	12/9	12/12	Indonesia		1,482.00						1,482.00
	12/13	12/16	India		847.00						847.00
	12/17	12/18	Bangladesh		150.00						150.00
Commercial airfare			Commercial Tvl.				6,157.95				6,157.95
Hon. Howard Berman	12/10	10/13	Philippines		744.00						744.00
	12/13	10/16	Malaysia		606.00						606.00
Commercial airfare			Commercial Tvl.				3,675.95				3,675.95
Stephen Blake	12/2	12/5	Bangladesh		[3] 458.00						458.00
	12/5	12/8	Nepal		[3] 724.00						724.00
	12/8	12/10	India		[3] 581.00						581.00
	12/10	12/14	Pakistan		[3] 824.00						824.00
	12/14	12/15	England		259.00						259.00
Commercial airfare							6,242.05				6,242.05
Elana Broitman	12/15	10.18	Columbia		636.00						636.00
Commercial airfare							1,556.95				1,556.95
Frankie Calhoun	12/11	11/13	Taiwan		560.00						560.00
	12/13	11/17	Hong Kong		1,058.00						1,058.00
	12/17	11/22	China		[3] 1,267.00						1,267.00
Commercial							2,845.22				2,845.22
Michael Ennis	12/2	12/5	Bangladesh		[3] 456.27						456.27
	12/5	12/8	Nepal		[3] 724.00						724.00
	12/8	12/10	India		[3] 606.00						606.00
	12/10	12/14	Pakistan		[3] 849.00						849.00
	12/14	12/15	England		259.00						259.00
Commercial airfare							6,242.05				6,242.05
Robert Hathaway	10/7	10/8	Singapore		[3] 235.00						235.00
	10/8	10/16	Indonesia		1,541.00						1,541.00
Commercial airfare							5,324.95				5,324.95
Richard Kessler	10/10	10/13	Philippines			744.00					744.00
	10/13	10/16	Malaysia		606.00						606.00
Commercial airfare							4,368.95				4,368.95
Hon. Jay Kim	12/2	12/5	Thailand		651.00						651.00
	12/5	12/8	Vietnam		1,176.00						1,176.00
	12/5	12/14	Indonesia		1,482.00		336.32				1,818.32
Commercial airfare							3,991.95				3,991.95
John Mackey	10/15	10/18	Columbia		636.00						636.00
Commercial airfare							1,556.95				1,556.95
Daniel Martz	11/11	11/13	Taiwan		[3] 561.00						561.00
	11/13	11/17	Hong Kong		[3] 958.00						958.00
	11/17	11/22	China		[3] 1,250.00						1,250.00
Commercial airfare							3,662.23				3,662.23
Denis McDonough	10/17	10/21	Nicaragua		[3] 750.00						750.00
Commercial airfare							1,158.95				1,158.95
Roger Noriega	10/17	10/21	Nicaragua		[3] 850.00						850.00
Commercial airfare							1,158.95				1,158.95
Steve Radenmaker	10/17	10/21	Nicaragua		[3] 750.00						750.00
Commercial airfare							1,158.95				1,158.95
Joseph G. Rees	10/6	10/8	Philippines		[3] 496.00						496.00
	10/8	10/15	Indonesia		[3] 1,541.00						4,595.95
Committee totals					31,982.27		60,276.37				92,258.64

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Represents refund of unused per diem.

BEN GILMAN, Chairman, Mar. 6, 1997.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1996

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Cordia Storm	11/12	11/17	Italy		1,520.00		1,220.25				2,740.25
Edward Grant	11/29	12/6	Ireland		1,105.00		1,188.95				2,293.95
Committee total					2,625.00		2,409.20				5,034.20

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HENRY J. HYDE, Chairman, Jan. 30, 1997.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATIONAL SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1996

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Visit to Germany and Italy; September 29–October 6, 1996:											
John D. Chapla	9/29	10/2	Germany		524.00						524.00
	10/2	10/4	Italy		426.00						426.00
	10/4	10/5	Germany		290.00						290.00
Commercial airfare							3,212.45				3,212.45
Thomas M. Donnelly	9/30	10/2	Germany		310.00						310.00
	10/2	10/4	Italy		440.00						440.00
	10/4	10/5	Germany		290.00						290.00
Commercial airfare							3,175.45				3,175.45
Douglas C. Roach	9/29	10/2	Germany		524.00						524.00
	10/2	10/4	Italy		426.00						426.00
Commercial airfare							3,616.45				3,616.45
George O. Withers	9/29	10/2	Germany		524.00						524.00
	10/2	10/4	Italy		426.00						426.00
	10/4	10/5	Germany		290.00						290.00
Commercial airfare							3,212.45				3,212.45
Visit to Bosnia, November 22, 1996:											
Hon. Patrick J. Kennedy	11/22	11/22	Bosnia		0.00						0.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATIONAL SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1996—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Visit to Italy, Bosnia, Hungary and Germany, November 27–December 3, 1996:											
Hon. Ike Skelton	11/27	12/1	Italy		920.00						920.00
	11/29	11/29	Bosnia		0.00						0.00
	12/1	12/2	Hungary		212.00						212.00
	12/2	12/3	Germany		168.00						168.00
Commercial airfare							501.05				501.05
Visit to the Philippines, December 5–8, 1996											
Hon. Curt Weldon	12/5	12/8	Philippines		750.00						750.00
Commercial airfare							5,406.95				5,406.95
Visit to Panama, December 8–13, 1996:											
Hugh N. Johnston, Jr.	12/8	12/13	Panama		429.82						429.82
Commercial airfare							1,295.95				1,295.95
Visit to Korea and Japan, December 13–19, 1996:											
Hon. Robert A. Underwood	12/13	12/16	Korea		936.00						936.00
	12/16	12/19	Japan		300.00						300.00
Commercial airfare							405.00				405.00
Visit to Japan and Indonesia, December 21–26, 1996:											
Hon. Patrick J. Kennedy	12/21	12/23	Japan		65.50		12.00				477.50
	12/23	12/26	Indonesia		480.00						480.00
Committee total					6,451.32		17,625.30		0.00		24,076.62

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

FLOYD D. SPENCE, Chairman, Jan. 31, 1997.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1996

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Louis H. Dupart	10/15	10/18	North America		724.00						724.00
Commercial airfare							682.32				682.32
Kenneth Kodama, Staff	10/26	10/30	Middle East		1,310.00		50				1,360.00
	10/30	10/31	Africa		217.00						217.00
	11/1	11/8	Asia		1,904.50						1,904.50
	11/8	11/9	Europe		309.00						309.00
Commercial airfare							5,977.95				5,977.95
Michael Sheehy	10/28	10/30	Middle East		576.00		50.00				626.00
	10/30	10/31	Africa		434.00						434.00
Commercial airfare							4,488.25				4,488.25
Hon. Porter J. Goss	11/8	11/10	Caribbean								
Commercial airfare							256.95				256.95
Louis H. Dupart	11/8	11/10	Caribbean		391.00		(3)				391.00
	11/11	11/13	Central America		200.00		(3)				200.00
Hon. Bill Richardson	11/25	11/27	Asia		350.00						350.00
Commercial airfare							8,364.95				8,364.95
Louis H. Dupart	12/2	12/6	Europe		963.00		17.48				980.48
Commercial airfare							2,684.55				2,684.55
John I. Millis	12/2	12/6	Europe		963.00		68.00				1,031.00
Commercial airfare							2,684.55				2,684.55
Hon. Bill Richardson	12/6	12/7	Europe		676.00						676.00
	12/9	12/10									
	12/7	12/9	Africa		568.00						568.00
Commercial airfare							3,660.75				3,660.75
Calvin Humphrey	12/6	12/7	Europe		676.00						676.00
	12/9	12/10									
	12/7	12/9	Africa		568.00						568.00
Commercial airfare							2,278.75				2,278.75
Committee totals					10,829.50		31,264.50		0		42,094.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

PORTER J. GOSS, Chairman, Feb. 4, 1997.

EXECUTIVE COMMUNICATIONS, ETC.

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

2272. A communication from the President of the United States, transmitting a fiscal year 1998 budget amendment that would provide authority to make one-time transfers of funds totaling $113 million necessary to implement fully the International Cooperative Administrative Support Services [ICASS] program, pursuant to 31 U.S.C. 1106(b) (H. Doc. No. 105–56); to the Committee on Appropriations and ordered to be printed.

2273. A letter from the Acting Architect of the Capitol, transmitting the report of expenditures of appropriations during the period April 1, 1996 through September 30, 1996, pursuant to 40 U.S.C. 162b; to the Committee on Appropriations.

2274. A letter from the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of March 1, 1997, pursuant to 2 U.S.C. 685(e) (H. Doc. No. 105–54.); to the Committee on Appropriations and ordered to be printed.

2275. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Implementation of Section 10A of the Securities Exchange Act of 1934 [Release Nos. 34–38387; IC–22553; File No. S7–20–96] (RIN: 3235–AG70) received March 13, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2276. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 97–19: Eligibility of Georgia, Kazakstan, Kyrgyzstan, Moldova, Russia, Turkmenistan, Ukraine, and Uzbekistan to be furnished defense articles and services under the Foreign Assistance Act and the Arms Export Control Act, pursuant to 22 U.S.C. 2753(a); to the Committee on International Relations.

2277. A communication from the President of the United States, transmitting a letter notifying Congress that on March 13, 1997, United States military personnel were deployed to provide enhanced security for the American Embassy in Tirana, Albania and to conduct the evacuation of certain United States Government employees and private United States citizens (H. Doc. No. 105–55); to the Committee on International Relations and ordered to be printed.

2278. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting

the Administration's final rule—Federal Acquisition Circular 90–46; Introduction (DOD, GSA, NASA) [48 CFR Chapter 1] received March 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

2279. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Gratuities (DOD, GSA, NASA) [FAC 90–46; FAR Case 96–300; Item I] (RIN: 9000–AH06) received March 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

2280. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Electronic Contracting (DOD, GSA, NASA) [FAC 90–46; FAR Case 91–104; Item II] (RIN: 9000–AF50) received March 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

2281. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Office of Federal Procurement Policy Letter 93–1, Management Oversight of Service Contracting (DOD, GSA, NASA) [FAC 90–46; FAR Case 94–008; Item III] (RIN: 9000–AG86) received March 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

2282. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Performance Incentives for Fixed-Price Contracts (DOD, GSA, NASA) [FAC 90–46; FAR Case 93–603; Item IV] (RIN: 9000–AH07) received March 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

2283. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements (DOD, GSA, NASA) [FAC 90–46; FAR Case 92–054B; Item V] (RIN: 9000–AH39) received March 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

2284. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Buy America Act—Construction (Grimberg Decision) (DOD, GSA, NASA) [FAC 90–46; FAR Case 91–119; Item VI] (RIN: 9000–AG81] received March 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

2285. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Collection of Historically Black Colleges and Universities/Minority Institutions Award Data (DOD, GSA, NASA) [FAC 90–46; FAR Case 95–306; Item VI] (RIN: 9000–AH02] received March 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

2286. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Allowability of Foreign Selling Costs (DOD, GSA, NASA) [FAC 90–46; FAR Case 95–021; Item VIII] (RIN: 9000–AH04] received March 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

2287. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Independent Research and Development/Bid and Proposal Costs in Cooperative Arrangements (DOD, GSA, NASA) [FAC 90–46; FAR Case 95–024; Item IX] (RIN: 9000–AH03) received March 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

2288. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Prompt Payment (DOD, GSA, NASA) [FAC 90–46; FAR Case 91–091; Item X] (RIN: 9000–AF61) received March 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

2289. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Attorneys' Fees in GAO Protests (DOD, GSA, NASA) [FAC 90–46; FAR Case 95–016; Item IX] (RIN: 9000–AH38) received March 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

2290. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Contractors' Purchasing Systems Reviews (DOD, GSA, NASA) [FAC 90–46; FAR Case 95–605; Item XII] (RIN: 9000–AG75) received March 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

2291. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Performance-Based Payments (DOD, GSA, NASA) [FAC 90–46; FAR Case 96–005; Item XIII] (RIN: 900–AH22) received March 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

2292. A letter from the Director, Office of Personnel Management, transmitting notification that OPM has approved a proposal for the personnel management demonstration project for the Department of the Navy, submitted by the Department of Defense, pursuant to Public Law 103–337, section 342(b) (108 Stat. 2721); to the Committee on Government Reform and Oversight.

2293. A letter from the Executive Director, Assassination Records Review Board, transmitting a letter notifying Congress that neither the President, nor the Office of Management and Budget has taken any position with respect to the Review Board's recommendation that its tenure be extended for 1 additional year; jointly, to the Committees on the Judiciary, Rules, House Oversight, and Government Reform and Oversight.

2294. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation to authorize appropriations for fiscal years 1998 and 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 1998 and 1999, and for other purposes, pursuant to 31 U.S.C. 1110; jointly, to the Committees on National Security, Government Reform and Oversight, International Relations, Transportation and Infrastructure, the Judiciary, and Intelligence (Permanent Select).

REPORT 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. HYDE: Committee on the Judiciary. H.R. 929. A bill to amend title 18, United States Code, to ban partial-birth abortions; with an amendment (Rept. 105–24). Referred to the Committee of the Whole House on the State of the Union.

Mr. COBLE: Committee on the Judiciary. H.R. 672. A bill to make technical amendments to certain provisions of title 17, United States Code; with an amendment (Rept. 105–25). Referred to the Committee of the Whole House on the State of the Union.

Mr. COBLE: Committee on the Judiciary. H.R. 908. A bill to establish a Commission on Structural Alternatives for the Federal Courts of Appeals (Rept. 105–26). Referred to the Committee of the Whole House on the State of the Union.

Mr. McCOLLUM: Committee on the Judiciary. H.R. 927. A bill to amend title 28, United States Code, to provide for appointment of U.S. marshals by the Attorney General (Rept. 105–27). Referred to the Committee of the Whole House on the State of the Union.

Mr. McCOLLUM: Committee on the Judiciary. H.R. 924. A bill to amend title 18, United States Code, to give further assurance to the right of victims of crime to attend and observe the trials of those accused of the crime; with an amendment (Rept. 105–28). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURTON: Committee on Government Reform and Oversight. H.R. 514. A bill to permit the waiver of District of Columbia residency requirements for certain employees of the Office of the Inspector General of the District of Columbia, and for other purposes; with amendments (Rept. 105–29). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on House Oversight. House Resolution 91. Resolution providing amounts for the expenses of certain committees of the House of Representatives in the 105th Congress; with an amendment (Rept. 105–30). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ACKERMAN:

H.R. 1083. A bill to establish certain uniform rights, duties, and enforcement procedures relating to franchise agreements; to the Committee on Commerce.

By Mr. ACKERMAN (for himself and Mrs. ROUKEMA):

H.R. 1084. A bill to amend the provisions of title 18, United States Code, placing restrictions on the sale of handguns to require a purchaser to reveal if the purchaser is the subject of a court order of protection; to the Committee on the Judiciary.

By Mr. HYDE:

H.R. 1085. A bill to revise, codify, and enact without substantive change certain general and permanent laws, related to patriotic and national observances, ceremonies, and organizations, as title 36, United States Code, ''Patriotic and National Observances, Ceremonies, and Organizations''; to the Committee on the Judiciary.

H.R. 1086. A bill to codify without substantive change laws related to transportation and to improve the United States Code; to the Committee on the Judiciary.

By Mr. McCOLLUM:

H.R. 1087. A bill to clarify the method of execution of Federal prisoners; to the Committee on the Judiciary.

By Mr. METCALF:

H.R. 1088. A bill to reauthorize appropriations for the conservation of the Washington salmon fishery through the purchase of salmon fishing licenses and fishing vessels; to the Committee on Resources.

ADDITIONAL SPONSORS

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

H.R. 93: Mr. LEWIS of Georgia.

H.R. 165: Mr. PICKETT, Mr. FARR of California, and Mr. CONDIT.

H.R. 166: Mr. JONES and Mr. DELLUMS.

H.R. 167: Mr. DELLUMS.

H.R. 168: Mr. DELLUMS.

H.R. 235: Mr. DELLUMS, Mr. SERRANO, and Mr. SCHIFF.

H.R. 383: Mr. MENENDEZ and Mr. FAZIO of California.

H.R. 437: Mr. MCCOLLUM, Mr. MCGOVERN, Mr. BOYD, Mr. GRAHAM, Mr. BONIOR, Ms. STABENOW, and Mr. BARCIA of Michigan.

H.R. 505: Mr. DAVIS of Illinois and Mr. BARRETT of Wisconsin.

H.R. 553: Mr. CLEMENT, Mr. MCGOVERN, Mr. PASTOR, Mr. BLAGOJEVICH, Ms. CHRISTIAN-GREEN, and Mr. TURNER.

H.R. 638: Mr. WICKER and Mr. PETERSON of Pennsylvania.

H.R. 659: Mr. LUCAS of Oklahoma, Mr. RIGGS, Mr. DAVIS of Virginia, Mr. GOODLATTE, and Mr. NORWOOD.

H.R. 674: Mr. BUNNING of Kentucky, Mr. SHADEGG, and Mr. ISTOOK.

H.R. 680: Mr. VISCLOSKY and Mr. CLEMENT.

H.R. 752: Mr. HASTINGS of Washington.

H.R. 778: Mr. FILNER, Mr. STARK, Ms. ROYBAL-ALLARD, Mr. FRANK of Massachusetts, Mr. MARKEY, Mr. SNYDER, Mrs. MALONEY of New York, Mr. FALEOMAVAEGA, and Mr. VENTO.

H.R. 779: Mr. FILNER, Mr. STARK, Ms. ROYBAL-ALLARD, Mr. FRANK of Massachusetts, Mr. MARKEY, Mr. SNYDER, Mrs. MALONEY of New York, Mr. FALEOMAVAEGA, and Mr. VENTO.

H.R. 780: Mr. FILNER, Mr. STARK, Ms. ROYBAL-ALLARD, Mr. FRANK of Massachusetts, Mr. MARKEY, Mr. SNYDER, Mrs. MALONEY of New York, Mr. FALEOMAVAEGA, and Mr. VENTO.

H.R. 789: Mr. PICKERING.

H.R. 804: Mr. LIPINSKI, Mr. UNDERWOOD, and Mr. MANTON.

H.R. 816: Mr. FOLEY, Mr. GEKAS, Mr. LIPINSKI, and Mr. ARCHER.

H.R. 825: Ms. CHRISTIAN-GREEN, Mr. OLVER, and Ms. FURSE.

H.R. 831: Mr. HOBSON and Mr. BAKER.

H.R. 838: Mr. YOUNG of Alaska.

H.R. 872: Mr. BARCIA of Michigan, Mr. CLEMENT, Mr. COBURN, Mr. COX of California, Mr. CRANE, Mr. HORN, Mr. NORWOOD, Mr. PORTER, Mr. SALMON, Mr. SERRANO, Mr. SHAYS, and Mrs. TAUSCHER.

H.R. 897: Mr. BARRETT of Wisconsin.

H.R. 955: Mr. ENGLISH of Pennsylvania and Mrs. LINDA SMITH of Washington.

H.R. 1046: Ms. CHRISTIAN-GREEN.

H.J. Res. 54: Mr. GILMAN, Mrs. MCCARTHY of New York, Mrs. NORTHUP, and Mr. CONDIT.

H. Con. Res. 8: Mr. HINCHEY, Ms. WOOLSEY, Mr. BACHUS, Mr. LEWIS of Georgia, Mr. KINGSTON, Mr. FRANKS of New Jersey, and Mr. FARR of California.

H. Con. Res. 13: Mr. TIERNEY, Mr. SANDERS, Mr. FATTAH, Mr. SHERMAN, Mr. HORN, Mr. JONES, Mr. LEACH, Mr. ENGEL, Mr. MILLER of California, Mr. VENTO, Mr. DOOLEY of California, Mr. STRICKLAND, and Mr. SCHIFF.

H. Con. Res. 24: Mr. SANDLIN, Mr. JEFFERSON, Mr. KLUG, Mr. DOYLE, and Mr. DAVIS of Illinois.

H. Con. Res. 39: Mr. FALEOMAVAEGA, Mr. ACKERMAN, Mr. MEEHAN, Mr. MCGOVERN, and Mr. BERMAN.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143 WASHINGTON, MONDAY, MARCH 17, 1997 No. 34

Senate

The Senate met at 12 noon, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Today, we will celebrate St. Patrick's Day. It is appropriate to share the Gaelic blessing and then pray one of St. Patrick's prayers.

May the road rise up to meet you,
May the wind be always at your back
May the sun lie warm upon your face,
The rain fall softly on your fields,
And until we meet again
May the Lord hold you
In the hollow of His hand.

Gracious Lord, we remember the words with which St. Patrick began his days. ''I arise today, through God's might to uphold me, God's wisdom to guide me, God's eye to look before me, God's ear to hear me, God's hand to guard me, God's way to lie before me and God's shield to protect me.'' In Your Holy Name. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader is recognized, Senator LOTT.

Mr. LOTT. Thank you, Mr. President.

SCHEDULE

Mr. LOTT. Mr. President, today at 1 p.m., following morning business, the Senate will resume consideration of Senate Joint Resolution 22, the call for an independent counsel resolution.

For the information of all Members, no rollcall votes will occur during today's session of the Senate, and the next rollcall vote will occur at approximately 2:45 on Tuesday. That rollcall vote will be on passage of Senate Joint Resolution 18, the Hollings resolution on a constitutional amendment for campaign expenditures.

Regarding the independent counsel resolution, under the previous order, amendments may be offered to that resolution beginning today at 3 p.m.

It is my hope that the Democratic leader and I will be able to reach an agreement as to when the Senate will complete action on Senate Joint Resolution 22—hopefully by tomorrow evening. All Members will be notified when an agreement is reached.

It is possible that the Senate will consider a resolution also regarding Mexico and their certification in the antidrug effort. But I presume that would come not later than Wednesday. Maybe we could even go to it on Tuesday. But right now it looks like it will be Wednesday before we get to that.

The Senate may also begin consideration this week of the nuclear waste legislation.

I will remind all Senators that this is the last week prior to the Easter recess period. I hope the Members will plan accordingly, as we wish to finish our business on time. It will take some cooperation this week to get through the matters we have pending.

We are also seeing if we can get a time agreement on one of the judicial appointments. We have not been able to do that yet. We will continue to work on it.

Mr. President, I observe the absence of a quorum.

The PRESIDING OFFICER (Mr. KYL). The clerk will call the role.

The legislative clerk proceeded to call the roll.

Mr. THOMAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 1 p.m., with Senators permitted to speak therein for up to 5 minutes each. Under the previous order, there will be 30 minutes under the control of the Senator from Wyoming [Mr. THOMAS]. The Senator from Wyoming is recognized.

Mr. THOMAS. I thank the Chair.

FREEDOM FROM GOVERNMENT COMPETITION ACT

Mr. THOMAS. Mr. President, I have a couple of things I wanted to visit about this morning. The first one of the priorities that I and a number of people have for the 105th Congress is S. 314, the Freedom From Government Competition Act.

This is an effort, along with many other things, to seek to reduce the size of the central Government, which most people agree we should do. It is one of the reasons we try to have a balanced budget amendment, so that we can control the size of the growth of the Federal Government by our willingness to pay for it.

One of the other areas, of course, that we have been very interested in, and continue to be, is the idea of ''devolution''—kind of a new word. It means move some of the functions down to State and local governments so that we do, in keeping with the Founding Fathers, keep the size of central Government relatively limited and do those things that are essential to be done on the national level, and there are many, and yet not do the things that could better be done either at the local level in government or, indeed, in the private sector. The private sector is what I want to talk about a little today.

In general, from the title, we are simply saying that we want to remove the

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

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competition of the Federal Government in those things that could as well or, indeed, better be done in the private sector. So S. 314 is called the Freedom From Government Competition Act. This bill is supported by a broad cross-section of business groups, and I have a list of those.

I ask unanimous consent to have the list printed in the RECORD, along with several letters of endorsement.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GROUPS SUPPORTING THE FREEDOM FROM GOVERNMENT COMPETITION ACT

National Federation of Independent Businesses (NFIB).
U.S. Chamber of Commerce.
Associated General Contractors of America (AGC).
National Association of Women Business Owners.
American Consulting Engineers Council (ACEC).
ACIL (Formerly the American Council of Independent Laboratories).
Business Coalition for Fair Competition (BCFC).
Business Executives for National Security (BENS).
Contract Services Association.
Design Professionals Coalition.
Management Association for Private Photogrammetric Surveyors (MAPPS).
Procurement Roundtable.
Professional Services Council (PSC).
Small Business Legislative Council.

NATIONAL FEDERATION OF INDEPENDENT BUSINESS,
Washington, DC, February 11, 1997.

Hon. CRAIG THOMAS,
U.S. Senate, Washington, DC.

DEAR SENATOR THOMAS: On behalf of the 600,000 members of the National Federation of Independent Business (NFIB), I commend you for introducing the Freedom From Government Competition Act of 1997.

Today government agencies are competing against small businesses in an increasing number of areas. Virtually all goods and services offered by government agencies are available from the private sector, which provides them more efficiently. Small business owners who face government competition spend thousands of dollars to develop their businesses, while their federally funded competitors are tax exempt.

NFIB opposes the government's commercial activities that compete directly with small firms in the private sector. In fact, in a recent survey, 70 percent of small business owners expressed their opposition to government agencies being allowed to compete against private businesses. Additionally, unfair government competition was one of the top recommendations of the 1995 White House Conference on Small Business.

Your legislation would allow small businesses to compete fairly, and allow small business to do what they do best, create new jobs and grow the economy, while still providing a quality product in an efficient manner.

NFIB strongly supports your legislation and stands ready to assist you to stop the practice of unfair government competition against our nation's small businesses.

Sincerely,

DAN DANNER,
Vice President,
Federal Governmental Relations.

THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA,
Washington, DC, March 7, 1997.

Hon. CRAIG THOMAS,
Washington, DC.

DEAR SENATOR THOMAS: The Associated General Contractors of America (AGC) thanks you for your leadership on the Freedom from Government Competition Act of 1997, S. 314. AGC strongly supports the concept that the government should not compete with its citizenry. Full and open, fair competition provides low cost, highly qualified contractors for government work.

Contracting out government procurement more effectively and efficiently utilizes taxpayer dollars. This bill will encourage the growth of small business and further the competitiveness of large business. In determining commercial areas in which the government unfairly competes with the private sector, common sense outsourcing decisions will be made using the process outlined in the bill.

Sound public policy, however, dictates that the government must maintain its stewardship role to safeguard fairness of competition. Oversight of the outsourcing program, ensures that the end result is fair competition. Successful examples of this type of oversight can be seen in the contracting actions of the General Services Administration's Federal Building Fund, U.S. Army Corps of Engineers, and the Naval Engineering Facilities Command.

AGC stands ready to assist as you to continue your efforts to establish free market competition. Your invaluable leadership on this issue will be needed as Federal Government allows the entrepreneurial spirit to flourish.

Sincerely,

STEPHEN E. SANDHERR,
Executive Vice President.

NATIONAL ASSOCIATION OF WOMEN BUSINESS OWNERS,
Washington, DC, February 27, 1997.

Hon. CRAIG THOMAS,
U.S. Senate, Washington, DC.

DEAR SENATOR THOMAS: Today government agencies are competing against small businesses in an increasing number of areas. Virtually all goods and services offered by government agencies are available from the private sector, which provides them more efficiently. Small business owners who face government competition spend thousands of dollars to develop their businesses, while their federally funded competitors are tax exempt.

Your legislation would allow small businesses to compete fairly, and allow small business to do what they do best, create new jobs and grow the economy, while still providing a quality product in an efficient manner.

On behalf of the members of the National Association of Women Business Owners (NAWBO), I commend you for introducing the Freedom From Government Competition Act of 1997.

NAWBO opposes the government's commercial activities that compete directly with small firms in the private sector. In fact, in a recent survey, 70 percent of small business owners expressed their opposition to government agencies being allowed to compete against private businesses. Additionally, unfair government competition was one of the top recommendations of the 1995 White House Conference on Small Business.

NAWBO strongly supports your legislation and stands ready to assist you to stop the practice of unfair government competition against our nation's small businesses.

Sincerely,

TERRY NEESE,
Corporate and Public Affairs Liaison.

Mr. THOMAS. Let me just go over some of these folks who do support it: National Federation of Independent Businesses, U.S. Chamber, Associated General Contractors of America, National Association of Women Business Owners, Consulting Engineers Council, Business Coalition for Fair Competition, Design Professionals Coalition, and many others.

So it is designed to say basically that in those areas of Government activities and Government operations, for those things that are done that are basically commercial, there ought to at least be an opportunity for the private sector to compete. It is designed to open the potential market of $30 billion nationally for businesses, for the private sector, both large and small. And as a matter of fact, most of the contracts would go to small business.

It is designed to level the playing field—those are words we use a lot, but they have meaning—for thousands of businesses in the whole economy of this country from the very ordinary kinds of things to high-technology things—janitorial services, hospitality and recreation service businesses, engineering services, laboratory and testing services.

As a matter of fact, I really became involved in this in the legislature in the State of Wyoming where we had government competing for laboratory services, where the private sector was available there to do that with the same kind of quality or even better and at less cost. So that is what we decided to do.

It will provide for better value to taxpayers because it capitalizes on talent and expertise available in the competitive private sector. It has been Federal policy for a very long time—as a matter of fact, some 40 years—that contracting out to the private sector would be, indeed, a function of the Federal Government, but the fact is that it has not really worked out that way. So we need a legislative solution. We say we are going to do it, but we do not do it. And I understand that. Part of the reason, of course, is that in an agency you have your own operation and your own staff and would prefer to do it.

The other is often when there has been some effort to try to determine the efficiency of it, we find that testing is really not very fair and so you end up saying, well, Government can do it cheaper, but you have not really analyzed it in a very fair way.

We have a lot of things that the Federal Government should be doing, and they take too much time and money on goods and services, in my view, that could better be delivered by the private sector.

The Congressional Budget Office has estimated in the past that 1.4 million Federal employees do work that is basically commercial in nature. This competition, of course, is tougher on the private sector. It kills small business, stifles economic growth, and lowers the tax base, particularly in States such as mine where 50 percent of the

State belongs to the Federal Government, and it is difficult to keep the private sector and the tax base going. It hurts small business. So it has been a concern of small business.

We have had White House small business conferences in 1980, 1986, and 1994, and in all three of these conferences this has been the major concern.

Let me just briefly explain the bill. I indicated that for some time—like 40 years—we have had a policy to do contracting, to bring the private sector in to do things, but they really have not done that. So we are now saying statutorily there is a system for giving small business that opportunity. It does not say that it has to do that. It says that when there is a commercial activity, the private sector should be given an even chance to see if they can do it more efficiently than the Government. And there are exceptions to that, of course. There are legitimate, inherent activities of Government, and those will be the exceptions—national security, where the Federal Government can provide a better value, and we recognize that that can be. We are not asking that it be given to the private sector if, indeed, the Federal Government agency can do it more efficiently, or in the case, of course, where the private sector cannot provide the goods and services.

So this bill establishes a system and a process where the Office of Management and Budget in the executive branch will identify those Government functions that are ''inherently and basically commercial in nature.''

It also establishes an Office of Commercial Activities within OMB to implement the bill. So now you do not have the agency that is going to do the contracting making the decision as to whether they do it or not.

There will be an outside effort made to identify the functions that could best be done that way and to establish provisions for the transition of Federal employees if there should be some reduction there.

The climate, I think, is right for action of this kind. Almost everybody agrees we ought to direct the money, if we can save money by better Government—there are lots of underlying issues, whether it be defense, whether it be health care, whether it be Medicare—to where we can better use those dollars rather than doing the things that someone else could do more efficiently.

The Senate was in support of the concept of this bill; last year, the Senate voted 59 to 39 in favor of a Treasury-Postal appropriations amendment that would have prevented unfair Government competition. It was dropped, unfortunately, from the omnibus appropriations bill.

If we are going to balance the budget, we are going to have to make some fundamental changes. The Federal Government operating commercial needs is one that we can change and eliminate and reduce. Various studies indicate that we could save up to $30 billion by utilizing private sector resources. The Heritage Foundation estimates we could save $9 billion annually. The Defense Science Board concluded the Defense Department alone could save $30 billion annually.

So, the Freedom From Government Competition Act will help to create jobs in the private sector, help open up markets to private business, save billions of dollars and make Government more efficient. I certainly commend this bill to my associates here in the Senate, to see if we could not make a way to increase and strengthen the private sector as well as save money to be used on these things that are fundamentally Governmental in nature.

FINIS MITCHELL

Mr. THOMAS. Mr. President, it is with great honor that I join Wyoming's Gov. Jim Geringer, and the people of the State of Wyoming, in paying tribute to Finis Mitchell, a man whose legacy commemorates the very pioneer spirit on which our great country was founded.

In remembrance of Mr. Mitchell's innumerable contributions to our State, Governor Geringer has issued a proclamation to designate February 15, 1997, as ''Finis Mitchell Day.''

I ask unanimous consent that the State of Wyoming's proclamation be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

[See exhibit 1]

Mr. THOMAS. Finis Mitchell was in the vanguard of mountain climbing at the beginning of this century, and continued his exploration of the Wind River Mountain Range until 1985 when, at the age of 84, he suffered a debilitating knee injury. He documented his climbing experiences through extensive mapping and photography, and eventually amassed a collection of slides numbering in excess of 126,000. This intimate knowledge of the area served as a reference for the U.S. Geological Survey in drawing official maps of the Wind Rivers, and inspired Mr. Mitchell to share his love of the mountains by penning a guidebook and giving educational lectures nationwide.

After marrying Emma Nelson in 1923, together they stocked over 300 of the region's lakes with fish and started the Wind Rivers' first recreational fishing camp. To this day, those lakes are being fished by the public. In recognition of his life-long dedication to environmental conservation, Finis Mitchell received an honorary doctorate from the University of Wyoming, in addition to other State and National awards. He also found the time to serve as a State legislator.

Throughout his life, Mr. Mitchell demonstrated strength in his rugged individualism. Starting from a humble beginning with his wife at their post-Depression fishing camp, this spirit of determination provided Mr. Mitchell with the foundation for a lifetime of success. Finis Mitchell rose to the challenges of exploring social, educational, and political frontiers just as he made his innumerable treks into the untamed wilderness, one step at a time.

It can be said that Mr. Mitchell's achievements were a byproduct of respect he had for the lands he called his own backyard, and those which he helped transform into a sportsman's paradise. The following passage in Finis Mitchell's own words surely echoes the sentiment of all who have had the privilege of knowing his Winds:

> Evening alone in the mountains. No one to talk to. No one speaking out . . . Only the comfort of a murmuring breeze, the goodnight chirp of the snowbird . . . the glistening of the moon on a distant glacier, the faint music of waterfalls scurrying down. Where else can a man be so close to heaven and still have his feet on the ground?

Mr. Mitchell's extensive mapping of the Wind River region and his nationally recognized wildlife conservation efforts will be appreciated by folks from Wyoming, and others drawn to the area from all over the globe, for generations to come. We will continue to share his love of nature through the beauty of the majestic vistas and abundant wildlife that make our State like no place on Earth.

Mr. President, I would like to close with a quote from ''The Pioneer'' by James Fenimore Cooper, which seems to epitomize the life of Finis Mitchell:

> None know how often the hand of God is seen in the wilderness but them that rove it for a man's life . . .

Such a man was Finis Mitchell.

EXHIBIT 1

GOVERNOR'S PROCLAMATION

Finis Mitchell was born on November 14, 1901 in Ethel, Missouri, the son of the late Henry Reece and Faye Troutman Mitchell. He traveled with his parents from Missouri to Wyoming's Wind River Range, arriving on April 26, 1906.

Finis Mitchell started mountain climbing back in October, 1909. He continued solo climbing until 1975 when at the age of 73, he suffered a debilitating fall that left him with a bad knee.

Finis Mitchell began taking pictures as a hobby with his climbing, so that he could show people where he had been and what was in our national forests. By the time he stopped climbing he had accumulated a collection of 35mm slides in excess of 126,000. Finis spent most of his free time exploring the Wind Rivers, capturing their beauty on film, naming lakes, and mapping the terrain.

Finis Mitchell and Emma Nelson were married in Rock Springs at the Congregational Church on June 4, 1925. The two pioneers, in 1930, started Mitchell's Fishing Camp at the Big Sandy Openings, which was to become the first recreation area on the Pacific side of the Wind River Range. Due to the lack of fish, Finis and Emma transported fish in five gallon milk cans, twelve at a time using six pack horses. In the seven years that they operated their fishing camp, they stocked over 300 lakes with over 2.5 million little trout, all free for the public to enjoy.

Finis Mitchell had been the recipient of many awards and honors for his conservation

efforts by the U.S. Environmental Protection Agency, the National Forest Service and several presidents. He served in the Wyoming House of Representatives from 1955–1958. In 1975 Finis published a guidebook to the Wind Rivers, Wind River Trails. In 1977 he received an honorary doctorate from the University of Wyoming. The Congress of the United States named Finis' favorite mountain after him. Mitchell Peak at 12,482 feet, is one of a very few land forms in the country that was named after a living American.

Finis Mitchell passed away November 13, 1995, the day before his 94th birthday.

Now Therefore, I Jim Geringer, Governor of the State of Wyoming, do hereby proclaim February 15, 1997, to be ''Finis Mitchell Day'' in Wyoming. Known by many as ''Lord of the Wind Rivers,'' Finis Mitchell hiked or backpacked over 15,000 miles and climbed 220 peaks since 1909. He shared his knowledge and experiences with anyone and everyone. He spent a lifetime exploring and learning about the Wind River Range and passing the information on to others.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Wyoming to be affixed this 12th day of February, 1997.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, are we in morning business?

The PRESIDING OFFICER. The Senator from Alabama is correct.

OPPOSITION TO THE HOLLINGS AMENDMENT

Mr. SHELBY. Mr. President, I want to commend the Senator from South Carolina, Senator HOLLINGS, for his many years of effort to reform our campaign system. His commitment to this endeavor is principled and longstanding.

I have supported the Senator's efforts in the past, cosponsoring and voting for his legislation that would amend the first amendment of the Constitution to allow Congress and the States to limit the amount of money spent on political campaigns.

Mr. President, with all due respect to his efforts and my past efforts, however, I rise today to speak in opposition to the Senator's proposed constitutional amendment.

I have supported the Senator from South Carolina's effort in the past because I believed then, as I do now, that we need to improve our current campaign system. But, in my zeal for reform, I ignored what was really at stake.

Over the past weeks, however, after much thought and consideration—after many discussions with constituents and reviewing the writings of many constitutional scholars, all of who support campaign finance reform—I have come to the conclusion that amending the first amendment would be far worse than the current situation.

Indeed, if we passed a constitutional amendment to amend the first amendment to solve our current campaign finance problems, the cure would be worse than the disease.

Mr. President, the proposed constitutional amendment simply takes away too much—the cost is too high and the risks too great.

The first amendment is properly viewed as one of the most sacrosanct bundle of rights protected under the U.S. Constitution and this proposed resolution would strike at the heart of the first amendment—core political speech.

Mr. President, to support such a repeal, is to threaten the very breath of every other right protected under the Constitution—and then nothing is sacred, nothing is sure, nothing is protected.

Without free speech, liberty has no meaning.

And this amendment would seek to do what the Supreme Court has said cannot be done under the first amendment of our Constitution.

In 1974, in the seminal case of Buckley versus Valeo, the Supreme Court as the Presiding Officer knows, struck down the Federal Election Campaign Act's expenditure limits on candidates, individuals, and groups on first amendment grounds—finding that the Government's interest in, among other things, reducing the appearance of corruption was insufficient to justify restricting core political speech and expression.

Mr. President, the question facing the Supreme Court was, at bottom: ''whether a person can be prohibited from spending money to communicate an idea, belief, or call to action''? The Court's answer was ''no.''

Since Buckley, the Court has consistently found that the first amendment protects political speech and expression rights from intrusive government restrictions such as campaign spending limits.

In FEC versus National Conservative Political Action Committee the Court again struck down spending limits. This time, reaffirming that restrictions on independent expenditures by political committees on publicly funded presidential general election campaigns violate the core of the first amendment's protections.

More recently, in Colorado Republican Federal Campaign Committee versus FEC, the Court found that political party expenditures made without coordination of a candidate were entitled to first amendment protection as independent expenditures.

The Court rejected the argument that independent expenditures threaten corruption or give the appearance of corruption.

Mr. President, this amendment is about more than just overturning one Supreme Court case, it is about overruling a whole line of first amendment case law.

Over the years, the Court has made it clear that the Buckley decision was not some fluke. In fact, Buckley has been reaffirmed many times over. The answer should not be to undo the first amendment because it is viewed as an impediment to reform.

There are better, perhaps more realistic and more effective ways of addressing the problems in our campaign finance system.

Mr. President, I believe that changes can be made to improve our current system and I intend to support efforts to reform our current campaign finance system.

But first, we need to start by enforcing current law, especially in regard to foreign contributions. No foreign contributions should be allowed to influence our political process.

It is important to remember that adopting this amendment won't do anything to address the abuses that have recently come to light regarding the White House, DNC fundraisers and foreign influence. Existing laws were broken in accepting foreign contributions.

However, we all know that our current laws are not sufficient. We need to target abusive practices which both parties agree should be eliminated.

And, Mr. President, I believe that one of the most far reaching and important changes we can make in the system we have today is to demand full disclosure of all campaign contributions and expenditures. The public has a right to know where all funds in the political system come from and where they go.

I also remain fully opposed to any form of public financing of political campaigns and intend to fight efforts to shift the cost and effort of running for public office from political candidates to the taxpayer of America.

I find it offensive that some would argue that the only way we can purify the political process and eliminate the appearance of corruption is to launder campaign funding through the U.S. Treasury.

American taxpayers should not be forced to pay for political campaigns. We have public financing of Presidential campaigns now, and you can see how effective that was in reducing corruption or the appearance of corruption in the last election.

Mr. President, reform cannot and should not come at the expense of the public, and yet the reform proposals now being put forth would first rob American citizens of their first amendment rights under the Constitution and then require them to pay for the cost of political campaigns.

What a deal. Reform could not be easier—for the political establishment.

This amendment has serious ramifications beyond the immediate restrictions placed on an individual's rights to free speech and expression. This amendment also threatens the power of the American people over their Government.

By restricting the right to speak freely and to participate in the political process, we restrict our rights to political debate and reduce our ability to control and check our Government. In fact, we give up even the pretense of self-government.

I would rather be criticized for changing a position than forever limiting the rights of Americans to speak,

to argue, and to participate in the world's oldest constitutional democracy.

Again, I sincerely commend my friend and colleague, Senator HOLLINGS, for his effort and commitment to campaign finance reform, but I wish he would reconsider, as I have, his commitment to change the first amendment. I think it would be a mistake now. I yield the floor.

Mr. WYDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. WYDEN. Mr. President, I yield myself 15 minutes of the time taken by the minority leader, Mr. DASCHLE.

COMMUNITY JUSTICE

Mr. WYDEN. Mr. President, my home State of Oregon has long been known for being innovative in a variety of important public policy areas. The Oregon Health Plan, for example, is a pioneering effort. We were the first State to protect our beaches, to go forward with recycling, to look at innovative ways to protect our land, air and water, and we are clearly out in front in terms of welfare reform, a key issue to our citizens at this time.

Today, I take the floor to talk about how Oregon would like to lead the country once more, this time in the critical area of juvenile justice. It is very appropriate that this matter be pursued at this time because, according to the National Center on Juvenile Justice, 47 out of 50 States have legislation in their State legislatures that would literally wipe out the State juvenile court system. It is not hard to be surprised about why these kinds of things are happening, because we know that our citizens are angry about the juvenile justice system in our country.

For example, there are many who come to my townhall meetings and say, ''Ron, 20 years ago we left our car doors unlocked, we left our windows open, and we were safe. But today, it's not that way any longer. I'm an older person, and I'm concerned about going out after 4 o'clock in the afternoon. I'm frightened. I'm frightened by what the thugs in my neighborhood might do to me.''

These citizens are not going to sit around and have debates about diversion programs, which is one approach for juvenile justice, or probation programs. They just want to make sure that they are protected, that they and their families are secure in their homes, and that their right to be free, their civil right, if you will, to be free from crime in their neighborhood is protected. It is not hard to see why State legislatures around this country are proposing bills to get rid of the juvenile justice system altogether.

So I come to the floor today to talk about an effort that is underway in Oregon to literally turn the juvenile justice system on its head and make it vibrant again. What we are seeking to do—and it is an effort that is being pioneered in central Oregon and Deschutes County, specifically—is to turn the juvenile justice system on its head and move from a model that was based on prevention and treatment to one that is based on accountability. We call this model community justice.

It is community justice because we feel that when a crime is committed, our community loses something. A person is harmed economically, physically, or emotionally, but also the community is harmed. Our community loses a sense of security. It loses funds that are needed for police work, and funds that are involved in incarceration and in probation. All our community suffers.

We believe it is first the responsibility of the system to avoid crimes being committed in the first place, but it also is critically important that if a crime is committed, the offender must be held accountable for making the community whole—the offender must earn their way back into the community. Prosecutors and police, and others, in Deschutes County, OR, have begun a new system built around accountability so that if, for example, you have a first-time offender, a nonviolent first-time offender, who has robbed the home of a senior citizen, what you are going to see is that this young offender is going to be required to pay back the community. My sense is that this notion of accountability, accountability for juvenile offenders so that there are consequences every time a juvenile offender commits a crime, is the direction that we ought to be going.

In Deschutes County, we look at this as part of what we have come to call the Oregon option. The Oregon option has been an approach that we pioneered with the Federal Government which stipulates that when local government is freed from some of the bureaucratic redtape, in return, we will make sure there are actual results; in other words, that we can prove that in return for relief from some of the bureaucratic constraints, we can meet the requirements of a particular community service program.

What we are saying in Oregon is that when there are dollars that are now earmarked for, say, prison beds for young offenders, we will commit, under the community justice kind of approach, to making sure those young offenders are held accountable and repay the community. And if, in fact, we can't do it, then the community is going to make sure, with community resources, that the goals of the juvenile justice system, and holding youthful offenders accountable, is met through buying back the prison beds.

My view is that this model of community justice is the kind of approach that the Congress should look at this year when we consider the juvenile justice statute, which is up again for reauthorization. We ought to say, as part of that law, that any juvenile justice system should require young offenders to complete accountability contracts to ensure that they make amends for their offense. We ought to make sure that, as part of the reauthorization of the juvenile justice system, local programs receive high marks from victims—and here the Chair has done yeoman work, in my view—that victims become the central customer of the criminal justice system.

I believe that using these kinds of principles, principles of accountability, principles of community involvement, principles of ensuring that victims become the customer of the system, we can build a new system.

Not long ago, I went to Deschutes County to learn about their community justice program. What I saw was a coalition of police officers, district attorneys, those who work in the juvenile justice system, Democrats, Republicans, all at a table saying, ''We believe that this new approach for community justice is the kind of approach that the Federal Government should support as part of the Juvenile Justice and Delinquency Prevention Act reauthorization.''

Mr. President, I would say that if we can hold youthful offenders accountable, if we can ensure that there are consequences each time an offense is committed, if the Congress and local communities redesign these programs so as to work with families, we can have a new set of principles that would define juvenile justice for the 21st century—a set of principles that puts the community's needs first and makes the victim the principal customer.

I submit, Mr. President, that as the Congress goes forward with hearings on the juvenile justice system and the consideration of the juvenile justice statute, eyes should focus on what is being done with community justice in Deschutes County, OR, because I believe those kinds of principles, the principles that represent our community values, is what we should build the juvenile justice system around for the 21st century.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent I may speak for not to exceed 15 minutes, and that the time for morning business be extended accordingly.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from West Virginia is recognized.

Mr. BYRD. I thank the Chair.

BIRTHDAY GREETINGS TO SENATOR MOYNIHAN

Mr. BYRD. Mr. President, this is a most felicitous time. The ides of

March, so dark with shadows of Caesar's doom some 2,041 years ago, is safely past, and that welcome harbinger of the season's turn, the vernal equinox, is close at hand. On March 15, 44 B.C., Julius Caesar was slain in the Senate of Rome by a group of conspirators led by Marcus Junius Brutus. On the following day, March 16, 2,041 years ago, Brutus went to the Forum to speak to the people of Rome, but he was forced to retire to the Capitol after threats were made against the conspirators. On March 17, today, 2,041 years ago, Antony, after negotiating with the conspirators, convened the Senate in the temple of Tellus. In that meeting, a decree was passed that no inquiry would be made into the murder of Caesar, and that all of his enactments and dispositions should remain valid for the welfare of the Republic. And that is what the Senate of Rome was occupied with on this day.

But today in 1997, the daffodils are blooming, the grass is greening, the crocuses are peeping from the soil, and it is a time to celebrate the birth of a new season. On March 16, seven decades ago, 1,971 years after Brutus spoke to the people of Rome, one of our most sage and respected Senators was born in Tulsa, Oklahoma. And today, March 17, instead of meeting to speak on the death of Caesar, I am here in the Senate to honor the life of my colleague from Pindars Corners. Pindar, as I am sure my learned friend, the distinguished Senator from New York, knows well, was a Greek poet who lived from circa 522 to circa 438 B.C. Young DANIEL PATRICK MOYNIHAN soon moved to New York with his family, and, after a wartime tour aboard the U.S.S. *Quirinus*, he, PATRICK MOYNIHAN, launched his own illustrious academic and public service career.

Now, the U.S.S. *Quirinus* was named after the Sabine God of War and was identified with the deity of Romulus.

Senator MOYNIHAN brings a wide-ranging background to his duties as the senior Senator from New York. He has served in the cabinets of four Presidents—Kennedy, Johnson, Nixon, and Ford. He has served as ambassador to Indian, and U.S. Permanent Representative to the United Nations. He has received 60 honorary degrees from colleges and universities—60! His talents have enhanced organizations from the National Commission to Reform Social Security to the President's Science Advisory Committee.

As an academic and as a public servant, Senator MOYNIHAN has turned his inquisitive and incisive intellect to some of the most pressing and enduring problems of our society. His thorough and humane understanding of poverty in America and of the Social Security system enlightens and informs our discourse. The books that he has published over the years on these and other subjects are remarkable for their prescience. I know that his statements on the floor are followed closely by Members, staff, and the public, and that they never fail to bring into sharp focus the difficult core of the current debate. To hearken back to the poet Pindar, I note that he observed in his ''Olympian Odes,'' ''Vocal to the wise; but for the crowd they need interpreters.'' Senator MOYNIHAN is the Senate's interpreter on many of the important issues facing the country today.

And so, Mr. President, as a septuagenarian and one who is soon to become an octogenarian, I welcome Senator DANIEL PATRICK MOYNIHAN to the club of septuagenarians.

The Psalmist says, ''The days of our years are threescore years and ten; and if by reason of strength they be fourscore years, yet is their strength labour and sorrow; for it is soon cut off, and we fly away.''

The Lord has blessed Senator MOYNIHAN with the gift of having reached that seventieth year. I was 10 years old when PAT MOYNIHAN was born in Tulsa, Oklahoma, in that year of 1927. That was the year in which Charles Lindbergh took off on the morning of May 20, in his plane, *The Spirit of St. Louis*, and flew from New York City to Paris, with five sandwiches—he ate half of one. At times, he flew ten feet above the water and, at times, 10,000 feet above the water. I remember the newspaper headlines speaking of Lindbergh's flight, saying that he flew over Newfoundland at the ''great speed'' of 100 miles an hour. And then that was the year when, on September 22, Dempsey fought Gene Tunney. Jack Dempsey was a former coal miner from Logan County, West Virginia. Of course, the coal miners were rooting for Dempsey. And as a boy 10 years of age, I was rooting for Dempsey, also. My coal miner dad told me that we would listen to the fight on the radio, which was that marvelous invention that everybody was talking about. That was the first radio I ever saw when we gathered in the community recreation facility in that coal mining community 70 years ago. I was disappointed that evening because Dempsey did not regain the title, nor did I get to hear the fight, because there was only one set of earphones. And then a few days later, on September 30, Babe Ruth batted his 60th home run and exceeded his own record of 59 home runs. It was also in that year that Henry Ford brought out his new Model A Ford. Hundreds of thousands of people tried to get into Ford headquarters in New York to see it in December 1927.

So, Mr. President, I offer my best wishes to Senator MOYNIHAN on the occasion of his birthday. I thank him for all that he has contributed to his country and to the Senate. I hope that he and his charming wife Liz—and my wife Erma joins me in this—will share his day of celebration with their children, knowing that the respect of his fellow Senators and his fellow countrymen are theirs. James I said, ''I can make a lord, but only God Almighty can make a gentleman.''

Only God Almighty could make a DANIEL PATRICK MOYNIHAN.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRIST). Without objection, it is so ordered.

DAILY DIGEST TURNS FIFTY

Mr. BYRD. Mr. President, today, we reach another milestone in the Senate's continually unfolding history. Let us pause for a minute to reflect on a fiftieth anniversary of great institutional significance.

On March 17, 1947, for the first time, the CONGRESSIONAL RECORD carried a section under the modest heading ''Daily Digest.''

Fiftieth anniversary? Has not the CONGRESSIONAL RECORD been in existence since March 4, 1873? By my reckoning, that adds up to 124 years, not fifty! Is it possible that there was ever a CONGRESSIONAL RECORD without a Daily Digest? Those of us who pick up the RECORD each morning and instinctively turn to the Daily Digest might find that difficult to believe. No one who regularly consults the CONGRESSIONAL RECORD could reasonably doubt the Daily Digest's value as the indispensable point of entry for a bulky compendium that often runs to hundreds and hundreds of closely printed, three-columned pages.

By the mid-1940's the RECORD had become so thick that without some sort of daily finding aid, it was becoming practically unusable. Several commercial firms sought to remedy the situation. In 1943 the U.S. Chamber of Commerce hired Dr. Floyd Riddick, a highly regarded specialist in congressional procedure, to edit a new publication entitled Legislative Daily. The Daily's instant popularity caught the attention of congressional reformers in the final months of World War II. Desiring to expand public access to the record of Senate and House deliberations, they included in the Legislative Reorganization Act of 1946 a provision for a CONGRESSIONAL RECORD Daily Digest. This new section would outline chamber and committee activities for the previous day and present a schedule of the current day's legislative program, including a list of committee meetings and hearings. The statute directed the Secretary of the Senate and Clerk of the House to oversee Digest preparation for their respective chambers.

Fortunately for the Senate, Dr. Riddick agreed to serve as Senate Digest editor. Starting the Digest was no easy task. Overburdened committee clerks initially resisted taking the additional notes for Digest citations. Getting accurate information at the committee level was particularly important, for in those distant days, once a

measure cleared a committee it was pretty much in shape for final passage. Times have changed! Thanks to Dr. Riddick's persistence and expertise, the Digest that he established remains virtually intact a half-century later.

Floyd Riddick served as Senate editor from 1947 to 1952, when he moved to the newly created post of Assistant Senate Parliamentarian. He subsequently served as Senate Parliamentarian from 1964 until his formal retirement a decade later. I say ''formal,'' because Dr. Riddick remained with the Senate on an unsalaried basis to prepare a history of the Committee on Rules and Administration and, most importantly, to revise the indispensable volume that now bears the title Riddick's Senate Procedure. Today, Dr. Riddick continues a productive retirement in South Carolina.

Mr. President, I ask unanimous consent that a list of the Daily Digest's Senate editors be inserted in the RECORD following this statement.

There being no objection, the list was ordered to be printed in the RECORD as follows:

DAILY DIGEST SENATE EDITORS

Floyd M. Riddick, 1947–1952.
Fred Green, 1952–1969.
Dwight Galt, 1969–1979.
Mary Ann Dubs, 1979–1980.
Jim Timberlake, 1980–1988.
Thomas Pellikaan, 1989–present.

WORLD FLIGHT 1997

Mr. DASCHLE. Mr. President, on March 17, 1937, Amelia Earhart took to the skies in her Lockheed 10E to fulfill her dream to be the first pilot ever to circumnavigate the globe at its longest point—the Equator. Today, she stands as one of our greatest American heroes. Through her vision and spirit, she demonstrated to the world that limits are more often perceived than real.

This morning, 60 years after Ms. Earhart began her journey, Linda Finch took off from Oakland, CA, to re-create and complete Earhart's heroic expedition. Spanning 5 continents and making more than 30 stops in 20 countries, Linda will closely replicate Earhart's route. The flight is expected to take 2½ months, and is the first to re-create Earhart's flight using the same make and model aircraft, a Lockheed Electra 10E, with only a pilot and navigator at the controls. Indeed, the aircraft has been meticulously and accurately restored to replicate Earhart's Electra right down to its rivets.

Linda hopes that her journey, called World Flight 1997, will inspire millions of American children with Earhart's belief that with faith in yourself, anything is possible. As she notes, ''World Flight was created to share Amelia Earhart's vision with young people. The heart of the World Flight project is its outreach to inner city and at-risk youth with her message about reaching above and beyond perceived limitations.'' To spread this message, she has developed an interactive educational program for students, including an Internet web page that will allow students to track her flight in real time and read messages from Linda and her navigator. Like her, it is my hope that children all over the world will follow her travels, and from them gain the confidence to follow dreams of their own.

As Linda begins her flight, I wish her a safe journey. Like her hero Amelia Earhart, she is an inspiration to us all.

TRIBUTE TO CAPT. BILLY LEWIS

Mr. THURMOND. Mr. President, I rise today to recognize a truly outstanding Naval officer, Capt. Billy Lewis who has served with distinction for the past 23 months as Director of the Navy's Senate Legislative Liaison Office. It is a privilege for me to recognize his many outstanding achievements and commend him for the superb service he has provided to the U.S. Senate and to our great Nation as a whole.

A native of Pensacola, FL, and a 1969 graduate of the U.S. Naval Academy, Captain Lewis began his naval career as the damage control assistant aboard U.S.S. *Dehaven* (DD 727). His follow-on tours of duty included Naval Headquarters, Saigon, engineer and weapons officer aboard U.S.S. *Talbot* (FFG 4), and he was second in command when U.S.S. *Jack Williams* (FFG 24) was commissioned in 1983. Capt. Billy Lewis has had three tours of duty in command at sea—U.S.S. *Takelma* (ATF 113) from 1977 to 1979, U.S.S. *Robert G. Bradley* (FFG 49) from 1986 to 1988, and U.S.S. *Thomas S. Gates* (CG 51) from 1993 to 1995. As Commanding Officer, U.S.S. *Thomas S. Gates*, Capt. Lewis served as Anti-Air Warfare Commander for Joint Task Group *George Washington*.

Captain Lewis' duty ashore has included the Naval Postgraduate School where he earned a master of science degree in management in 1980, and two tours of duty on the Navy staff in Washington, DC. From 1983 to 1985, he served as a program analyst in the Office of General Planning and Programming, and from 1989 to 1991, he served as head of the Program and Budget Development Coordination Branch for the Deputy Chief of Naval Operations. Additionally, he attended National Defense University and graduated from the National War College in 1992.

During his tenure as the Navy's Director of Legislative Liaison for the Senate which began in April 1995, Captain Lewis has provided members of the Senate Armed Services Committee, our personal staffs, as well as many of you seated here today, with timely support regarding Navy plans and programs. His valuable contributions have enabled Congress and the Department of the Navy to work closely together to preserve the modern, well-trained and well-equipped naval forces upon which our country has come to depend.

Mr. President, Billy Lewis and his family have made many sacrifices during a 28-year Naval career and made a significant contribution to the outstanding naval forces upon which our country relies so heavily. During his illustrious career, Captain Lewis has been the recipient of many awards and commendations including the Legion of Merit with one gold star. He is a great credit to both the Navy and the country he so proudly serves. As he now departs to take command of Regional Support Group in Mayport, FL, I call upon my colleagues to wish him fair winds, and following seas.

ST. PATRICK'S DAY STATEMENT BY THE FRIENDS OF IRELAND

Mr. KENNEDY. Mr. President, the Friends of Ireland is a bipartisan group of Senators and Representatives opposed to violence and terrorism in Northern Ireland and dedicated to maintaining a United States policy that promotes a just, lasting, and peaceful settlement of the conflict.

Each year, the Friends of Ireland issues an annual statement of the current situation in Northern Ireland. We believe our colleagues in Congress will find this year's statement of particular interest because of the events of the past year and potential for progress this year. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE FRIENDS OF IRELAND, ST. PATRICK'S DAY, 1997

On this St. Patrick's Day, we the Friends of Ireland renew our call for the IRA to restore its cease-fire, which should be followed by Sinn Fein's immediate entry into the Northern Ireland all-party peace talks when they resume in June.

The Friends of Ireland commend our former colleague, Senator George Mitchell, for his outstanding service as chairman of the talks. The talks offer an historic opportunity to address the three key relationships which must underpin any settlement—those within Northern Ireland, between North and South, and between Ireland and Britain. We fully support this process, and recognize that there is much greater likelihood for success if all parties with an electoral mandate, including Sinn Fein, participate in the talks. Sinn Fein's participation in the talks, however, is properly conditional on the unequivocal restoration of the cease-fire by the IRA.

We also recognize that the IRA maintained a cease-fire for 17 months, from September 1994 to February 1996. It is of deepest concern that, during that long and hopeful period, additional obstacles were laid in the way of bringing all parties to the table. We hope that a renewed IRA cease-fire will on this occasion be met with an appropriate response by the British Government, including the taking of necessary confidence-building measures.

Basic issues of equal justice and human rights are at the heart of the conflict in Northern Ireland and they must be central to any realistic resolution of the conflict. Peace without justice is not sustainable. It is only likely to flourish when all sides feel that their basic rights are respected and protected. Accordingly, we urge prompt action to remedy outstanding miscarriages of justice such as the Casement and Latimer

cases. In light of the compelling new evidence surrounding Bloody Sunday, we add our voice to the calls for a new inquiry into this tragedy.

We are also concerned by the deteriorating conditions under which Republican prisoners are being held in Britain and in particular the treatment of Roisin McAliskey. It is essential, in negotiating a new political framework for Northern Ireland, that respect for human rights be guaranteed. The creation of a Bill of Rights, and a police service with the confidence of the whole community, are essential to ensure the protection of the rights of all and to lay a solid foundation for a lasting peace.

We strongly oppose the continued and increased punishment beatings by paramilitaries in both communities. Such atrocities have no place in society, and we call for an immediate end to these attacks.

It is essential that there be no repeat of the deplorable events during last year's marching season. The RUC behavior at Drumcree further eroded the confidence of the Catholic community in fairness of the police force. As the State Department's Country Reports on Human Rights Practices recently noted: ''Many observers on both sides of the community perceived the Government's reversal in the face of unlawful Unionist protests as a victory of might over the rule of law, and the incident damaged the RUC's reputation as an impartial police force.''

We therefore strongly endorse the recommendations in the North Report that an independent parades commission be given full decision-making powers to deal effectively with controversial parades. We are concerned at the British Government's decision to delay implementation of significant sections of the report, which in our view must be in place in advance of this year's marching season.

The Friends of Ireland welcome the strong commitment of President Clinton and the Congress to the success of the peace process in Northern Ireland, and the transformation in the situation which all have helped bring about. We are confident that the United States will continue to play a constructive role in encouraging an early and peaceful resolution of the conflict for the benefit of all the people of Northern Ireland.

FRIENDS OF IRELAND EXECUTIVE COMMITTEE

Senate

Edward M. Kennedy.
Daniel Patrick Moynihan.
Christopher J. Dodd.

House of Representatives

Newt Gingrich.
Richard A. Gephardt.
James T. Walsh.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business Friday, March 14, 1997, the Federal debt stood at $5,362,748,754,102.53.

One year ago, March 14, 1996, the Federal debt stood at $5,035,166,000,000.

Twenty-five years ago, March 14, 1972, the Federal debt stood at $428,412,000,000 which reflects a debt increase of nearly $5 trillion—$4,934,336,754,102.53—during the past 25 years.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

APPOINTMENT OF AN INDEPENDENT COUNSEL TO INVESTIGATE ALLEGATIONS OF ILLEGAL FUNDRAISING

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of Senate Joint Resolution 22, which the clerk will report.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 22) to express the sense of the Congress concerning the application by the Attorney General for the appointment of an independent counsel to investigate allegations of illegal fundraising in the 1996 Presidential election campaign.

The Senate resumed consideration of the joint resolution.

Mr. LEAHY. Mr. President, last week there was an attempt made, I think, on the part of some—not all, but on the part of some—a serious attempt made in the Judiciary Committee to put together a bipartisan letter to the Attorney General regarding what should be done on the question of an independent counsel and some of the campaign fundraising issues. Unfortunately, it ended up being a partisan matter and the Republican majority, as is their right, sent a highly partisan letter asking immediately for an independent counsel.

Most of us on the other side sent a letter, which I signed as ranking member, along with other Democratic members, asking basically that we follow the law and we go through the various steps required on the issue of independent counsel: That we do not bring political pressure on the Attorney General to act one way or the other, recognizing that the reason for the independent counsel law was to shield the process and the Attorney General from political pressure or posturing.

In this regard, I would like to draw the attention of the Senate to the lead editorial in yesterday's Washington Post. The Post has been in the forefront of those investigative journalists who have been working on stories about many aspects of fundraising that has been taking place, and is taking place, to finance Federal elections—both fundraising by the Republican Party and by the Democratic Party. Certainly, the Post has not been shy about criticizing Republicans or Democrats, in the Congress or out, with regard to campaign fundraising.

It is interesting to read their editorial because, basically, they take the same position as we had taken on the Democratic side of the Senate Judiciary Committee. They speak of all the reasons to wait and follow the law itself, as she is now doing, and to have the Attorney General make her own determination. It ends by saying this:

There is one other major factor that argues for waiting awhile before deciding whether to seek an independent counsel in the campaign finance case. It has to do with what we believe to be the integrity and, if you will, independence of this attorney general herself. She is an uncommon figure in this town, and this administration, as even many who are banging on the table for an independent prosecutor will agree. We do not think it would be an inducement to sleeping well at night to know she was on your case if you had violated the law and were trying to hide it—especially with her honor being publicly challenged over and over again on this matter.

You balance risks in a decision like this. The risk of leaving the case in her hands at this stage, while Justice Department, congressional and other investigators continue to try to flesh it out, seems pretty slim. Events could change that. But right now the matter seems to us to be proceeding well enough without an independent counsel.

I ask unanimous consent the entire editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 16, 1997]

THE INDEPENDENT COUNSEL ISSUE

Attorney general Janet Reno says the conditions that would require the naming of an independent counsel in the case of the fundraising for the president's reelection campaign have yet to be met. She's taking a lot of heat for that. Critics accuse her of trying to protect the president. Congressional Republicans, some Democrats and all manner of other commentators say if ever a case carried out for an independent prosecutor, it is this one. We aren't so sure. Anything could turn up tomorrow. But on the basis of what is known today, an argument can be made that Ms. Reno is right.

We say that as strong supporters of the independent counsel statute, though in some instances we have thought past counsels carried on too long or went too far. We say it also as a frequent critic of both the administration and the rotten system of campaign finance, whose corrupting qualities the president did so much to confirm last year. The fund-raising practices, some of them, in which he, the vice president and their adherents indulged were shabby, heavy-handed, demeaning, unseemly, questionable, destructive of public confidence and pretty close to the edge. But it isn't clear they were illegal. That, in fact, is the problem. The law is at least elliptical; not enough of what ought to be illegal is.

The virtue of the independent counsel act is that it reduces the conflict of interest that inevitably arises when an administration is called upon to investigate its own behavior. But it is not meant to avert mere awkwardness; it comes into play in only certain instances. The attorney general must seek appointment of an independent counsel (by the special court created to do so) when confronted with specific, credible evidence of criminal wrongdoing by the president, vice president, Cabinet officials and certain others in the executive branch, including a limited number of senior White House aides. She also may seek appointment of a counsel when confronted with evidence of such conduct by a lesser official where she feels there is a conflict.

The evidence of such conduct in this case thus far is a lot more limited than the churning surrounding the case would suggest. A lot of pretty squalid stuff was done. But so far as we know, no specific, credible evidence exists that, say, an official covered by the act sold a particular piece of policy for a campaign contribution, or knowingly accepted money from a forbidden source. You could make the generic charge against both presidential campaigns that they violated and pretty well trashed the campaign finance laws, including their criminal provisions, by raising so much so-called soft money in excess of federal limits. They pretended it wasn't campaign money when it

clearly was. But no one is talking about that in this case, least of all the congressional Republicans who want an independent counsel but oppose most regulation of campaign finance. There are charges that funds were illegally raised (by the vice president, for one) and received inside a federal building—the very White House itself—instead of in some other building down the street, but you can find any number of lawyers who will say on one basis or another that what was done was not illegal, and does anyone really want to name an independent counsel to conduct a criminal prosecution of the vice president for making a phone call from the wrong room? That isn't what this is about, either.

More serious charges have been leveled against some lesser figures in the drama—that they laundered money from foreign sources, sought favors in return for contributions, etc. Ms. Reno has set up a task force to investigate these. As a practical matter, what the task force appears to have been conducting is precisely the kind of preliminary inquiry, though by another name, that would be required if the independent counsel statute were invoked, the question being, what evidence is there that criminal conduct occurred? If such conduct is found, and found to be of a kind that requires the naming of an independent counsel, Ms. Reno may yet ask for one. In a sense, what's going on is what the critics claim to want, but without the label.

Meanwhile, the independent counsel already investigating the president in the Whitewater case, Kenneth Starr, is also looking into what you might call one of the most advanced aspects of the campaign finance case, which is whether political donors were somehow called upon to hire Clinton family friend and former associate attorney general Webster Hubbell before he went to prison several years ago, the question being whether the large amounts of money paid him as Mr. Starr was seeking information from him were meant to hush him up.

There is one other major factor that argues for waiting awhile before deciding whether to seek an independent counsel in the campaign finance case. It has to do with what we believe to be the integrity and, if you will, independence of this attorney general herself. She is an uncommon figure in this town, and this administration, as even many who are banging on the table for an independent prosecutor will agree. We do not think it would be an inducement to sleeping well at night to know she was on your case if you had violated the law and were trying to hide it—especially with her honor being publicly challenged over and over again on this matter.

You balance risks on a decision like this. The risk of leaving the case in her hands at this stage, while Justice Department, congressional and other investigators continue to try to flesh it out, seems pretty slim. Events could change that. But right now the matter seems to us to be proceeding well enough without an independent counsel.

Mr. LEAHY. Mr. President, I sometimes think that those who are scheming for an independent counsel for this and an independent counsel for that, counsel that often cost $20 or $30 million of the taxpayers' money, and millions of dollars more of individuals' money, have not bothered to stop and think what they are asking for. It may be good for the evening news and may make a Member of the House or Member of the Senate feel good because his or her name gets in the paper, but does it really help this country?

In fact, some might ask about this rush to come on the floor Friday, the steady stream of my friends on the Republican side of the aisle who blast the President and tear after the President. I am surprised they did not say, ''Why don't we double-check with Bethesda as to what time he will actually be in surgery so maybe we could go on recess or go to our own fundraisers at that time and then come back and make sure he sees just how we are tearing him apart.''

I suggested half joking on Friday that they would set aside another $1 million that we could appropriate of the taxpayers' money to send a delegation of Members up to Bethesda to make sure, indeed, he was being operated on. It was about that ridiculous.

I first came to the Senate at a time when Democrats and Republicans showed some respect for whoever was holding the office of President of the United States and had some realization that the person serving as President, like the rest of us, is a human being and an individual. Yet, I have heard Members on this floor pillory the President, pillory his wife, his child, even at times his mother and others, as though somehow they don't have feelings. I have heard things said about him that, if we said them about each other, we could be censured by the Senate—even though some of the things said may be more applicable to some in this body.

I remember a time, a time when the Democrats were in the majority, since I have been here, when an issue was coming up, for example, about President Ford on personal issues. We held off—maybe he was taking a trip abroad—and we held off on issues.

The same with President Reagan. Again, when the Democrats were in the majority in the Senate, we would hold off issues of criticism of the President as he was about to leave to go abroad.

The same with President Bush.

Yet, here we have the President of the United States, who has just undergone what I have to imagine is extremely painful surgery—the Presiding Officer would be able to understand that better than I because of his own distinguished medical background. I think by all accounts it was a very painful situation. They tell me tearing a tendon is more painful than breaking your leg. I know, from some of my colleagues here who have torn Achilles tendons, or others, have told me that is so.

Here he is, the President of the United States, undergoing very painful surgery. But notwithstanding the pain he must be in, because of the importance of the relationship between the United States and the world's other major nuclear power, Russia, he is going forward with his summit meeting with President Yeltsin. The President, who is going to be traveling very painfully to Helsinki—whether it is Air Force One or not. I have ridden enough times on Air Force One with various Presidents to know Air Force One can hit turbulence, too, and bounce you all around. It will be a painful trip.

None of this seems to make any difference. They still proceed on the floor, Friday and today, blasting the President with resolutions and statements. This timing ensures, of course, that all this will be in the world's press, in Helsinki and elsewhere, just in time to be delivered to all those in the Russian party when he arrives.

Mr. President, I don't know if the Senate is just spinning out of control without any sense of propriety or decorum. Perhaps, at the age of 56, I have become the old-fashioned Member of the Senate. But I have been here for 22 years, and whether it was in my first year as a 34-year-old former prosecutor or now as a 56-year-old senior Member of the Senate, I do know that we have followed a tradition of some propriety in this body.

We have done that time and time again. We have withheld resolutions, questions or disapproval of a President when he was leaving to go abroad or was abroad so we could at least present a united face to the rest of the world.

Yet, I have heard Members come on the floor and make highly critical statements of President Clinton when he has been at summit meetings overseas, statements that had to be read by all the people with him from around the world. That, I think, was unseemly. Just as I believe having this resolution at this time at the beginning of the Helsinki summit is highly insulting, shows no sense on the part of the U.S. Senate and, frankly, of those who brought it forward at this time, of the kind of image we should give the rest of the world.

I am not suggesting by any means that we cannot question the President of the United States. I have done it, other Members have done it, both this President and other Presidents. That is perfectly appropriate under our separation of powers and under our duties as Members of the Senate.

But I suggest that there are certain times when, by tradition—and a tradition that has served this country very well—that we at least back off and show some unity. One such time, just out of a sense of common decency and perhaps upbringing, would be when the President is in the hospital recuperating from a fairly painful and serious injury. One would think that we would not see this happening in the U.S. Senate. I question what we are coming to.

But by tradition, by a sense of propriety, and by a sense of Senators putting their country ahead of their political partisan posturing, we have at least held off at the beginning of a foreign trip by a President or at the beginning of a summit.

Mr. President, I was thinking of this matter this morning as I was coming to work. Comments were made to me over the weekend while I was home in Vermont by a number of people who are not Democrats, who thought that it was unseemly. I have not talked with anyone at the White House about this

or anybody in my leadership or anybody in my office. This is simply something I started thinking about. It bothers me that we have reached the point where we are not showing the sense of history in this body that has served the Senate very well in the past, and has also served the country well.

I urge those who determine the timing of issues before the Senate to take some time during the Senate recess and read a history of the Senate and read a history of the actions of the great leaders of the Senate, Republican and Democrat alike—and we have had great leaders in both parties. Read about the number of times when they have put the United States ahead of their own partisan fortunes, when they have put the United States ahead of their own ability to be in the news, and, frankly, when they realized that the U.S. Senate can be and should be the conscience of the Nation. We should uphold that conscience of the Senate so that the Senate can be the conscience of the Nation.

With some in this body, it will be a rereading of the history of the Senate. Frankly, Mr. President, one has to assume that for some, it will be a reading of the history of the Senate, and that perhaps in all their efforts to get here, the time-consuming and difficult chore that is, they did not have a chance to read the history of the U.S. Senate before they arrived. But now is as good a time as any. There is going to be a 2-week recess, and that should allow some time to read it. Senators cannot be at fundraisers all of the time during that recess. Read over the history.

I urge the leaders, those who determine the schedule of this place, that in the future, when the President is about to embark on a major summit, in this case with the other major nuclear power of the world, that they not bring up resolutions designed to embarrass him, designed actually to be voted on the day that he would arrive. As it turns out, it won't be, because he is delayed by a day because of his injury.

We are not playing school-board politics here. We are not some small-town board. This is the U.S. Senate. There are only 100 of us who get the opportunity to serve at any one time, but we represent a quarter of a billion people in the greatest, most powerful democracy history has ever known. I think we all know that. It doesn't matter whether we are Republican, Democrat; conservative, liberal, moderate; no matter what part of this country we are from; we know, instinctively, that we represent the greatest democracy history has shown.

But instinctively knowing and diligently upholding the responsibility of U.S. Senators to represent that Nation are two different things. If Members want to criticize the President, that is their right. If they want to embark on another investigation, like the rather pointless one the Senate already has, Whitewater—pointless, except for the fact it cost the taxpayers hundreds of millions of dollars—fine, they have a right to do that. But at least let's make an effort to present a united face when the President of the United States goes abroad on a major summit. At least give the President of the United States as much backing as possible when he is representing all the United States—not Democrats, not Republicans—all the United States.

I am reminded of a story my father had told me many times about my State, which for many years was the most Republican State in this country. In fact, after 22 years as a U.S. Senator from Vermont, I am still the only member of my party ever to represent Vermont in the U.S. Senate. In fact, we are the only State in the Union that has only elected one Democratic Senator, and I am it. Sorry about that, Mr. President, but it happens.

My father told me how the National Life Insurance Co. in the thirties and forties, basically ran the Republican Party in Vermont. They determined every 2 years who was going to be Governor. You had to be very much a Republican.

In the late thirties—I believe it was 1937—Franklin Roosevelt came to Vermont to look at some flood control projects. He was driving down State Street in Montpelier, past our statehouse and past the National Life Insurance building—they were two separate buildings, although it was sometimes hard to tell which was which—in an open car. My father, the lone Democrat in Montpelier, was standing there, as chance would have it, next to the president of National Life who was then the de facto chairman of the Vermont Republican Party. As the open car went by with Franklin Roosevelt in it, the men all stood at attention and the president of National Life, like all the other men, took his hat off—they all wore hats then—and held it over his heart as President Roosevelt drove by. My father could not resist the temptation to chide him a little bit then, and he said, ''I can't believe you took your hat off for Franklin Roosevelt.'' The president of National Life replied, ''Howard, I didn't take my hat off for Franklin Roosevelt. I took my hat off for the President of the United States.''

What he did was show respect. Respect does not have to be blind. It does not mean we do not question things here. We have great respect on the Democratic side of the aisle for the Republican leadership, just as I would hope they would for the Democratic leadership. But it does not mean we vote with them all the time, by any means. There is a difference.

We show respect in this body, just following Jefferson's Manual, by the way we address each other. It does not mean we agree. We might be fighting hammer and tong, but we say ''my distinguished colleague,'' and so on and so forth.

We should show respect to the President of the United States when he is going abroad to represent every single American. We are the only country left on Earth that still does have the ability to destroy the world overnight with nuclear power.

Every one of us on this floor, especially every Democrat on this floor, always showed that respect for President Reagan when he was in similar situations, and for President Bush.

I see the distinguished senior Senator from Massachusetts on the floor. He has served here longer than all but a couple of Members. I think the distinguished Senator from Massachusetts is one who would well remember both Republican and Democratic members of the Senate and the House showed some restraint and unity with them.

This resolution could easily be brought up after the President came back, or any other time. There is absolutely no urgency to bring it up now. But it is brought up on the eve of his trip to Helsinki to have a summit meeting with the President of Russia.

Mr. President, frankly, in my estimation, this is a new low for the U.S. Senate. In my estimation, this is something I have never seen happen here before. In my estimation, those who determined to bring this resolution up at the beginning of the Helsinki summit ought to be ashamed of themselves. They ought to admit they are ashamed of themselves and put it off for another time.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I urge the Senate to support the Democratic alternative, and to reject this one-sided, partisan, and unseemly attempt to force the Attorney General to act.

On the issue of the independent counsel, last week, the Senate voted unanimously to give the Senate Governmental Affairs Committee a broad mandate to investigate campaign violations in all Federal elections, whether by Democrats or Republicans.

Our able and trusted Attorney General, Janet Reno, already has a task force in full operation investigating these issues. More than 30 special agents from the FBI serve on this task force. The task force has already issued subpoenas and presented testimony before a grand jury.

Last Thursday, Republican members of the Judiciary Committee wrote to the Attorney General urging her to seek an independent counsel. That letter requires the Attorney General to examine whether an independent counsel should be appointed and to report to the Judiciary Committee on the actions that she takes.

The Republican resolution now before us proves that Republicans are not

serious about conducting an even-handed inquiry into campaign finance violations. It focuses only on the Presidential campaign and ignores the many allegations of serious abuse in Republican congressional races.

We faced similar partisan tactics in the debate last week on the Governmental Affairs Committee's investigation. Democrats called for a broad inquiry covering both illegal and improper activities and including both Presidential and congressional campaigns. But the Senate Republican leadership resisted. They were only interested in putting the spotlight on the White House and diverting attention from abuses by Republicans in Congress.

In the end, their efforts to suppress a responsible inquiry could not stand the light of day. Republicans joined Democrats in voting unanimously in favor of the Democratic position that the Governmental Affairs Committee should investigate all campaign abuses—Presidential and congressional, Republican and Democrat.

Why don't we hear Republicans calling for an inquiry into the role of money in last year's fight to raise the minimum wage? The majority of Americans supported an increase in the minimum wage to enable American workers to support their families. But money from special business interests was rolling into Republican campaigns as corporations tried to block this long-overdue raise for working Americans. When an increase in the minimum wage became inevitable, Republicans added provisions giving huge tax breaks to business as a consolation prize.

Why don't we hear Republicans demanding an investigation of the role of money in last year's fight over medical savings accounts? The MSA proposal threatened to block the whole Kassebaum-Kennedy health care bill. The Golden Rule Insurance Co., was the driving force behind medical savings accounts. Golden Rule made more than $1 million in campaign contributions. In October 1994 alone, just before the midterm election, it delivered $416,000 in soft money to the GOP. Only two other companies gave more to the Republicans in that election cycle.

Golden Rule contributed lavishly to NEWT GINGRICH's GOPAC political action fund. Without Golden Rule and its huge contributions to Republicans, medical savings accounts would never have been an issue. Republicans were willing to jeopardize health care for working families in order to channel higher profits to insurance companies.

But what about the Republican regulatory reform proposals in the last Congress? Utility lawyers in a Richmond, VA, law firm are reported to have drafted the Dole bill in the last Congress—the same law firm in which Senator Dole's counsel and chief aide on that bill had been employed only weeks before. That firm represented utility companies, chemical companies, and tobacco companies all seeking to increase their profits by weakening regulations requiring companies to keep our food safe and our environment and water clean.

In fact, when the time came to inform Democrats about the Republican bill, the briefing was not conducted by Republican staff, but by three lawyers from the law firm.

So if Republicans are serious, these offensive actions that jeopardized the health and well-being of millions of Americans would be on the list for investigation, too.

Surely, if there is to be an investigation by an independent counsel, these abuses should be within the scope of the investigation, too.

President Clinton and Democrats in Congress are talking about better education and health care for children, good jobs for working Americans, protections for the environment, saving Social Security and Medicare while balancing the budget, preventing crime, and reforming the current shameful system of campaign financing. Our Republican friends are interested in none of the above. They are shamefully abdicating their responsibility to prepare a congressional budget resolution. They are stonewalling any campaign finance reform. They are more interested in investigating who slept in the Lincoln Bedroom than addressing the issues that keep working families sleepless at night.

Attorney General Reno doesn't need this kind of partisan advice to do her job and decide whether to appoint an independent counsel. Our Democratic alternative calls on the Attorney General, in determining whether an independent counsel is necessary, to ''exercise her best professional judgment, without regard to political pressures and in accordance with the standards of the law.'' It is the responsible thing to do.

Attorney General Reno has earned broad bipartisan respect for her honesty and integrity. Congress should not pressure her to suspend the current Justice Department investigation and turn it over to an independent counsel. We certainly should not pressure her to seek an independent counsel whose mandate would conveniently ignore the obvious abuses of Republican congressional campaign financing.

I urge my colleagues to support the Democratic alternative and to oppose the Republican resolution.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I said earlier that I have never seen a time in my 22 years here when those who control the majority of the Senate would schedule a resolution of this nature as a President was leaving for a summit meeting—even some of the less significant summits, and certainly not for a summit with the leader of a nation that is, militarily, a nuclear superpower.

I can think of a number of times when there were issues that were as troublesome to Democrats, who had controlled the majority of the Senate, as this is to Republicans, or as they say it is—so long as it is limited just to investigate the Democratic President and not themselves. There were times when I was here in the majority with Republican Presidents, including President Ford, President Reagan, and President Bush, and time and time again we held off matters that we were thinking of bringing to the floor, even legislation, that might be a matter of some contention while the President was abroad at a summit meeting. At no time would even the most junior member of the Democratic Party, when the Democrats were in the majority, consider bringing up something like this while a Republican President was abroad.

I think it shows one of the most egregious breakdowns of any bipartisan comity in this body, to see this come up as the President is about to go to Helsinki. I think certainly in my 22 years of experience, it is completely unprecedented. I think it is outrageous. I think it is inexcusable. It does not mean that this whole issue could not be debated when the President came back. It might mean that we would have to delay our 2-week vacation by a couple of days to do it. But we might present a better face to the rest of the world.

It has become so partisan around here that we look first to partisan advantage and not for the advantage of the country. Some in Congress simply cannot avoid the temptation to jump the gun and demand another costly, time-consuming, largely unaccountable, potentially destructive independent counsel—provided it is only to investigate a Democratic President. Certainly, there is no effort to go and look at any activities of the Republican Party.

Senate Joint Resolution 22 does not advance the administration of justice. It was drafted and introduced before the Republican and Democrat members of the Senate Judiciary Committee, and those of the House Judiciary Committee sent letters to the Attorney General. Those letters are congressional actions contemplated by the independent counsel law. This resolution is not and does not take those actions into account. We have begun a process that will yield the reports from the Attorney General that are allowed by the statute. We ought to give that process a chance to work.

This resolution, if it was a law, would probably be found unconstitutional. It certainly is not authorized by the independent counsel law. In my view, it is

an inappropriate effort to pressure the Attorney General and to prejudge these matters. One of the main reasons this kind of a resolution is not contemplated in the law is to keep political and partisan pressure off the Attorney General. It perverts the independent counsel process.

The independent counsel law was passed to ensure that investigative and prosecutorial decisions are made without regard to political pressures. This resolution would subvert that purpose by subjecting the critical initial decisions about invoking the law to such political pressures.

It is not Congress' place to determine when to bring criminal charges. This body is ill-suited to that purpose. The administration of justice is ill-served by efforts to intimidate a prosecutor to begin a case.

The resolution of the distinguished Republican leader will serve only to undermine the investigation that the Attorney General now has underway and will undercut the independent counsel law. It will further erode public confidence in the Government's ability to do its job.

We ought to do our job up here and let the Attorney General do hers. We are having a hard enough time doing our own job. We have yet to see 1 minute of debate on the budget resolution which has to be passed by mid-April. We have not seen one single judge get confirmed. We have been voting them out of the committee at the rate of three-quarters of a judge a month, and none has come to the floor, not in 6, 7, or 8 months, and there are 100 vacancies in our Federal judiciary. The Chief Justice calls it a crisis. Yet, even though we are paid and elected to do that, to consider and confirm judges, we have not confirmed a single judge. We have not brought up the budget. We have a chemical weapons treaty which is languishing.

But we can break all precedent and bring up a resolution attacking the President as he leaves on a summit with the President of Russia, the other nuclear superpower, something that has never been done before, something that any Democrat, when we have been in the majority and leading this body, would have been ashamed to do to a Republican President because we know it was so much against the best interests of the United States. Even though it might further our own short-term political gains, we would not want to damage the United States, the President's credibility or the President's ability to represent the United States abroad, so we would not have done it and did not do it.

There are a lot of issues the Senate could be considering that are within our responsibilities, do reflect our duties in this Government and do reflect what is in the best interests of the country. This is not one of them. It is an affront to the constitutional separation of powers established by the Founders. Investigation and prosecution of crimes is left to those experienced in the use of that awesome power, not matters for a political body.

When I was a prosecutor, I knew as a prosecutor I had the power to bring or to withhold prosecution. It was not anything I was willing to share with any legislative body. I hoped I would resist that temptation if I were ever a legislator and not a prosecutor.

It makes as little sense as the call by some in the Republican Party for the Congress to be able to overturn any judicial decision of any Federal court by just a majority vote. This concept would have been laughed down by the Founders of our country. They wanted three independent branches of Government: The executive branch, the legislative branch, and the judicial branch. Government 101—in most schools, you learn it in the first or second grade.

What they are now saying, even though part of the strength of our democracy and the protection of our democracy is an independent Federal judiciary, even though we have a Federal judiciary that is the envy of all other countries because of the quality of the men and women in it and their integrity and their independence, we now have some who say, ''Well, cut out the independence, we will have the Congress stand up and vote to decide whether a decision is right or wrong in a court. We will just overturn it. We will become a super court of appeals.''

As though we don't have enough to do. We can't bring up a budget. The chemical weapons treaty isn't before us either to be voted up or down. We haven't even found time to vote to confirm 1 single judge when there are 100 vacancies in the Federal courts. But somehow we are going to have time to start reading judicial opinions and decide whether to vote to overturn them? I wonder how many judicial opinions most Members of this body have read since they have been here. I wonder how many are prepared to sit down and read the thousands delivered every year. This is balderdash of the first order.

Then, yes, the other thing they are going to do, there are now Members in the other body who suggest that if we don't like a decision, impeach the judge. Now, some who were saying that, I will grant you, have read—I have suggested that some don't read enough in this body—but some of those who say ''just impeach the judge'' when we disagree, they have at least read something. Unfortunately, they read Lewis Carroll's ''Alice in Wonderland'' and got stuck in the part where the queen says, ''Off with their heads.'' Every time the queen disagrees with something, ''Off with their heads.''

Well, we are a gentler and kinder nation, so some say, ''I disagree, impeach him, impeach him.'' My goodness, it sounds like the chipmunk chorus, like we hear in some of the songs at Christmas time.

This country was made by giants. Let us not have it torn down by pygmies. Let us respect our three branches of Government. Let us respect the independence of our judiciary. Mr. President, I have tried a lot of cases. Some I won; some I lost. But if I lost them and felt the case wrongly decided, I would appeal them. If somebody on the other side lost, they could appeal. That is what you do. I can imagine the hoots if somebody in one of these cases who lost, immediately said that we have to impeach the judge. We have appellate courts—appeal it. What are you going to do if you disagree with the appellate courts? Are you going to impeach them? Suppose they are upheld by the U.S. Supreme Court. I can see a delegation of us going right out that door, Mr. President, straight across the street with our torches held high, our pitchforks brandished, our tumbrels ''tumbreling''—the reporter of debates will have fun with that one—saying, ''We are here to impeach the Supreme Court, you naughty boys and girls. You voted differently than we think you should have.''

You know, I was reminded today of the first time that I saw a billboard to impeach the Supreme Court was when I was 18. I made my first trip down here. Some were upset that the Supreme Court didn't want to uphold segregation, so ''impeach the Supreme Court'' was their slogan. How laughable, in hindsight. How acceptable is the repeal of our segregation laws today. How laughable, in retrospect, were those billboards of that time. But at the time they were popular with a group. They were popular with a segment of the political society, and so that was why the billboards were there.

Well, I have no question in my mind that it may be popular today for some to say ''impeach judges'' when we disagree with them—but not for the high crimes and misdemeanors the Constitution speaks of, not for the only ground the Constitution allows for impeachment, but simply because we disagree with their decision. It may be popular with some.

In retrospect, it will be seen as laughable.

But at the moment it is dangerous. It is dangerous, Mr. President, because a democracy exists only if we have respect for the institutions of a democracy. A democracy exists only if we follow our traditions and our laws and our best instincts. This does none of that. It doesn't follow tradition, and it doesn't follow any laws or our best instincts. Most importantly, it does not follow the Constitution, the remarkable instrument that has maintained this Nation for over 200 years. It has turned us into the most respected, most powerful democracy known to history.

I urge all Senators, all House Members, all of us who have the responsibility, who have taken the oath to uphold the Constitution, to step back a moment, stop the foolishness of these calls for impeachment, stop the irresponsibility of refusing to fill judicial

vacancies, stop the attacks on the President as he moves from his hospital bed to one of the most important summits he will have of his Presidency.

This does not mean we cannot criticize. Everybody is free to vote for or against any proposal of the President. Any one of us is free to vote for or against any amendment of mine or anybody else's.

But what we are not free to do is, for short-term political gain, is tear down the best things that make this country run. We are not free to tear down the Constitution on issues of judicial appointments or independence just because it may sound good in a speech back home or to a fundraising group. We are not free to try to design the timing of resolutions to embarrass a President when he is about to go into a major summit.

Frankly, I will put my money on the President handling that summit with all of the issues involved, from the democracy movements within the former Soviet Union to our own nuclear security. Maybe the President is better off to have some in this body distracted by voting on this, rather than thinking of other things they could do to try to meddle into the foreign policy leadership of the President.

Mr. President, I suggest that this extreme partisanship—and that is what it is—is something I have never seen in my time in the Senate, and it is time that we back off. It does not help the Senate. If somebody wants to state a selfish reason, it won't help any one of us either. Most importantly, it doesn't help the country. I have always believed that all the men and women in here are true patriots who have, or should have, the interests of the country first and foremost above their own political well-being or the political well-being of any special interest group on the left or the right.

Maybe they want to back off. Maybe it might be good that some would acknowledge that they picked a poor time to bring this up, that it really does jump the gun. I am willing to give the benefit of the doubt that it might even have been a mistake to bring it up now. I realize the possibility is very, very slim but I will even accept the possibility that it might not even have been brought up with the intention of embarrassing the President. I assume it was. But I will accept even the possibility.

I ask the same question that so many others have asked me: Why in Heaven's name? What have we come to that we try to send the President to a summit to represent everyone of us but knowing all the headlines will be ''Senate Debating Resolution to Investigate the President of the United States?'' We know that for some this is being done for short-term political gain for upcoming fundraising or fundraising letters. But the people who read the headlines in the newspapers around the world do not, and certainly those who will be at the summit do not.

So I think it is a mistake. We ought to get on to other things.

ANTIPERSONNEL LANDMINES

In fact, I could suggest one thing that we could go to, something on which Democrats and Republicans could join is the question of antipersonnel landmines. Today there are over 100 million antipersonnel landmines buried in the ground in around 70 countries. Some of them are as small as a can of shoe polish.

Every few minutes somebody is killed, maimed, or injured from these antipersonnel landmines. Invariably the person killed, maimed, or injured is a civilian. The injuries tend to go almost in an inverse ratio to the age of the person. Some are children who are killed, or hopelessly crippled for life. In one country, I was told by their leaders that they cleared their landmines ''an arm and a leg at a time.''

This Senate has supported legislation on antipersonnel landmines that I have written, the Leahy ban on the export of landmines. That was something, in a rare show of unity, where Republicans and Democrats across the political spectrum came together and the United States has been able to take the high road of banning the export of landmines as a result. In this body, Republicans and Democrats across the political spectrum, including at that time the two leaders, Senator Dole and Senator DASCHLE, came together and supported legislation of mine to ban for 1 year the use of these antipersonnel landmines by the United States, the first time we have ever unilaterally banned such a weapon. Our hope was that when we demonstrated that it was possible for us to do it for 1 year, we could certainly do it for every year thereafter and again give us a leadership position with the world.

I urge the administration now to consider making that a permanent ban and to consider joining with Canada and others who want to seek such a ban throughout the world.

My legislative efforts have been very simple. It would ban production of antipersonnel landmines, ban the export of antipersonnel landmines, and ban the use of antipersonnel landmines. Country after country after country has now adopted similar steps. Country after country after country has notified me through their prime ministers, or through their presidents, or the head of their parliaments, and said, ''We have adopted this legislation.''

I must admit to a growing sense of satisfaction of seeing this done, but at the same time a sense of apprehension that not enough are doing it, and it is not being done quickly enough because every year more—sometimes millions more—landmines are put into the ground, and every year thousands and thousands more children and civilian men and women are injured. More and more years in vast parts of countries they can't raise their crops, they can't graze their animals, and their children can't go to school because of the landmines, Mr. President.

I have visited critical sites all over the world where the Leahy War Victims Fund is used where we buy prosthetics, provide wheelchairs, and give training and rehabilitation to people who have lost arms or legs from landmines.

My wife is a registered nurse, and she has gone with me when she was able to get away from her own duties at the hospital. She has gone with me to these various sites. She has helped people with the fitting of prosthetics. She has helped with the care of those in the hospitals.

I remember one time, especially, in the country of Uganda, after we had visited this site. We had American volunteers and others at one of the first sites at which the Leahy War Victims Fund was used. She came to me because there was a little boy horribly malformed and terribly crippled. She and the other nurses there had helped to bathe and clothe the child. She asked what was wrong with him. He was crippled by polio. She had hardly ever seen in her years as a nurse a polio victim, unless it was somebody who had polio decades ago. She asked how could this be because, as the distinguished Presiding Officer who is a physician knows, polio is one of the easiest things protected against. For everyone of us who has children, they automatically get their polio vaccination. We don't think of it anymore. She said, ''Wasn't a polio vaccination available for this young boy?'' And there was. The country had a polio vaccination program. But they could not get to his village with it because of all the landmines around.

So this young boy was never injured by a landmine, but he is crippled for life in a country where he is unable to work and grow his food, and in all probability will not live long because of the presence of landmines. So if the landmine doesn't get you, the landmine still gets you.

That is why, Mr. President, the only way you get rid of landmines is to get rid of them. Every single country has to ban them. And those of us who have the resources, the power and the technology should join together and start removing mines. This is true whether it is in Bosnia, where the mines are the one major threat to American peacekeepers, or throughout Africa, Central America, every place that landmines exist.

They serve no real military benefit—clearly not for our Nation, the most powerful nation that history has ever known. They serve as a terrible, terrible weapon to the children who pick up the little piece of metal thinking that it is a toy and have their face torn off, or are left with other terrible problems. They pose a terrible threat to a woman who goes to the well to get water for her family and has her legs blown off. They pose a terrible problem to the man who is out trying to harvest

his crops to feed his family, and he touches a landmine and his family no longer has a father.

That is why we should ban them.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

FBI MISMANAGEMENT—PART 4

IG ASKS FBI DIRECTOR TO CORRECT RECORD

Mr. GRASSLEY. Mr. President, I rise today to continue my observations about major problems in the FBI's crime lab, and about the Bureau's failed leadership. This is my fourth such statement.

My colleagues are no doubt curious about the harshness of my criticisms of the Bureau's leadership. But my critique directly matches the level of the Bureau's misleading of the public.

I have not been unfair or unmeasured in my comments. I dare say, I have been softer on the FBI than others in Congress. Yet the ranks of those of us who are perturbed are growing swiftly.

I have raised these issues for two reasons: First, to use the Justice Department's and FBI's own documents to show where the Bureau is misleading the public; and second, to contribute an understanding of why it is happening.

I will briefly remind my colleagues of what I already revealed before this body. Many of the allegations of the lab's whistleblower—Dr. Frederic Whitehurst—are being substantiated. FBI documents are showing that. In previous statements, I have referenced three problem cases, examined by the Justice Department's Inspector General, that were uncovered by the press. The three cases are those of ALCEE L. HASTINGS, George Trepal, and Walter Leroy Moody. The conduct of specific FBI agents in each of these cases is in question.

Second, the FBI tried to explain Dr. Whitehurst away by questioning his credibility, and saying no one else backs up his allegations. But now we know that is false. At least two other scientists have backed him up. One has been made public. The other is fixing to.

Third, we now know that the FBI investigated these same allegations, knew about the problems, and covered them up. They did not fix them. They covered them up. The IG, then, took an independent look and flushed out the problems. The Bureau is now doing a mad scramble to control the damage. At the heart of its damage control operation is an effort to mislead. And that effort comes right from the top of the FBI. Right from the Director himself—Louis Freeh.

But their scheme is unraveling, Mr. President. I rise today, to assist in the unraveling process. The public has a right to know what the FBI is covering up. And I am here to help them know.

The latest case of misleading by the FBI involves the public testimony of Mr. Freeh approximately 2 weeks ago. On March 5, Mr. Freeh testified before the House Appropriations Subcommittee on Commerce, Justice, State. The chairman is Representative HAROLD ROGERS of Kentucky.

During the hearing, Mr. Freeh was asked why the FBI placed Dr. Whitehurst on administrative leave. In response, Mr. Freeh stated:

> [T]he action that was taken against Mr. Whitehurst was taken solely and directly on the basis of the recommendation by the Inspector General and their findings with respect to Mr. Whitehurst....

Mr. Freeh also said the IG, Mr. Michael Bromwich, was notified about the action and had not objected. Mr. Freeh concludes by saying:

> The only reason that action was taken was because of what the Inspector General wrote and recommended to the FBI.

When the IG found out what Director Freeh had stated, he fired off a letter the very next day. He demanded that Mr. Freeh correct the record in three specific areas.

First, the FBI has consistently maintained that it was not just the IG report that factored into action against Dr. Whitehurst. I know this, Mr. President, because the Deputy Director, Weldon Kennedy, told me the same thing. The other reason involves the FBI's belief that Dr. Whitehurst would not answer questions in an administrative inquiry. It seems the FBI Director is using the IG report to hide behind. In my view, he wants the public to think he was forced by the IG to take action against a whistleblower.

Second, the IG says it is inaccurate for Mr. Freeh to say the IG did not object to action against Dr. Whitehurst. In fact, the IG spent over a year objecting to such treatment of Dr. Whitehurst. I had not known this before, Mr. President. According to the IG, representatives of the FBI had an active campaign—for more than a year—to take action against the whistleblower. The IG spells this out in detail in his letter.

That sounds suspiciously like retaliation against a whistleblower. And as you know, Congress has passed statutes prohibiting retaliation against whitleblowers. But it would certainly explain why the FBI is over-reacting to the IG's report, with respect to Dr. Whitehurst. I suspect that the IG would have had nothing but praise for Dr. Whitehurst, and the Bureau's response would still be, ''See? The IG recommends that we fire Whitehurst!''

I met on January 28 with then-Deputy Director Kennedy. I asked him what it was in the IG report that he thought gave the FBI grounds to take action against Dr. Whitehurst. I am bound to maintain the confidence of what is contained in the report that Mr. Kennedy cited. But let me assure you, Mr. President. When you see the report, you will be scratching your head in bewilderment. I was.

Third, the IG says no such recommendation pertaining to Dr. Whitehurst is in his report.

These were the three specific points about which the IG took issue with Mr. Freeh. If I could offer a translation, I will bet Mr. Bromwich thought Mr. Freeh misled the subcommittee. If Mr. Bromwich indeed reached that conclusion, the facts would be on his side.

The IG's request that Mr. Freeh correct the record was responded to on March 11. In letters to both Mr. Bromwich and Mr. ROGERS, Mr. Freeh appears to do what some of his agents have been accused of doing in a court room—cutting corners to get a conviction.

I ask unanimous consent that those three letters be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE INSPECTOR GENERAL,
Washington, DC, March 6, 1997.

Hon. LOUIS J. FREEH,
Director, Federal Bureau of Investigation, U.S. Department of Justice, Washington, DC.

DEAR DIRECTOR FREEH: I am writing to urge you to correct testimony you gave during your appearance yesterday before the House Subcommittee on Appropriations. I have reviewed the videotape of your testimony and believe that your response to a question regarding Dr. Whitehurst is incorrect in three respects.

Your testimony was as follows:

Q. (By Chairman Rogers) Now why was Mr. Whitehurst suspended?

A. What I can say in the open session, sir, is that the action that was taken against Mr. Whitehurst was taken solely and directly on the basis of the recommendation by the Inspector General and their findings with respect to Mr. Whitehurst, which they furnished us in writing. We notified the Inspector General and the Deputy Attorney General's office that we were going to take administrative action. They did not object to it. The only reason that action was taken was because of what the Inspector General wrote and recommended to the FBI. And when that is public, I think you will be satisfied.

First, we have consistently been informed that the FBI did not take administrative action against Dr. Whitehurst ''solely and directly on the basis of the recommendation by the Inspector General and their findings with respect to Mr. Whitehurst,'' as you testified. Rather, Deputy Counsel James Maddock has informed us (and others) on several occasions that the FBI's action was also taken because of Dr. Whitehurst's refusal—after being administratively compelled—to testify in 1996 in the matter regarding leaks of information about the laboratory. Indeed, that dual rationale was contained in the memo from Weldon Kennedy to the Deputy Attorney General, a copy of which was sent to me, on January 24, 1997, notifying her of the FBI's intention to place Whitehurst on administrative leave that afternoon.

Second, it was inaccurate to say that I ''did not object'' when the FBI notified my office that it intended to place Dr. Whitehurst on administrative leave. In fact, at a meeting held on January 21, I expressed my opposition when Mr. Maddock informed us that the FBI intended to take such action against Dr. Whitehurst. This was consistent with the position that I had taken over the course of more than a year when FBI representatives had repeatedly proposed firing Whitehurst or placing him on some sort of administrative leave. Although it is correct that I did not specifically respond to Mr. Kennedy's January 24 memorandum informing the Deputy Attorney General of the FBI's decision to place Dr. Whitehurst on leave that same afternoon—or formally reiterate my objection to taking any action against Dr. Whitehurst—it was because I had already made my views known rather than because I agreed with the FBI's proposed action.

Third, your testimony implies that we specifically recommended that Dr. Whitehurst be placed on administrative leave based on the draft report. The draft report in fact contains no such recommendation, nor can it be fairly construed to imply that such action should be taken while the draft was being reviewed.

Because I believe the inaccuracies in your testimony should be corrected as promptly as possible, I urge you to write to Chairman Rogers and Congressman Mollohan to correct the record. Should sharing this letter with the Appropriations Subcommittee assist in correcting the record, please feel free to include it with your correction.

Very truly yours,

MICHAEL R. BROMWICH,
Inspector General.

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION,
Washington, DC, March 11, 1997.

Mr. MICHAEL R. BROMWICH,
Inspector General, U.S. Department of Justice, Washington, DC.

DEAR MR. BROMWICH: In your letter of March 6, 1997, you state that it is your understanding that the FBI did not place Frederic Whitehurst on administrative leave solely on the basis of the recommendations set forth in your draft report. Your understanding is correct and I am writing to clarify my prior statement in that regard.

In a memorandum to Deputy Director Kennedy dated January 23, 1997, I recused myself from any Whitehurst-related disciplinary or administrative matters contained in the OIG report regarding the FBI Laboratory. Instead, I designated the Deputy Director to make or review all such decisions. It is my understanding that Deputy Director Kennedy based the decision to place Mr. Whitehurst on administrative leave on the following two grounds: (1) the FBI's receipt of notice in your draft findings that you intend to recommend that the FBI consider whether Mr. Whitehurst can continue to usefully serve the FBI in any capacity; and, (2) Mr. Whitehurst's refusal to answer questions, in direct contravention of an order to cooperate by an FBI Acting Assistant Director, with regard to an investigation into allegations that Mr. Whitehurst, without authorization, disclosed official information to the media.

We maintain that either of these grounds, standing alone, suffices to justify the temporary personnel action with respect to Mr. Whitehurst. However, as you know, the Department of Justice advised against taking any action concerning Mr. Whitehurst's refusal to cooperate with the leak investigation until you issued your draft report on the Laboratory investigation. Therefore, upon review of your draft findings with respect to Mr. Whitehurst, we notified your office that the FBI would be placing Mr. Whitehurst on administrative leave. As we advised Mr. Whitehurst in a letter dated January 24, 1997, this action did not constitute an adverse action, did not indicate inappropriate conduct on his part, and did not involve any loss of pay. However, because your draft findings put the FBI on notice of potentially serious problems with respect to Mr. Whitehurst and other Laboratory employees, the FBI would have been remiss had it failed to take temporary actions with respect to these individuals.

We received your draft report on the FBI Laboratory on January 21, 1997. On January 24, 1997, after reviewing your findings and recommendations, the FBI temporarily reassigned two Laboratory employees to positions outside the Laboratory, temporarily reassigned one employee within the Laboratory, and placed one employee, Mr. Whitehurst, on administrative leave with pay. You indicate in your letter that, at a meeting on January 21, 1997, you expressed opposition to the decision to place Mr. Whitehurst on administrative leave. I understand this topic was only briefly addressed and that the discussion moved on to other topics, which may account for why both Mr. Maddock and Mr. Collingwood do not recall your comments on this issue. Furthermore, as you concede in your letter, you did not respond to the Deputy Director's memorandum dated January 24, 1997, in which he informed the Deputy Attorney General that Mr. Whitehurst would be placed on administrative leave that afternoon.

Finally, you are correct that the draft report does not specifically recommend that Mr. Whitehurst be placed on administrative leave. I did not intend to imply that to the Subcommittee. However, it is significant that, after a 17-month investigation of the Laboratory, Mr. Whitehurst is the only FBI employee whose suitability for continued employment you question. Your findings also make clear that the majority of Mr. Whitehurst's allegations are unfounded and that he is often unable to distinguish fact from conjecture. I believe that the Subcommittee would have considered your draft findings with regard to Mr. Whitehurst helpful in balancing your testimony before them on February 26, 1997, that ''[w]e have found substantial problems based on the allegations that Dr. Whitehurst made to us.''

In order to clarify the entire record, I recommend that we provide the Subcommittee Chairman and Ranking Minority Member with your draft findings concerning Mr. Whitehurst in executive session and request that the findings be treated confidentially. I believe a fair reading of these findings supports Deputy Director Kennedy's decision to place Mr. Whitehurst on administrative leave with pay pending the finalization of your report on the FBI Laboratory and our review of that report to the extent it concerns Mr. Whitehurst's employment.

I appreciate your having provided me with an opportunity to address your concerns.

Sincerely,

LOUIS J. FREEH,
Director.

U.S. DEPARTMENT OF JUSTICE,
FEDERAL BUREAU OF INVESTIGATION,
Washington, DC, March 11, 1997.

Hon. HAROLD ROGERS,
U.S. House of Representatives, Chairman, Subcommittee on Commerce, Justice, State, and Judiciary of the Committee on Appropriations, Washington, DC.

DEAR MR. CHAIRMAN: Enclosed please find a letter to me from Michael R. Bromwich, Inspector General, Department of Justice, dated March 6, 1997, as well as my response to that letter.

As indicated by Mr. Bromwich, my testimony before the Subcommittee on March 5, 1997 was incomplete with regard to the decision to place Frederic Whitehurst on administrative leave. Although I recused myself from any Whitehurst-related disciplinary or administrative matters, I understand from former Deputy Director Kennedy that he based the decision to place Mr. Whitehurst on administrative leave on two grounds: (1) the FBI's receipt of notice in Mr. Bromwich's draft findings that he intends to recommend that the FBI consider whether Mr. Whitehurst can continue to usefully serve the FBI in any capacity; and, (2) Mr. Whitehurst's refusal to answer questions, in direct contravention of an order to cooperate by an FBI Acting Assistant Director, with regard to an investigation into allegations that Mr. Whitehurst, without authorization, disclosed official information to the media. In response to Subcommittee questioning, I failed to include the second basis for Deputy Director Kennedy's decision. I have submitted an amendment to the record in this regard.

In light of the Subcommittee's concerns regarding the decision to place Mr. Whitehurst on administrative leave, I believe that Mr. Bromwich's draft findings with respect to Mr. Whitehurst should be provided to you in full. As you can see from the enclosed correspondence, I have urged Mr. Bromwich to share his draft findings with you in executive session in order to clarify the record and explain one of the underlying bases for the FBI's temporary action with regard to Mr. Whitehurst. Mr. Bromwich objects to providing you with these draft findings and has directed that I not quote from them in testimony or correspondence with the Subcommittees.

I appreciate the opportunity to clarify my prior testimony and look forward to providing you and the Subcommittee members a thorough briefing following the release of Mr. Bromwich's final report on the FBI Laboratory.

Sincerely,

LOUIS J. FREEH,
Director.

Mr. GRASSLEY. Mr. President, to begin with, Mr. Freeh, in his letter to the IG—just as Mr. Kennedy did with me—believes that he can interpret the IG's report better than the IG can. He is saying to the IG, in effect, ''I don't care what you meant to say about Dr. Whitehurst. I care about what you said.'' He then plays a game of semantics and interprets the IG report as he wishes, not as the IG intended.

Then, elsewhere in the letters, Mr. Freeh takes a few pot shots at Dr. Whitehurst and at the IG. I understand why he would take pot shots at the IG. After all, the IG did an independent investigation of the crime lab. He apparently, according to news accounts, found credibility in many of Dr. Whitehurst's allegations. And that contradicts the FBI's own findings, which were nothing more than a whitewash of the exact same allegations. And the whitewash was done under this current director, Director Freeh. And Director Freeh personally signed off on the review. So, yes, I understand what would motivate the FBI Director to go after the IG.

But it is less clear why Mr. Freeh, before a subcommittee of Congress and later under his own signature, would go after Dr. Whitehurst. Why would the

FBI Director involve himself, by misleading the public and the subcommittee, in an attack on Dr. Whitehurst? After all, Mr. Freeh recused himself from matters dealing with Dr. Whitehurst. Last week, I released the document showing the recusal.

What kind of recusal is this? Is this part of a Kafka novel? Now, everyone in the entire Justice Department, including the FBI, knows how the FBI Director feels about Dr. Whitehurst. When decision-time comes to fire or retain Dr. Whitehurst, everyone has the message, directly from the FBI Director, regarding what he thinks about Dr. Whitehurst.

Finally, Mr. President, since I am on the subject of misleading. On March 5, the same day Mr. Freeh misled the Nation and the subcommittee on the IG report, he misled the public in another way. He announced in a press release the enhancement of a more independent Office of Professional Responsibility, or OPR. The new head of OPR would report directly to Mr. Freeh and his deputy.

But how can it be independent? It reports directly to Mr. Freeh and his deputy. Am I again reading one of Kafka's novels? Think of how reassuring the new, independent OPR is for Dr. Whitehurst, given what the Director said about him this past week.

The one truism that I have uncovered in all this, Mr. President, is this: The FBI has shown, beyond a shadow of a doubt, that it cannot police itself. This institution—the U.S. Congress—has bent over backward over the years to give the FBI what it says it needs. We have done it in good faith. We have done it without performing the necessary oversight. We put too much trust in the FBI. The FBI has squandered our trust.

In the coming weeks and months, I will attempt to show that, at the expense of fighting crime effectively, the FBI has engaged in a colossal campaign to build its empire. They have done it right under the noses of our oversight committees, the Judiciary Committees—of which I have been a member since I came to the Senate.

What the FBI needs is a good dose of oversight. They need to be reined in. There needs to be more independent oversight of their management. There needs to be more accountability of their budget, which has grown too large too quickly.

The FBI's leadership has come under fire because of its response to problems that have surfaced. It has chosen to mislead rather than acknowledge. That tells me, the Bureau is more worried about its image than its product.

Until the FBI acknowledges it cannot police itself, and works with Congress to establish more and better oversight, the FBI's leaders will keep taking heavy criticism from Capitol Hill.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of a letter from Dr. Whitehurst's attorneys to Director Freeh, dated today, taking the Director to task for his testimony and correspondence. I believe this letter will provide the necessary context for the public to judge whether Mr. Freeh's pot shots were fair.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

KOHN, KOHN & COLAPINTO, P.C.,
ATTORNEYS AT LAW,
Washington, DC, March 17, 1997.

Hon. LOUIS J. FREEH,
Director, Federal Bureau of Investigation, U.S. Department of Justice, Washington, DC.

DEAR DIRECTOR FREEH: We have read with great interest your letters dated March 11, 1997 sent to Mr. Michael R. Bromwich, the Inspector General ("IG") of the U.S. Department of Justice ("DOJ") and the Honorable Harold Rogers, Chairman, U.S. House of Representatives Subcommittee on Commerce, Justice, State, and Judiciary of the Committee on Appropriations, respectively. These two letters directly concern our client, Dr. Frederic Whitehurst, Supervisory Special Agent, Federal Bureau of Investigation ("FBI"), and relate to testimony you provided to the Subcommittee on March 5, 1997.

As a threshold matter, we understood that you had recused yourself from involvement with any administrative action concerning Dr. Whitehurst's employment with the FBI or his whistleblower allegations that have been investigated as part of the DOJ IG "Whitehurst Review." Nonetheless, by publishing your opinions concerning Dr. Whitehurst to a wide national audience, by providing testimony about his employment status and by requesting an executive session with a committee of the U.S. Congress to discuss matters related to Dr. Whitehurst, you clearly have not recused yourself from these matters. Furthermore, we were informed by a member of the news media prior to your testimony that you intended to answer questions concerning the actions the FBI took regarding Dr. Whitehurst. Thus, your comments about Dr. Whitehurst do not appear to have been spontaneous or accidental.

By widely publishing your very negative opinions about Dr. Whitehurst you have called into question the effectiveness of any purported "recusal" in matters related to the FBI crime lab or Dr. Whitehurst's employment.

In your letter to Mr. Bromwich you have deliberately distorted and published selected "draft" findings of the Inspector General in a manner clearly intended to discredit Dr. Whitehurst. You have alleged that the IG has concluded that "the majority of Mr. Whitehurst's allegations are unfounded and that he is often unable to distinguished fact from conjecture."

We highly doubt that the IG reached such conclusions or whether such conclusions will be contained in any final report issued by that office. Our review of more than 10,000 pages of documents released by the FBI pursuant to a court order and other publicly available materials related to the IG report, demonstrate that the vast majority of Dr. Whitehurst's major allegations have been fully substantiated. These include, but are not limited to, the allegation about misconduct in the Judge Hastings matter, major problems in the handling of evidence in the Oklahoma City Bombing matter, major problems in the FBI lab work and testimony in the World Trade Center Bombing matter, confirmation that Dr. Whitehurst's reports have been illegally altered and that illegally altered lab documents have been used as evidence in courts of law, confirmation that in a case you prosecuted the FBI Crime Lab did not follow proper protocols or properly evaluate the evidence, the withholding of exculpatory evidence in the case of the bombing of an airliner, confirmation that the contamination of the FBI Lab with the explosive residue PETN was not properly addressed, confirmation that your subordinates took adverse action against Dr. Whitehurst based on his lawful testimony in the World Trade Center case and his lawful actions of filing allegations of misconduct with the Department of Justice and confirmation that you were fully aware that the FBI crime lab could not meet the minimum standards of accreditation one year before the Oklahoma City Bombing tragedy occurred.

In regard to your statement that Dr. Whitehurst could not "distinguish fact from conjecture," the fact that many of his most important allegations have been fully validated belies this point.[1]

We are very distressed at your apparent ignorance of the controlling FBI regulations and Executive Orders which govern Dr. Whitehurst's whistleblowing activities. As you should be well aware, in order to *encourage* employee whistleblowing, these regulations actually provide for and require the reporting of "conjecture."

We had assumed you were fully aware of Executive Order 12731 signed by President George Bush on October 17, 1990. This Executive Order, along with the published "supplementary Information" interpreting this Order, were directly provided to every employee of the U.S. Department of Justice, including Dr. Frederic Whitehurst. In being provided a copy of this packet of information Dr. Whitehurst was informed that "These standards apply to all Department of Justice employees. Please read and retain them for future reference." Exhibit 1, U.S. Department of Justice, "This Package Contains Important Ethics Materials, The Executive Order On Conduct and the Standards of Conduct" (undated), attached hereto. As a loyal and dedicated public servant and federal law enforcement officer, Dr. Whitehurst read this packet of information. The Executive Order contained in the packet states as follows: "Employees *shall* disclose waste, fraud, abuse, and corruption to appropriate authorities." Ex. 1, quoting from Executive Order 12731, Part I Section 101(k) (emphasis added).

As you can see, under this Executive Order, Dr. Whitehurst was under a mandatory duty to report certain allegations to the "appropriate authorities." Pursuant to this obligation he in fact informed you and others within the FBI of very serious problems in the FBI crime lab. After the FBI failed to take action on these allegations Dr. Whitehurst fully informed the Inspector General of these allegations.

In regard to your purported concern over "conjecture," the DOJ packet also contained the explanatory notes concerning Executive Order 12731, Part I Section 101(k) which were written by the Office of Government Ethics ("OGE") and included as part of the final rule making governing the Executive Order. These comments make explicit what is implicit in the Executive Order, *i.e.*, that federal employees had a duty to "overreport" indications of misconduct and that the appropriate authorities would determine whether allegations were "spurious." The OGE explained this reasoning as follows:

[1] As I am sure you are aware, Mr. James Maddock, FBI Deputy General Counsel, and the individual appointed to serve as the FBI's "point man" concerning matters related to Dr. Whitehurst, personally informed us on several occasions in late 1996 that the FBI knew the IG had validated many of Dr. Whitehurst's allegations and that the FBI either had or would take corrective action. Mr. Maddock's statements are at odds with your characterization of the IG's findings.

''Five agencies suggested changes to §2635.101(b)(11) [the OGE Code of Federal Regulations provision which incorporated the requirements of Executive Order 12731, Part I Section 101(k)], the principle requiring disclosure of fraud, waste, abuse and corruption. The recommendation by two agencies to change ''shall'' to ''should'' was not adopted. Section 2635.101(b)(11) is a verbatim restatement of the principle enunciated in the Executive order and the recommended substitution of precatory for mandatory language would change the principle. *The Office of Government Ethics does not share those agencies' concern that the principle will elicit frivolous reporting. The Government's interest in curbing waste, fraud, abuse and corruption is better served by overreporting than by underreporting, and the authorities to whom such disclosure are to be made can best determine the merits of allegations and ensure that harm does not result from any that are spurious.''*

Exhibit 1, quoting from Federal Register p. 35007 (emphasis added).

In addition, the OGE warned that agencies could not require employees to apply ''complex legal principles'' when determining whether to report potential ''improprieties.'' *Id.* Thus Dr. Whitehurst, who read these regulations prior to filing any allegations with the Office of Inspector General, or the FBI for that matter, acted pursuant to mandatory authority when he reported potential violations of complex legal matters such as improper withholding of Brady information by the FBI and DOJ, potential perjury, the use of improper scientific procedures and the lack of scientific integrity at the FBI lab.

Thus, it is incumbent upon the Director of the FBI to insure that all FBI employees report any allegations of misconduct, and to err on the side of ''overreporting'' these kinds of concerns. We are very troubled that your office has not enforced the requirement that employees are under a mandatory duty to disclose indications of misconduct. Instead of strictly enforcing the law, you have publicly attacked Dr. Whitehurst for doing exactly what he was require to do under federal law.

Not only was Dr. Whitehurst required to report his concerns pursuant to Executive Order, the OGE regulations and the Department of Justice employee handout, the FBI's own internal procedures regarding employee conduct required that Dr. Whitehurst report ''any indication'' of ''possible'' misconduct, whether proven or not, to the appropriate authorities. Section 1–22(c) of the FBI Manual of Administrative Operations and Procedures (MAOP) states as follows:

''Each employee has the responsibility to report promptly, any indication of possible exploitation or misuse of Bureau resources; information as to violations of law, rules or regulations; personal misconduct. . . .''

Exhibit 2, FBI MAOP Section 1–22 (emphasis added), attached hereto.

Once again, it is clear that Dr. Whitehurst had to report unproven and ''possible'' ''indications'' of misconduct to the appropriate authorities. It is fundamentally wrong for you to challenge his right to ''overreport,'' and ridicule his allegations as ''conjecture'' in the face of these legal mandates and in the face of the severe crisis that has gone unaddressed within the crime lab. To make matters even worse, you were fully aware of many of these problems in 1994, yet you failed to approve an independent review of these matters and failed to correct these problems.

In your March 11th letter to Mr. Bromwich you also state that Dr. Whitehurst could have been placed on leave as a result of his ''refusal to answer questions, in direct ocntravention of an order to cooperate by an FBI Acting Director, with regard to an investigation into allegations that Mr. Whitehurst, without authorization, disclosed official information to the media.'' Once again, your characterization of events is neither complete nor accurate. Dr. Whitehurst was asked to answer questions concerning an investigation conducted by the Inspector General about an alleged leak of information to a journalist. Dr. Whitehurst was originally informed that his cooperation with this investigation was completely voluntary. Specifically, the Special Investigative Counsel assigned by the IG to conduct the investigation stated that the interview would be ''voluntary'' and that Dr. Whitehurst could ''terminate'' the interview ''at any time.'' Exhibit 3, Hutchison to Kohn, February 13, 1996, attached hereto. The fact that this interview was originally scheduled as a ''voluntary'' interview is consistent with the manner in which the IG conducted its interviews during the course of the IG's ''Whitehurst Review.'' Documents reviewed by Dr. Whitehurst's counsel demonstrate that FBI employees were informed by the IG of their right to refuse to answer questions and the fact that such refusal would not result in any adverse actions.

Unfortunately, the FBI issued an instruction that Dr. Whitehurst could not fully communicate with his private attorneys concerning the proposed interview. This instruction was clearly retaliatory, unconstitutional and illegal. The DOJ was informed that as long as this instruction stood, we would instruct our client not to answer any questions and that the government's restriction on Dr. Whitehurst's communications with his private counsel would be challenged in federal court. Exhibit 4, Cochran and Kohn to Reno (March 27, 1996) attached hereto.

On March 19, 1996, after the FBI was informed of our objections to the improper restrictions on Dr. Whitehurst's communications with counsel, and after Dr. Whitehurst had been informed that the interview would be ''voluntary,'' the FBI Acting Assistant Director ordered Dr. Whitehurst to ''appear'' and answer questions on a mandatory basis. Exhibit 5, Thompson to Whitehurst (March 19, 1996), attached hereto. This order was issued almost three weeks after the FBI was informed of our objections and position regarding the government's interference with Dr. Whitehurst's communications with counsel.[2] See, Ex. 4.

Unfortunately, your letters of March 11th are not the first time you have treated Dr. Whitehurst in a disrespectful fashion. In 1994, after Dr. Whitehurst contacted your Office of General Counsel and, in good faith, attempted to communicate his concerns about the crime lab, the Office of General Counsel, with your specific concurrence, ridiculed him as a ''perfectionist'' who ''refuses to compromise or be realistic about his expectations of the LD [Laboratory Division]''. Memorandum of May 26, 1994, initialed by FBI General Counsel H.M. Shapiro. These types of derogatory characterizations are inconsistent with the regulations governing FBI employee-whistleblowing. It is highly unprofessional for the FBI to personally deride an individual who had the courage to come forward and point out problems within the crime lab. Frankly, we are shocked at the complete disrespect toward Dr. Whitehurst you have repeatedly shown or approved. Given the FBI's record in its dealings with Dr. Whitehurst we are not surprised that you objected to the IG's February 26, 1997 testimony confirming that the IG had ''found substantial problems [at the FBI crime lab] based on the allegations that Dr. Whitehurst made to us.'' Freeh to Bromwich, p. 2 (March 11, 1997). The FBI's pattern of attacking Dr. Whitehurst and ignoring the real problems which exist in the crime lab are not consistent with the goals of law enforcement.

In your letter to Mr. Bromwich you suggest that Congress should be briefed in ''executive session'' about undisclosed issues related to Dr. Whitehurst. The inference you clearly intended to leave with any person who read this letter borders on blatant ''McCarthyism''. You suggest that Dr. Whitehurst engaged in misconduct which needed to be ''treated confidentially.'' The facts indicate that the FBI's treatment of Dr. Whitehurst and its indifference in responding to his serious allegations will be recorded as one of the saddest chapters in law enforcement history.

In the future, if you intend to provide any member of Congress with a ''confidential'' briefing regarding Dr. Whitehurst, we hereby request that we be notified in advance of this briefing and that you request permission for Dr. Whitehurst's counsel to attend any such briefing and respond to the information you place before Congress.

Finally, your letters of March 11th referenced above were filed in violation of the Privacy Act and other applicable federal laws. We hereby request that you take immediate steps to correct the inaccurate information contained in your letters. Pursuant to the Privacy Act we also hereby request that a copy of this letter be sent to all persons to whom you provided a copy of your March 11th letters. In addition, pursuant to the Freedom of Information Act, 5 U.S.C. §552, the Privacy Act, 5 U.S.C. §552a and the February 5, 1997 Order issued by the Honorable Gladys Kessler in *Whitehurst* v. *FBI, et al.*, C.A. No. 96–572(GK) (D.D.C.) we hereby request immediate access to all documents directly or indirectly related to: (a) the subject matter of this letter; (b) all interactions with the U.S. Congress related to Dr. Whitehurst; (c) all notes concerning any conversations between the FBI and the DOJ IG; (d) all documents related to and a complete accounting of all disclosures of information made about Dr. Whitehurst from any FBI employee to any person outside of the FBI (including, but not limited to, the Director of the FBI, the FBI Deputy Director, Mr. Jim Maddock, Mr. Weldon Kennedy, the office of public affairs, of office of congressional affairs, the Acting Assistant Director, Laboratory Division and Mr. D.W. Thompson); (e) all documents in any manner related to the above-referenced March 11, 1997 letters signed by the FBI Director; and (f) all documents in any manner related to any briefing given by any FBI employee to any Member of the U.S. Congress, or any person employed by the U.S. Congress or a Member thereof.

We also request that fees be waived concerning our FOI/PA request because this information will significantly contribute to the public interest and the public's understanding of the operation of its government. In addition, we request that this FOIA and Privacy Act request be expedited given the intense public interest in these matters.

Thank you in advance for your prompt attention. We expect full compliance with the

[2] Notably, a subsequent attempt by the FBI to force Dr. Whitehurst to answer hostile questioning by arbitrarily switching a voluntary interview to a mandatory one was enjoined by court order. In September, 1996 the FBI once again ordered Dr. Whitehurst to submit to a mandatory interview and provide information to a prosecutor. The retaliatory nature of that instruction was so obvious that a U.S. District Court Judge issued a temporary restraining order and a permanent injunction prohibiting the mandatory interview. Ex. 6, *U.S.* v. *McVeigh*, Orders of Judge Matsch (Sept. 12, 1996 and Oct. 29, 1996).

FOIA and Privacy Act requests contained herein within ten days.

Sincerely yours,

STEPHEN M. KOHN,
MICHAEL D. KOHN,
DAVID K. COLAPINTO,
Attorneys for Dr. Whitehurst.

Mr. GRASSLEY. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HAGEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT OF AN INDEPENDENT COUNSEL TO INVESTIGATE ALLEGATIONS OF ILLEGAL FUNDRAISING

The Senate continued with the consideration of the joint resolution.

Mr. HAGEL. Mr. President, I rise today in support of Senate Joint Resolution 22, asking that an independent counsel be appointed to investigate the alleged illegal fundraising activities in the 1996 Presidential campaign.

It is in the best interest of both the Nation and the Congress that an independent counsel be appointed. In light of the continued severity of the allegations that arise on a nearly daily basis, this is the only way to properly investigate wrongdoing and prosecute where laws were broken. The requests for an independent counsel have been bipartisan. I have twice written Attorney General Janet Reno and asked that an independent counsel be appointed. To date, I have not received a reply.

We need an independent counsel to supplement congressional hearings. Only an independent counsel has the power to bring charges against those alleged of breaking the law. Congress will investigate, as we should—that is our responsibility—but we need someone looking into this with the ability to prosecute.

I also fear whether Congress will be able to bear the entire responsibility for investigating these alleged campaign finance abuses and still act on the important issues awaiting our attention. We were elected by the people to address the challenges facing America. We were elected to solve problems.

As we look forward to the 21st century, America is faced with serious challenges. Domestically, we must come to terms with our Federal budgetary problems, our national debt, the burden of taxes and regulations, the threat of crime, the explosive growth projected in entitlement programs. Internationally, we need to reshape a foreign policy, a foreign policy that will guide us through the uncharted and potentially treacherous waters of the post-cold-war era. This is a time of great hope, a time of great promise for the world. The fulfillment of this hope and promise will come only if America demonstrates bold, imaginative leadership, leadership that seizes the moment.

Determining the direction our Nation will take beyond the year 2000 is a very critical debate, one that all the Nation should be involved with. The issues involved require and deserve the full attention of this body. We must not be held hostage by partisan bickering over campaign finance investigations and daily allegations of political wrongdoing.

For example, Medicare's slide into bankruptcy will not wait for a determination of whether campaign finance laws were broken in last year's Presidential campaign. Action needs to be taken now to save Medicare, or America's seniors will pay the price.

If we allow the poison of political retribution and revenge to dominate the Congress, we will never be able to work together on these very important issues. The congressional hearings are important. Surely they are important. Surely they must go forward. But we need to get to the bottom of this mess. At the same time, we cannot allow these hearings to overshadow the present challenges facing this body.

Political leaders frequently express their dismay at the lack of confidence and trust the American people have in them and in all political institutions. However, we bring it on ourselves when the image we present to the American people is one of constant partisan wrangling and bitter accusations.

When we allow our system to become polarized and paralyzed, the American people have to wonder who is on the job, who is looking out for their interests, who is governing America.

The American people are tired of the lack of civility and the inflammatory rhetoric that too frequently dominate the political discourse in Washington. They are tired of the gridlock that results when both ends of Pennsylvania Avenue put political considerations before the Nation's business. The American people want action. They want their elected representatives to give their full attention to the challenges facing this country. They deserve nothing less.

The destiny and legacy of our people is that we have always risen to meet the challenges put before us. As we lead America and the world into the 21st century, we must build on this legacy. Big challenges lie ahead. We fail our children and the children of the world if we allow ourselves to become bogged down in political intrigue and fail to address these important issues now.

Criminal investigations should be taken out of politics. Prosecuting wrongdoing should be done without regard to politics. The Attorney General needs to appoint an independent counsel now.

I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. COLLINS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ALLARD). Without objection, it is so ordered.

REPORT RELATIVE TO THE EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT—PM 22

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

I hereby report to the Congress on developments concerning the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995, and matters relating to the measures in that order and in Executive Order 12959 of May 6, 1995. This report is submitted pursuant to section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c) (IEEPA), section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa–9(c). This report discusses only matters concerning the national emergency with respect to Iran that was declared in Executive Order 12957 and does not deal with those relating to the emergency declared on November 14, 1979, in connection with the hostage crisis.

1. On March 15, 1995, I issued Executive Order 12957 (60 *Fed. Reg.* 14615, March 17, 1995) to declare a national emergency with respect to Iran pursuant to IEEPA, and to prohibit the financing, management, or supervision by United States persons of the development of Iranian petroleum resources. This action was in response to actions and policies of the Government of Iran, including support for international terrorism, efforts to undermine the Middle East peace process, and the acquisition of weapons of mass destruction and the means to deliver them. A copy of the order was provided to the Speaker of the House and the President of the Senate by letter dated March 15, 1995.

Following the imposition of these restrictions with regard to the development of Iranian petroleum resources, Iran continued to engage in activities that represent a threat to the peace and security of all nations, including Iran's continuing support for international terrorism, its support for acts that undermine the Middle East peace process, and its intensified efforts to acquire weapons of mass destruction. On May 6, 1995, I issued Executive Order 12959 to further respond to the

Iranian threat to the national security, foreign policy, and economy of the United States.

Executive Order 12959 (60 *Fed. Reg.* 24757, May 9, 1995) (1) prohibits exportation from the United States to Iran or to the Government of Iran of goods, technology, or services; (2) prohibits the reexportation of certain U.S. goods and technology to Iran from third countries; (3) prohibits dealings by United States persons in goods and services of Iranian origin or owned or controlled by the Government of Iran; (4) prohibits new investments by United States persons in Iran or in property owned or controlled by the Government of Iran; (5) prohibits U.S. companies and other United States persons from approving, facilitating, or financing performance by a foreign subsidiary or other entity owned or controlled by a United States person of certain reexport, investment, and trade transactions that a United States person is prohibited from performing; (6) continues the 1987 prohibition on the importation into the United States of goods and services of Iranian origin; (7) prohibits any transaction by a United States person or within the United States that evades or avoids or attempts to violate any prohibition of the order; and (8) allowed U.S. companies a 30-day period in which to perform trade transaction pursuant to contracts predating the Executive order.

At the time of signing Executive Order 12959, I directed the Secretary of the Treasury to authorize through specific licensing certain transactions, including transactions by United States persons related to the Iran-United States Claims Tribunal in The Hague, established pursuant to the Algiers Accords, and related to other international obligations and United States Government functions, and transactions related to the export of agricultural commodities pursuant to preexisting contracts consistent with section 5712(c) of title 7, United States Code. I also directed the Secretary of the Treasury, in consultation with the Secretary of State, to consider authorizing United States persons through specific licensing to participate in market-based swaps of crude oil from the Caspian Sea area for Iranian crude oil in support of energy projects in Azerbaijan, Kazakstan, and Turkmenistan.

Executive Order 12959 revoked sections 1 and 2 of Executive Order 12613 of October 29, 1987, and sections 1 and 2 of Executive Order 12957 of march 15, 1995, to the extent they are inconsistent with it. A copy of Executive Order 12959 was transmitted to the Speaker of the House of Representatives and the President of the Senate by letter dated May 6, 1995.

2. On March 5, 1997, I renewed for another year the national emergency with respect to Iran pursuant to IEEPA. This renewal extended the authority for the current comprehensive trade embargo against Iran in effect since May 1995. Under these sanctions, virtually all trade with Iran is prohibited except for information and informational materials and certain other limited exceptions.

3. The Iranian Transactions Regulations (the ''Regulations'' or ITR), 31 CFR Part 560, were amended on October 21, 1996 (61 *Fed. Reg.* 54936, October 23, 1996), to implement section 4 of the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996, by adjusting for inflation the amount of the civil monetary penalties that may be assessed under the Regulations. The amendment increases the maximum civil monetary penalty provided in the Regulations from $10,000 to $11,000 per violation.

The amended Regulations also reflect an amendment to 18 U.S.C. 1001 contained in section 330016(1)(L) of Public Law 103–322, September 13, 1994; 108 Stat. 2147. The amendment notes the availability of higher criminal fines pursuant to the formulas set forth in 18 U.S.C. 3571. A copy of the amendment is attached.

Section 560.603 of the ITR was amended on November 15, 1996 (61 *Fed. Reg.* 58480), to clarify rules relating to reporting requirements imposed on United States persons with foreign affiliations. Initial reporting under the amended Regulation has been deferred until May 30, 1997, by a January 14, 1997 *Federal Register* notice (62 *Fed. Reg.* 1832). Copies of the amendment and the notice are attached.

4. During the current 6-month period, the Department of the Treasury's Office of Foreign Assets Control (OFAC) made numerous decisions with respect to applications for licenses to engage in transactions under the ITR, and issued 13 licenses. The majority of denials were in response to requests to authorize commercial exports to Iran—particularly of machinery and equipment for the petroleum and manufacturing industries—and the importation of Iranian-origin goods. The licenses issued authorized the export and reexport of goods, services, and technology essential to ensure the safety of civil aviation and safe operation of certain commercial passenger aircraft in Iran; certain financial and legal transactions; the importation of Iranian-origin artwork for public exhibition; and certain diplomatic transactions. Pursuant to sections 3 and 4 of Executive Order 12959 and in order to comply with the Iran-Iraq Arms Non-Proliferation Act of 1992 and other statutory restrictions applicable to certain goods and technology, including those involved in the air-safety cases, the Department of the Treasury continues to consult with the Departments of State and Commerce on these matters.

The U.S. financial community continues to interdict transactions associated with Iran and to consult with OFAC about their appropriate handling. Many of these inquiries have resulted in investigations into the activities of U.S. parties and, where appropriate, the initiation of enforcement action.

5. The U.S. Customs Service has continued to effect numerous seizures of Iranian-origin merchandise, primarily carpets, for violation of the import prohibitions of the ITR. Various enforcement actions carried over from previous reporting periods are continuing and new reports of violations are being aggressively pursued. Since my last report, OFAC has collected a civil monetary penalty in the amount of $5,000. The violation underlying this collection involves the unlicensed import of Iranian-origin goods for transshipment to a third country aboard a U.S.-flag vessel. Civil penalty action or review is pending against 21 companies, financial institutions, and individuals for possible violations of the Regulations.

6. The expenses incurred by the Federal Government in the 6-month period from September 15, 1996, through March 14, 1997, that are directly attributable to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to Iran are approximately $800,000, most of which represent wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the U.S. Customs Service, the Office of the Under Secretary for Enforcement, and the Office of the General Counsel), the Department of State (particularly the Bureau of Economic and Business Affairs, the Bureau of Near Eastern Affairs, the Bureau of Intelligence and Research, and the Office of the Legal Adviser), and the Department of Commerce (the Bureau of Export Administration and the General Counsel's Office).

7. The situation reviewed above continues to involve important diplomatic, financial, and legal interests of the United States and its nationals and presents an extraordinary and unusual threat to the national security, foreign policy, and economy of the United States. The declaration of the national emergency with respect to Iran contained in Executive Order 12957 and the comprehensive economic sanctions imposed by Executive Order 12959 underscore the United States Government opposition to the actions and policies of the Government of Iran, particularly its support of international terrorism and its efforts to acquire weapons of mass destruction and the means to deliver them. The Iranian Transactions Regulations issued pursuant to Executive Orders 12957 and 12959 continue to advance important objectives in promoting the nonproliferation and antiterrorism policies of the United States. I shall exercise the powers at my disposal to deal with these problems and will report periodically to the Congress on significant developments.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 14, 1997.*

MESSAGES FROM THE HOUSE

At 12:02 pm., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bill and joint resolution, in which it requests the concurrence of the Senate:

H.R. 852. An act to amend chapter 35, of title 44, United States Code, popularly known as the Paperwork Reduction Act, to minimize the burden of Federal paperwork demand upon small business, educational and nonprofit institutions, Federal contractors, State, and local governments, and other persons through the sponsorship and use of alternative information technologies.

H.J. Res. 58. Joint resolution disapproving the certification of the President under the section 490(b) of the Foreign Assistance Act of 1961 regarding foreign assistance for Mexico during fiscal year 1997.

The message also announced that the Speaker appoints the following Members of the House to the Commission on Security and Cooperation in Europe: Mr. SMITH of New Jersey, Co-Chairman, Mr. PORTER, Mr. WOLF, Mr. SALMON, and Mr. CHRISTENSEN.

The message further announced that the Speaker appoints Mr. Jeffrey S. Blair of Georgia from private life to the National Committee on Vital and Health Statistics on the part of the House.

The message also announced that the Speaker appoints the following Member of the House to the Mexico-United States Interparliamentary Group: Mr. KOLBE, Chairman.

The message further announced that the Speaker appoints the following Member of the House to the Canada-United States Interparliamentary Group: Mr. HOUGHTON, Chairman.

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 852. An act to amend chapter 35, of title 44, United States Code, popularly know as the Paperwork Reduction Act, to minimize the burden of Federal paperwork demands upon small business, educational and nonprofits institutions, Federal contractors, State, and local governments, and other persons through the sponsorship and use of alternative information technologies; to the Committee on Governmental Affairs.

MEASURE READ THE FIRST TIME

The following joint resolution was read the first time:

H.J. Res. 58. Joint resolution disapproving the certification of the President under the section 490(b) of the Foreign Assistance Act of 1961 regarding foreign assistance for Mexico during fiscal year 1997.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–1426. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule relative to olives, received on March 12, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1427. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule relative to oranges, received on March 13, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1428. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule relative to grapes, received on March 13, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1429. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule relative to onions, received on March 13, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1430. A communication from the Secretary of the Panama Canal Commission, transmitting, pursuant to law, the report of a rule relative to technical amendments, received on March 13, 1997; to the Committee on Armed Services.

EC–1431. A communication from the Director of the Office of the Secretary (Administration & Management), Department of Defense, transmitting the report entitled, ''Extraordinary Contractual Actions to Facilitate the National Defense''; to the Committee on Armed Services.

EC–1432. A communication from the General Counsel of the Department of Defense, transmitting, a draft of proposed legislation to authorize appropriations for fiscal years 1998 and 1999 for military activities of the Department of Defense; to the Committee on Armed Services.

EC–1433. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule relative to transit joint development, (RIN2132-XX00) received on March 13, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC–1434. A communication from the Deputy Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, two rules including a rule relative to reporting requirements, (RIN3235-AG70) March 13, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC–1435. A communication from the President and Chairman of the Export-Import Bank, transmitting, pursuant to law, the report with respect to transactions involving exports to the Republic of Korea; to the Committee on Banking, Housing, and Urban Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. ROBB:

S. 448. A bill to amend the Solid Waste Disposal Act to authorize local governments and Governors to restrict receipt of out-of-State municipal solid waste, and for other purposes; to the Committee on Environment and Public Works.

By Mr. KYL (for himself, Mr. WYDEN, Mr. KENNEDY, and Mr. HUTCHINSON):

S. 449. A bill to prohibit the restriction of certain types of medical communications between a health care provider and a patient; to the Committee on Labor and Human Resources.

By Mr. THURMOND (for himself and Mr. LEVIN) (by request):

S. 450. A bill to authorize appropriations for fiscal years 1998 and 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 1998 and 1999, and for other purposes; to the Committee on Armed Services.

S. 451. A bill to authorize construction at certain military installations for fiscal year 1998, and for other military construction authorizations and activities of the Department of Defense; to the Committee on Armed Services.

By Mr. DORGAN (for himself, Mr. GRASSLEY, Mr. ROCKEFELLER, Mr. BAUCUS, Mr. ROBERTS, Mr. HARKIN, Mr. FAIRCLOTH, Mr. HUTCHINSON, Mr. INOUYE, and Mr. CONRAD):

S. 452. A bill to amend titles XVIII and XIX of the Social Security Act to permit a waiver of the prohibition of offering nurse aide training and competency evaluation programs in certain nursing facilities; to the Committee on Finance.

By Mr. TORRICELLI (for himself and Mr. LAUTENBERG):

S. 453. A bill to study the high rate of cancer among children in Dover Township, NJ., and for other purposes; to the Committee on Labor and Human Resources.

By Mr. DORGAN (for himself and Mr. CRAIG):

S. 454. A bill to provide incentives to encourage stronger truth in sentencing of violent offenders, and for other purposes; to the Committee on the Judiciary.

S. 455. A bill to amend title 18, United States Code, to eliminate good time credits for prisoners serving a sentence for a crime of violence, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. TORRICELLI (for himself, Mr. ABRAHAM, Mr. KENNEDY, Mr. LIEBERMAN, Mr. SPECTER, Mr. DEWINE, Mr. GLENN, Mr. LEVIN, and Mr. SARBANES):

S. Con. Res. 12. A concurrent resolution expressing the sense of the Congress with respect to the collection on data on ancestry in the decennial census; to the Committee on Governmental Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROBB:

S. 448. A bill to amend the Solid Waste Disposal Act to authorize local governments and Governors to restrict receipt of out-of-State municipal solid waste, and for other purposes; to the Committee on Environment and Public Works

THE LOCAL GOVERNMENT INTERSTATE WASTE CONTROL ACT

• Mr. ROBB. Mr. President, today, I introduce legislation which will protect communities from being inundated with unwanted garbage generated out-of-State. The essential thrust of the legislation is to empower localities to

protect themselves from unwanted trash by allowing them to decide whether landfills or incinerators located within their communities should be permitted to accept out-of-State waste. It also seeks to strike the appropriate balance between State and local authority.

Those of us who formerly served in State government are keenly aware of the divisions of labor among the various levels of government. Due to Supreme Court decisions regarding the U.S. Constitution's commerce clause, disposing of trash implicates all three levels of government.

Under the commerce clause, only Congress is permitted to regulate interstate commerce. Because the Supreme Court has determined that garbage is commerce like any other commodity, States and localities have been powerless to halt the disposal of waste disposed in their jurisdictions which was generated outside the State. Thus the Federal Government must determine how best to regulate this article of commerce.

The role of the States in regulating the disposal of garbage centers on its responsibility to protect the State's environment. Based on environmental criteria, the States determine whether to issue permits for the construction of landfills, and are charged with monitoring the operation of landfills and incinerators to guarantee compliance with environmental laws. My bill will not affect in any way the State's right to enforce the States environmental standards.

The real responsibility for disposing of trash, however, has rested historically with local governments. It is their responsibility to pick up the trash and to find a place to put it down. Because this is the locality's ultimate responsibility, and because the local community is the one most directly affected by garbage imports, my bill delegates primary authority regarding interstate waste to the local governments.

The legislation defines an affected local government as the political subdivision of the State charged with making land use decisions. In my view, if an elected body is competent to make decisions regarding the use of land in the community, then it is certainly competent to determine whether a landfill, already permitted under State law, should be allowed to accept out-of-State waste.

Striking the right balance between State and local authority was only half the battle. The other major issue implicated by placing restrictions on out-of-State waste is how to treat existing facilities. In many cases, existing facilities which accept out-of-State waste do so in the face of local opposition. These communities understandably want us to stop the garbage from flowing. It would not be fair, however, to those who expended millions of dollars to build new landfills in compliance with strict federal regulations to cut off their commerce completely. Therefore, my measure balances these interests by allowing the Governor of each State to limit the amount of out-of-State waste which can be disposed of in an existing facility.

To finance new waste disposal facilities that meet stringent State and Federal environmental regulations, some local governments are cooperating with private developers to build these state-of-the-art facilities. This cooperative relationship, however, can only florish if the locality has some leverage over the developer. Under present law, a local government is powerless to deny a zoning permit to a landfill developer simply because waste from out-of-State will be disposed in the landfill. If the local government is given the power to reject out-of-State waste, it also will have the power to accept the waste, with conditions. By allowing communities to have leverage at the bargaining table, they can enter into host community agreements which are beneficial to the locality and its neighbors.

In many instances, this can be a winning proposition for the local community. The new landfill can be built at no cost to the community, and the community can charge a host community fee which can be used to reduce taxes or pay for other projects, such as building schools.

While inviting a landfill developer into a community may not be the solution for every local government, it should remain an option for those who choose to pursue it. And under my legislation, the local government would not have to make such a decision alone. The legislation requires the local government to consult with the Governor and adjoining local governments before a decision is made.

More importantly, however, my legislation absolutely bans out-of-State waste from new facilities unless a community affirmatively agrees to the imports. This is important to many communities in my State, mostly rural, that can fall prey under existing law to unscrupulous landfill developers who, in their search for land, can run roughshod over the wishes of the locality. I hope my colleagues will join with me in supporting this legislation and protecting our communities from unwanted out-of-State trash.●

By Mr. KYL (for himself, Mr. WYDEN, Mr. KENNEDY, and Mr. HUTCHINSON):

S. 449. A bill to prohibit the restriction of certain types of medical communications between a health care provider and a patient; to the Committee on Labor and Human Resources.

THE PATIENT RIGHT TO KNOW ACT

Mr. KYL. Mr. President, I rise to join my colleague, Senator RON WYDEN, to introduce the Patient Right to Know Act. I also want to commend my House colleagues, Representatives GREG GANSKE and ED MARKEY, for their leadership on this issue.

PROCEDURAL HISTORY

The Kyl-Wyden Patient Right to Know Act, originally offered as an amendment on September 10, 1996 to the fiscal year 1997 Treasury, Postal appropriations bill, received 51 bipartisan votes; but 60 votes were required to overcome a procedural obstacle on the Senate floor.

THE PROBLEM

Mr. President, the purpose of this legislation is to return to patients their basic right to receive all relevant information from their doctor, or provider, about costs, benefits, risks, and legal, and appropriate treatment options that are important to their health. This bill would allow doctors and other providers to comply with their ethical and legal responsibility to fully inform patients of all their reasonable and legal options, regardless of cost or coverage limitations in a particular plan.

Some managed care plans forbid doctors and other providers from even mentioning all legal and reasonable treatment options to patients, either because the managed care plan's benefits will not pay for a particular treatment, or because of the relative cost of different treatments for the same condition offered by the plan.

In recent years, there have been media accounts of a few of the countless individuals who have been denied care by physicians and plans in an effort to control costs. In April 1994, ABC's ''20–20'' reported on the case of a woman who was denied information about a bone-marrow transplant to treat her breast cancer. In October 1995, CBS presented a story about a woman who was denied information about and access to specialists, and who was later diagnosed with cancer.

The national press has revealed the extent of this problem in publications such as the New England Journal of Medicine and the New York Times. For instance, the Times ran an article in September 22, 1996, entitled, the ''Tricky Business of Keeping Doctors Quiet.''

Americans have clearly noticed the deficiencies in some managed care plans. In a 1996 poll by the Patient Access to Speciality Care Coalition, 92.7 percent responded that it was very important that they be told of all treatment options, and 53 percent believe that they do not now receive enough information about how HMO's or managed care plans make treatment decisions.

ATTEMPTS AT A SOLUTION

Sixteen State legislatures have addressed the existence of gag rules, and several more are in the process of doing so.

The industry itself has acknowledged this problem, possibly realizing that gag rules make good managed care companies look bad. On December 18, 1996, the American Association of Health Plans, which represents over 1,000 providers and 140 million Americans, announced voluntary guidelines

that would end the use of gag clauses by member plans.

Limited antigag regulations have been promulgated by the Health Care Financing Administration that apply to Medicare and Medicaid managed care insurance contracts.

However, this still leaves us without a systematic approach to the problem. I believe we need a single, clear Federal standard, enforced by the States, that provides consistent protection of medical communications, for all health plan beneficiaries, no matter which State they live in, or which health plan they buy. This is the only certain way to stop individuals or entities whose goal is to reduce costs—at the expense of health care quality—by restricting medical communications between providers and patients.

THE CONGRESS MAY AND MUST ACT

It is clear that the Congress may act in this area since the offering and operation of health plans affects commerce among the States.

It is also clear that the Congress must act. With the emphasis that health care reform places on managed care, it is essential that the Congress ensure that managed care techniques and procedures protect patients and guarantee the integrity of the provider-patient relationship.

Mr. President, gag clauses in health care provider contracts attack the heart of the provider-patient relationship, and undermine the fundamental factor in the healing process: trust. The Congress has a substantial interest in preserving this relationship in the managed care environment it helped to create.

This legislation is measured in its approach. It provides for State enforcement of a clear, reasonable Federal standard. And, before a floor vote, the legislation will include a conscience clause exception for providers and entities. After months of good-faith, bipartisan discussion, the precise legislative language to establish a conscience clause exception to the gag rule has not yet been crafted.

However, all parties agree in principle that the rights and prerogatives of health plans and individual providers who, for religious or moral reasons, choose not to discuss certain treatments, must be protected. The question is, how best to accomplish this.

I am committed to continuing to work with all interested parties to achieve the greatest consensus possible on this critical issue. I will continue to work to see that all interested parties have been heard on this issue and the greatest amount of consensus possible has been reached.

By Mr. THURMOND (for himself and Mr. LEVIN):

S. 450. A bill to authorize appropriations for fiscal years 1998 and 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 1998 and 1999, and for other purposes; to the Committee on Armed Services.

THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEARS 1998 AND 1999

By Mr. THURMOND (for himself and Mr. LEVIN) (by request):

S. 451. A bill to authorize construction at certain military installations for fiscal year 1998, and for other military construction authorizations and activities of the Department of Defense; to the Committee on Armed Services.

THE MILITARY CONSTRUCTION AUTHORIZATION ACT FOR FISCAL YEAR 1998

Mr. THURMOND. Mr. President, I am pleased to introduce, by request and with the distinguished Senator from Michigan, the ranking minority member of the Committee on Armed Services, the National Defense Authorization Act for fiscal years 1998 and 1999 and the Military Construction Authorization Act for fiscal year 1998. I ask unanimous consent that the bills and their accompanying sectional analyses be printed in the RECORD.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 450

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Defense Authorization Act for Fiscal Years 1998 and 1999''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

TITLE I—PROCUREMRNT

AUTHORIZATION OF APPROPRIATIONS

Sec. 101. Army.
Sec. 102. Navy and Marine Corps.
Sec. 103. Air Force.
Sec. 104. Defense-wide Activities.
Sec. 105. Defense Inspector General.
Sec. 106. Defense Health Program.
Sec. 107. Chemical Demilitarization Program.
Sec. 108. Transfer from the National Defense Stockpile Transaction Fund.
Sec. 109. National Guard and Reserve Component Equipment: Annual Report to Congress.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 201. Authorization of Appropriations.
Sec. 202. Permanent Authority to Provide for Use of Test and Evaluation Installations by Commercial Entities.

TITLE III—OPERATION AND MAINTENANCE

SUBTITLE A—AUTHORIZATION OF APPROPRIATIONS

Sec. 301. Operation and Maintenance Funding.
Sec. 302. Working Capital Funds.
Sec. 303. Armed Forces Retirement Home.
Sec. 304. Fisher House Trust Funds.
Sec. 305. Transfer from the National Defense Stockpile Transaction Fund.
Sec. 306. Repeal of Defense Business Operations Fund.

SUBTITLE B—ENVIRONMENTAL PROVISIONS

Sec. 311. Amendments to Authority to Enter into Agreements with Other Agencies in Support of Environmental Technology Certification.
Sec. 312. Storage and Disposal of Nondefense Toxic and Hazardous Materials.

SUBTITLE C—OTHER MATTERS

Sec. 321. Programs to Commemorate the 50th Anniversaries of the Marshall Plan and the Korean War.
Sec. 322. Admission of Civilian Students to the Naval Post Graduate School.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

SUBTITLE A—ACTIVE FORCES

Sec. 401. End Strengths for Active Forces.

SUBTITLE B—RESERVE FORCES

Sec. 411. End Strengths for Selected Reserve.
Sec. 412. End Strengths for Reserves on Active Duty in Support of the Reserves.

TITLE V—MILITARY PERSONNEL POLICY

SUBTITLE A—OFFICER PERSONNEL POLICY

Sec. 501. Authorization for Personnel to Serve in the Management of Non-Federal Entities.
Sec. 502. Modifying Selection Board Eligibility.
Sec. 503. Limitations on Promotion Consideration Eligibility.
Sec. 504. Authority to Permit Non-Unit Assigned Officers to be Considered by Vacancy Promotion Board to General Officer Grades and for Officers to be Considered by a Vacancy Promotion Board to General Officer Grades When Not Serving in the Higher Graded Position.
Sec. 505. Exclusion of Certain Retired Members from the Limitation on the Period of Recall to Active Duty.

SUBTITLE B—ENLISTED PERSONNEL POLICY

Sec. 511. Authorization for the Naval Postgraduate School to Admit Enlisted Members of the U.S. Naval Service, Army, Air Force, and Coast Guard as Members.
Sec. 512. Scope of Participation in Community College of the Air Force.

SUBTITLE C—RESERVE PERSONNEL POLICY

Sec. 521. Correction to retired Grade, General Rule Concerning Nonregular Service.
Sec. 522. Grade Requirement for Involuntary Separation Board Composition.

SUBTITLE D—EDUCATION POLICY

Sec. 531. Protection of Educational Assistance Program Entitlements for Selected Reserve Members Serving on Active Duty in Support of a Contingency Operation.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

SUBTITLE A—PAY AND ALLOWANCES

Sec. 601. Military Pay Raise for Fiscal Year 1998.
Sec. 602. Change in Requirements for Pay of Ready Reserve Muster Duty Allowance.

SUBTITLE B—BONUSES AND SPECIAL PAYS

Sec. 611. Nuclear Qualified Officers: Bonuses and Special Pay.
Sec. 612. Incentive for Enlisted Members to Extend Tours of Duty Overseas.
Sec. 613. Amendments to Selected Reserve Reenlistment Bonus.
Sec. 614. Amendments to Selected Reserve Prior Service Enlistment Bonus.

SUBTITLE C—ALLOWANCES

Sec. 621. Travel and Transportation Allowances for Dependents Prior to Approval of a Member's Court-Martial Sentence.
Sec. 622. Variable Housing Allowance at Location of Residence After a Close Proximity Move.

SUBTITLE D—OTHER MATTERS
Sec. 631. Authorization for Reimbursement of Tax Liabilities Incurred by Participants in the F. Edward Hebert Armed Forces Health Professions Scholarship Program.
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TITLE VII—HEALTH CARE PROVISIONS
Sec. 701. Repeal of the Statutory Restriction on Use of Funds for Abortions.
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Sec. 812. Retention of Expired Funds During the Pendency of Contract Litigation.
Sec. 813. Expanding the Authority to Cross Fiscal Years to All Severable Service Contracts Not Exceeding a Year.
Sec. 814. Small Arms Weapons Procurement Objectives for the Army.
Sec. 815. Availability of Simplified Procedures to Commercial Item Procurements.
Sec. 816. Unit Cost Reports.
Sec. 817. Repeal of Additional Documentation Requirement for Competition Exception for International Agreements.
Sec. 818. Elimination of Drug-Free Workplace Certification Requirement for Grants.
Sec. 819. Vestiture of Title.
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TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT
Sec. 901. Amendment to Frequency of Providing Policy Guidance for Contingency Plans.
Sec. 902. Revision of Membership Terms for Strategic Environmental Research and Development Program Scientific Advisory Board.
Sec. 903. Closure of the Uniform Services University of the Health Sciences.
Sec. 904. Repeal of Requirement to Operate Naval Academy Dairy Farm, Gambrills, Maryland.
Sec. 905. Inclusion of Information Resources Management College in the National Defense University.
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Sec. 1020. Arrest Authority for Special Agents of the Defense Criminal Investigative Service.
Sec. 1021. Access to Pre-accession Offender Records.
Sec. 1022. Extension of Authority to Provide Additional Support For Counter-Drug Activities of Mexico.
Sec. 1023. Asia-Pacific Center for Security Studies.
Sec. 1024. Protection of Certain Imagery and Geospatial Information and Data.
Sec. 1025. National Guard Civilian Youth Opportunities Pilot Program.
Sec. 1026. Repeal of Annual Department of Defense Conventional Standoff Weapons Master Plan and Report on Standoff Munitions.
Sec. 1027. Revisions to the Ballistic Missile Defense Act of 1995.
Sec. 1028. Repeal of Reporting Requirements, Special Operations Forces: Training with Friendly Foreign Forces.
SUBTITLE D—MILITARY CONSTRUCTION PROVISIONS
Sec. 1031. Authority for the Secretary of the Army to Construct a Heliport at Fort Irwin, California.
Sec. 1032. Repeal of Reports Required by Military Construction Authorization Acts.
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Sec. 1034. Water Conservation Financial Incentives.
Sec. 1035. Privatization of Government Owned Utility Systems.
TITLE XI—DEPARTMENT OF DEFENSE CIVILIAN PERSONNEL
Sec. 1101. Extension of Voluntary Separation Incentive Pay Authorization.
Sec. 1102. Elimination of Time Limitation for Placement Consideration of Involuntarily Separated Reserve Technicians.
Sec. 1103. Pay Practices When Overseas Teachers Transfer to General Schedule Positions.
Sec. 1104. Citizenship Requirements for Staff of the George C. Marshall Center for Security Studies.
Sec. 1105. Preservation of Civil Service Rights for Employees of the Former Defense Mapping Agency.
Sec. 1106. Authorization for the Marine Corps University to Employ Civilian Professors.

TITLE I—PROCUREMENT

AUTHORIZATION OF APPROPRIATIONS

SEC. 101. ARMY

(a) AIRCRAFT.—Funds are hereby authorized to be appropriated for procurement of aircraft for the Army as follows:

(1) $1,162,459,000 for fiscal year 1998.

(2) $1,240,541,000 for fiscal year 1999.

(b) MISSILES.—Funds are hereby authorized to be appropriated for procurement of missiles for the Army as follows:

(1) $1,178,151,000 for fiscal year 1998.

(2) $1,541,375,000 for fiscal year 1999.

(c) WEAPONS AND TRACKED COMBAT VEHICLES.—Funds are hereby authorized to be appropriated for procurement of weapons and tracked combat vehicles for the Army as follows:

(1) $1,065,707,000 for fiscal year 1998.

(2) $1,475,106,000 for fiscal year 1999.

(d) AMMUNITION.—Funds are hereby authorized to be appropriated for procurement for ammunition for the Army as follows:

(1) $890,902,000 for fiscal year 1998.

(2) $975,973,000 for fiscal year 1999.

(e) OTHER PROCUREMENT.—Funds are hereby authorized to be appropriated for procurement for ammunition for the Army as follows:

(1) $2,455,030,000 for fiscal year 1998.

(2) $3,139,830,000 for fiscal year 1999.

SEC. 102. NAVY AND MARINE CORPS.

(a) AIRCRAFT.—Funds are hereby authorized to be appropriated for procurement of aircraft for the Navy as follows:

(1) $6,085,965,000 for fiscal year 1998.

(2) $7,669,355,000 for fiscal year 1999.

(b) WEAPONS.—Funds are hereby authorized to be appropriated for procurement of weapons (including missiles and torpedoes) for the Navy as follows:

(1) $1,136,293,000 for fiscal year 1998.

(2) $1,435,740,000 for fiscal year 1999.

(c) NAVY AND MARINE CORPS AMMUNITION.—Funds are hereby authorized to be appropriated for ammunition for the Navy and Marine Corps as follows:

(1) $336,797,000 for fiscal year 1998.

(2) $502,625,000 for fiscal year 1999.

(d) SHIPBUILDING AND CONVERSION.—Funds are hereby authorized to be appropriated for shipbuilding and conversion for the Navy as follows:

(1) $7,438,158,000 for fiscal year 1998.

(2) $5,958,044,000 for fiscal year 1999.

(e) OTHER PROCUREMENT, NAVY.—Funds are hereby authorized to be appropriated for other procurement for the Navy as follows:

(1) $2,825,500,000 for fiscal year 1998.

(2) $4,185,375,000 for fiscal year 1999.

(f) MARINE CORPS.—Funds are hereby authorized to be appropriated for procurement for the Marine Corps as follows:

(1) $374,306,000 for fiscal year 1998.

(2) $695,536,000 for fiscal year 1999.

SEC. 103. AIR FORCE.

(a) AIRCRAFT.—Funds are hereby authorized to be appropriated for procurement of aircraft for the Air Force as follows:

(1) $5,817,847,000 for fiscal year 1998.

(2) $8,079,811,000 for fiscal year 1999.

(b) MISSILES.—Funds are hereby authorized to be appropriated for procurement of missiles for the Air Force as follows:

(1) $255,774,000 for fiscal year 1998.

(2) $2,892,106,000 for fiscal year 1999.

(c) AMMUNITION.—Funds are hereby authorized to be appropriated for ammunition for the Air Force as follows:

(1) $403,984,000 for fiscal year 1998.

(2) $456,503,000 for fiscal year 1999.

(d) OTHER PROCUREMENT.—Funds are hereby authorized to be appropriated for other procurement for the Air Force as follows:

(1) $6,561,253,000 for fiscal year 1998.

(2) $6,754,879,000 for fiscal year 1999.

SEC. 104. DEFENSE-WIDE ACTIVITIES.

Funds are hereby authorized to be appropriated for Defense-wide procurement as follows:

(1) $1,695,085,000 for fiscal year 1998.

(2) $2,616,431,000 for fiscal year 1999.

SEC. 105. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for procurement for the Inspector General of the Department of Defense as follows:

(1) $1,800,000 for fiscal year 1998.

(1) $1,100,000 for fiscal year 1999.

SEC. 106. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for procurement for carrying out health care programs, projects, and activities of the Department of Defense as follows:

(1) $274,068,000 for fiscal year 1998.
(1) $246,133,000 for fiscal year 1999.

SEC. 107. CHEMICAL DEMILITARIZATION PROGRAM.

Funds are hereby authorized to be appropriated for the destruction of lethal chemical weapons in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521) and the destruction of chemical warfare material of the United States that is not covered by section 1412 of such Act as follows:

(1) $620,700,000 for fiscal year 1998.
(2) $1,094,200,000 for fiscal year 1999.

SEC. 108. TRANSFER FROM THE NATIONAL DEFENSE STOCKPILE TRANSACTION FUND.

(A) TRANSFER AUTHORITY.—To the extent provided in appropriations Acts, not more than $400,000,000 is authorized to be transferred from the National Defense Stockpile Transaction Fund to procurement accounts for fiscal year 1998 in amounts as follows:

(1) For Aircraft Procurement, Army, $133,000,000.
(2) For Aircraft Procurement, Navy, $134,000,000.
(3) For Aircraft Procurement, Air Force, $133,000,000.

(b) TREATMENT OF TRANSFERS.—Amounts transferred under this section—

(1) shall be merged with, and be available for the same purposes and the same period as, the amounts in the accounts to which transferred; and

(2) may not be expended for an item that has been denied authorization of appropriations by Congress.

SEC. 109. NATIONAL GUARD AND RESERVE COMPONENT EQUIPMENT: ANNUAL REPORT TO CONGRESS.

Section 10541(b)(5)(A) of title 10, United States Code, is amended by striking ‘‘, shown in accordance with deployment schedules and requirements over successive 30-day periods following mobilization’’.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEAR 1998.—Funds are hereby authorized to be appropriated for fiscal year 1998 for the use of the Armed Forces for research, development, test, and evaluation, as follows:

(1) For the Army, $4,510,843,000.
(2) For the Navy, $7,611,022,000.
(3) For the Air Force, $14,451,379,000.
(4) For Defense-wide activities, $9,361,247,000, of which—

(i) $268,183,000 is authorized for the activities of the Director, Test and Evaluation; and

(ii) $23,384,000 is authorized for the Director of Operational Test and Evaluation.

(b) FISCAL YEAR 1999.—Funds are hereby authorized to be appropriated for fiscal year 1999 for the use of the Armed Forces for research, development, test, and evaluation, as follows:

(1) For the Army, $4,496,724,000.
(2) For the Navy, $7,756,314,000.
(3) For the Air Force, $13,799,985,000.
(4) For Defense-wide activities, $8,991,567,000, of which—

(i) $278,767,000 is authorized for the activities of the Director, Test and Evaluation; and

(ii) $23,447,000 is authorized for the Director of Operational Test and Evaluation.

SEC. 202. PERMANENT AUTHORITY TO PROVIDE FOR USE OF TEST AND EVALUATION INSTALLATIONS BY COMMERCIAL ENTITIES.

Section 2681 of title 10, United States Code, is amended—

(1) by striking subsection (g); and

(2) by redesignating subsection (h) as subsection (g).

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization Of Appopriations

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

(a) FISCAL YEAR 1998.—Funds are hereby authorized to be appropriated for fiscal year 1998 for the use of the Armed Forces of the United States and other activities and agencies of the Department of Defense, for expenses, not otherwise provided for, for operation and maintenace, in amounts as follows:

(1) For the Army, $17,215,484,000.
(2) For the Navy, $21,581,130,000.
(3) For the Marine Corps, $2,305,345,000.
(4) For the Air Force, $18,910,785,000.
(5) For Defense-wide activities, $10,403,938,000.
(6) For the Army Reserve, $1,192,891,000.
(7) For the Naval Reserve, $834,711,000.
(8) For the Marine Corps Reserve, $110,366,000.
(9) For the Air Force Reserve, $1,624,420,000.
(10) For the Army National Guard, $2,258,932,000.
(11) For the Air National Guard, $2,991,219,000.
(12) For the Defense Inspector General, $136,580,000.
(13) For Drug Interdiction and Counterdrug Activities, Defense-wide, $652,582,000.
(14) For the United States Court of Appeals for the Armed Forces, $6,952,000.
(15) For Environmental Restoration, Army, $377,337,000.
(16) For Environmental Restoration, Navy, $277,500,000.
(17) For Environmental Restoration, Air Force, $378,900,000.
(18) For Environmental Restoration, Defense-wide, $27,900,000.
(19) For Environmental Restoration, Formerly Used Defense Sites, $202,300,000.
(20) For Medical Programs, Defense, $9,766,582,000.
(21) For Overseas Humanitarian, Disaster, and Civic Aid, $80,130,000.
(22) For Former Soviet Union Threat Reduction, $382,200,000.
(23) For the Overseas Contingency Operations Transfer Fund, $1,467,500,000.
(24) For the Kaho’olawe Island Conveyance, Remediation, and Environmental Restoration Trust Fund, $10,000,000.

(b) FISCAL YEAR 1999.—Funds are hereby authorized to be appropriated for fiscal year 1999 for the use of the Armed Forces of the United States and other activities and agencies of the Department of Defense, for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

(1) For the Army, $16,891,339,000.
(2) For the Navy, $21,518,405,000.
(3) For the Marine Corps, $2,403,946,000.
(4) For the Air Force, $18,628,356,000.
(5) For the Defense Agencies, $10,542,807,000.
(6) For the Army Reserve, $1,209,605,000.
(7) For the Naval Reserve, $858,057,000.
(8) For the Marine Corps Reserve, $115,481.000.
(9) For the Air Force Reserve, $1,631,287,000.
(10) For the Army National Guard, $2,366,670,000.
(11) For the Air National Guard, $2,981,789,000.
(12) For the Defense Inspector General, $133,798,000.
(13) For Drug Interdiction and Counterdrug Activities, Defense-wide, $652,182,000.
(14) For the United States Court of Appeals for the Armed Forces, $6,950,000.
(15) For Environmental Restoration, Army, $385,640,000.
(16) For Environmental Restoration, Navy, $287,600,000.
(17) For Environmental Restoration, Air Force, $387,100,000.
(18) For Environmental Restoration, Defense-wide, $25,600,000.
(19) For Environmental Restoration, Formerly Used Defense Sites, $202,100,000.
(20) For Medical Programs, Defense, $9,496,849,000.
(21) For Overseas Humanitarian, Disaster, and Civic Aid, $51,211,000.
(22) For Former Soviet Union Threat Reduction, $344,700,000.

SEC. 302. WORKING CAPITAL FUNDS.

(a) FISCAL YEAR 1998.—Funds are hereby authorized to be appropriated for fiscal year 1998 for the use of the Armed Forces of the United States and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds in amounts as follows:

(1) For the Defense Working Capital Funds, $33,400,000.
(2) For the National Defense Sealift Fund, $1,191,426,000.
(3) For the Military Commissary Fund, $938,552,000.

(b) FISCAL YEAR 1999.—Funds are hereby authorized to be appropriated for fiscal year 1999 for the use of the Armed Forces of the United States and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, in amounts as follows:

(1) For the Defense Working Capital Funds, $30,800,000.
(2) For the National Defense Sealift Fund, $689,994,000.
(3) For the Military Commissary Fund, $938,694,000.

SEC. 303. ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated from the Armed Forces Retirement Home Trust Fund for the operation of the Armed Forces Retirement Home, including the United States Soldiers’ and Airmen’s Home and the Naval Home, as follows:

(1) $79,977,000 for fiscal year 1998.
(2) $73,332,000 for fiscal year 1999.

SEC. 304. FISHER HOUSE TRUST FUNDS.

There are hereby authorized to be appropriated for fiscal years 1998 and 1999 from the Fisher House Trust Fund, Department of the Army; the Fisher House Trust Fund, Department of the Navy, and from the Fisher House Trust Fund, Department of the Air Force, amounts which are available during fiscal years 1998 and 1999 in each such Trust fund for the operation and maintenance of the Fisher Houses of the Army, the Navy, and the Air Force.

SEC. 305. TRANSFER FROM THE NATIONAL DEFENSE STOCKPILE TRANSACTION FUND.

(a) TRANSFER AUTHORITY.—To the extent provided in appropriations Acts, not more than $150,000,000 is authorized to be transferred from the National Defense Stockpile Transaction Fund to operation and maintenance accounts for fiscal year 1998 in amounts as follows:

(1) For the Army, $50,000,000.
(2) For the Navy, $50,000,000.
(3) For the Air Force, $50,000,000.

(b) TREATMENT OF TRANSFERS.—Amounts transferred under this section—

(1) shall be merged with, and be available for the same purposes and the same period as, the amounts in the accounts to which transferred; and

(2) may not be expanded for an item that has been denied authorization of appropriations by Congress.

SEC. 306. REPEAL OF DEFENSE BUSINESS OPERATIONS FUNDS.

(a)(1) REPEAL.—Section 2216a of title 10, United States Code, is repealed.

(2) CONFORMING AMENDMENT.—The table of sections for chapter 131 of title 10, United

States Code, is amended by striking the item relating to section 2216a.

(b) DEPRECIATION COSTS.—Section 2208(c) of title 10, United States Code, is amended by inserting before the period at the end '', including amounts for depreciation of capital assets, set in accordance with generally accepted accounting principles''.

(c) CONTRACTING FOR CAPITAL ASSETS.—Section 2208 of title 10, United States Code, is amended by adding at the end the following new subsection (1):

''(l)(1) The Secretary of Defense may award contracts for capital assets of a working capital fund in advance of the availability of funds in the working capital fund.

''(2) In this section, the term 'capital assets' means the following capital assets that have a development or acquisition cost of not less than $100,000:

''(A) Minor construction projects financed by a working capital fund pursuant to section 2805(c)(1) of this title.

''(B) Automatic data processing equipment, software.

''(C) Equipment other than equipment described in subparagraph (B).

''(D) Other capital improvements.''.

Subtitle B—Environmental Provisions

SEC. 311. AMENDMENTS TO AUTHORITY TO ENTER INTO AGREEMENTS WITH OTHER AGENCIES IN SUPPORT OF ENVIRONMENTAL TECHNOLOGY CERTIFICATION.

Section 327 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2483) is amended—

(1) in subsection (a), by inserting '', or with an Indian tribe,'' after ''with an agency of a State or local government''; and

''(2) in subsection (b)(1), by striking ''in carrying out its environmental restoration activities''.

SEC. 312. STORAGE AND DISPOSAL OF NONDEFENSE TOXIC AND HAZARDOUS MATERIALS.

Section 2692 of title 10, United States Code, is amended—

''(1) in subsection (a)(1)—

(A) by inserting ''with respect to materials that will be or have been used in connection with an activity of the Department of Defense or in connection with a service to be performed for the benefit of the Department of Defense, or'' after ''Except''; and

''(B) by inserting ''or by a service member or dependent living on that installation'' after ''is not owned by the Department of Defense''; and

''(2) in subsection (b)(8)—

''(A) by striking ''by a private person'';

''(B) by striking ''by that person of an industrial-type'' and inserting in lieu thereof ''of a''; and

''(C) by inserting ''including the use of a space launch facility located on a Department of Defense installation or on other land controlled by the United States, and including the use of Department of Defense facilities for testing material or training personnel'' after ''facility of the Department of Defense''; and

(3) in subsection (b)(9)—

(A) by striking ''by a private person'';

(B) by striking ''commercial'';

(C) by striking ''by that person of an industrial-type'' and inserting in lieu thereof ''of a'';

(D) by striking ''with that person'' and inserting in lieu thereof ''with the prospective user''; and

(E) in subparagraph (B), by striking ''for that person's'' and inserting in lieu thereof ''for the prospective user's''.

Subtitle C—Other Matters

SEC. 321. PROGRAMS TO COMMEMORATE THE 50TH ANNIVERSARIES OF THE MARSHALL PLAN AND THE KOREAN WAR.

(a) IN GENERAL.—The Secretary of Defense may—

(1) during fiscal year 1997, conduct a program to commemorate the 50th anniversary of the Marshall Plan;

(2) during fiscal years 1998 through 2003, conduct a program to commemorate the 50th anniversary of the Korean War; and

(3) coordinate, support, and facilitate other programs and activities of the Federal Government, State and local governments, and other persons in commemoration of the Marshall Plan or in commemoration of the Korean War during the time periods established in this subsection for each program, respectively.

(b) USE OF FUNDS.—During fiscal years 1997 through 2003, funds appropriated to the Department of Defense for Operation and Maintenance, Army shall be available to conduct the programs referred to in subsection (a).

(c) PROGRAM ACTIVITIES.—The program referred to in subsection (a) may include activities and ceremonies—

(1) to provide the people of the United States with a clear understanding and appreciation of the Marshall Plan;

(2) to pay tribute to General George C. Marshall for a lifetime of service to the United States;

(3) to provide the people of the United States with a clear understanding and appreciation of the lessons and history of the Korean War;

(4) to thank and honor veterans of the Korean War and their families;

(5) to pay tribute to the sacrifices and contributions made on the home front by the people of the United States;

(6) to highlight advances in technology, science, and medicine related to military research conducted during the Korean War;

(7) to recognize the contributions and sacrifices made by Korean War allies of the United States; and

(8) to highlight the role of the Armed Forces of the United States, then and now, in maintaining world peace through strength.

(d) AUTHORITY OF THE SECRETARY.—(1) In connection with the programs referred to in subsection (a), the Secretary of Defense may adopt, use and register as trademarks and service marks: emblems, signs, insignia, or words. The Secretary shall have the exclusive right to use such emblems, signs, insignia or words, subject to the preexisting rights described in paragraph (3), and may grant exclusive or nonexclusive licenses in connection therewith.

(2) Without the consent of the Secretary of Defense, any person who knowingly uses any emblem, sign, insignia, or word adopted, used or registered as a trademark or service mark by the Secretary in accordance with paragraph (1), or any combination or simulation thereof tending to cause confusion, to cause mistake, to deceive, or to falsely suggest a connection with the program referred to in subsection (a), shall be subject to suit in a civil action by the Attorney General, upon complaint by the Secretary of Defense, for the remedies provided in the Act of July 5, 1946, (60 Stat. 427; commonly known as the ''Trademark Act of 1945'') (15 U.S.C. 1051 *et seq.).*

(3) Any person who used an emblem, sign, insignia, or word adopted, used, or registered as a trademark or service mark by the Secretary in accordance with paragraph (1), or any combination or simulation thereof, for any lawful purpose before such adoption, use, or registration as a trademark or service mark by the Secretary is not prohibited by this section from continuing such lawful use for the same purpose and for the same goods or services.

(e) ESTABLISHMENT OF ACCOUNT.—(1) There is established in the Treasury of the United States an account to be known as the ''Department of Defense 50th Anniversary of the Marshall Plan and Korean War Commemoration Account which shall be administered by the Secretary of Defense as a single account. There shall be deposited into the account all proceeds derived from activities described in subsection (d).

(2) The Secretary may use the funds in the account established in paragraph (1) only for the purposes of conducting the programs referred to in subsection (a).

(3) Not later than 60 days after the termination of the authority of the Secretary to conduct the commemoration programs referred to in subsection (a), the Secretary shall transmit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives a report containing an account of all the funds deposited into and expended from the account or otherwise expended under this section, and of any amount remaining in the account. Unobligated funds which remain in the account after termination of the authority of the Secretary under this section shall be held in the account until transferred by law after the Committees receive the report.

(f) PROVISION OF VOLUNTARY SERVICES.—(1) Notwithstanding section 1342 of title 31, United States Code, the Secretary of Defense may accept from any person voluntary services to be provided in furtherance of the programs referred to in subsection (a).

(2) A person providing voluntary services under this subsection shall be considered to be an employee for the purposes of chapter 81 of title 5, United States Code, relating to compensation for work-related injuries, and for purposes of standards of conduct and the provisions of sections 202, 203, 205, 207, 208, and 209 of title 18, United States Code, shall be considered a special government employee. Such a person who is not otherwise employed by the Federal Government shall not be considered to be a Federal employee for any other purposes by reason of the provision of such service.

(3) The Secretary of Defense may provide for reimbursement of incidental expenses which are incurred by a person providing voluntary services under this subsection. The Secretary of Defense shall determine which expenses are eligible for reimbursement under this paragraph.

SEC. 322. ADMISSION OF CIVILIAN STUDENTS TO THE NAVAL POSTGRADUATE SCHOOL.

(a) NAVAL POSTGRADUATE SCHOOL: ADMISSION.—Section 7047 of title 10, United States Code, is amended to read as follows:

''§ 7047. Admission of Civilians.

''(a) ADMISSION PURSUANT TO RECIPROCAL AGREEMENT.—Under regulations prescribed by the Secretary of the Navy, the Superintendent of the Naval Postgraduate School may enter into an agreement with an accredited institution of higher education (or a consortium of such institutions) to permit a student described in subsection (c) who is enrolled at the institution to receive instruction at the Naval Postgraduate School on a tuition-free basis. In exchange of the admission of the student under this subsection, the accredited institution of higher education shall enroll, on a tuition-free basis, an officer of the armed forces or other person properly admitted for instruction at the Naval Postgraduate School in courses offered by that institution corresponding in length to the instruction provided to the student at the Naval Postgraduate School.

''(b) ADMISSION ON A SPACE AVAILABLE BASIS.—Under regulations prescribed by the Secretary of the Navy, the Superintendent of the Naval Postgraduate School may permit a student described in subsection (c), who is enrolled at an accredited institution of higher education that is a party to an agreement

under subsection (a), to receive instruction at the Naval Postgraduate School on a cost-reimbursable, space-available basis.

''(c) ELIGIBLE STUDENTS.—A student enrolled at an accredited institution of higher education may be admitted to the Naval Postgraduate School under subsection (a) or (b) if:

''(1) the student is a citizen of the United States or is lawfully admitted for permanent residence in the United States;

''(2) the Superintendent determines that the student has a demonstrated ability in a field of study designated by the Superintendent as related to naval warfare, armed conflict or national security; and

''(3) the student meets the academic requirements for admission to the Naval Postgraduate School.

''(d) RETENTION OF FUNDS COLLECTED.—Amounts collected under subsection (b) to reimburse the Naval Postgraduate School for the costs of providing instruction to students permitted to attend the Naval Postgraduate School under this section shall be credited as an addition to the appropriation supporting the operation and maintenance of the Naval Postgraduate School.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 605 of title 10, United States Code, is amended by striking out the item relating to section 7047 and inserting in lieu thereof the following new item:

''7047. Admission of civilians.''.

TITLE IV—PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

(a) FISCAL YEAR 1998.—The Armed Forces are authorized strengths for active duty personnel as of September 30, 1998, as follows:

(1) The Army, 495,000.
(2) The Navy, 390,802.
(3) The Marine Corps, 174,000.
(4) The Air Force, 371,577.

(b) FISCAL YEAR 1999.—The Armed Forces are authorized strengths for active duty personnel as of September 30, 1999, as follows:

(1) The Army, 495,000.
(2) The Navy, 384,888.
(3) The Marine Corps, 174,000.
(4) The Air Force, 370,821.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) FISCAL YEAR 1998.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 1998, as follows:

(1) The Army National Guard of the United States, 366,516.
(2) The Army Reserve, 208,000.
(3) The Naval Reserve, 94,294.
(4) The Marine Corps Reserve, 42,000.
(5) The Air National Guard of the United States, 107,377.
(6) The Air Force Reserve, 73,431.
(7) The Coast Guard Reserve, 8,000.

(b) FISCAL YEAR 1999.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 1999, as follows:

(1) The Army National Guard of the United States, 366,516.
(2) The Army Reserve, 208,000.
(3) The Naval Reserve, 93,582.
(4) The Marine Corps Reserve, 42,000.
(5) The Air National Guard of the United States, 107,049.
(6) The Air Force Reserve, 73,703.
(7) The Coast Guard Reserve, 8,000.

(c) WAIVER AUTHORITY.—The Secretary of Defense may vary the end strength authorized by subsection (a) or subsection (b) by not more than 2 percent.

(d) ADJUSTMENTS.—The end strengths prescribed by subsection (a) or (b) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year, and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

Whenever such units or such individual members are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be proportionately increased by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

(a) FISCAL YEAR 1998.—Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 1998, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 22,310.
(2) The Army Reserve, 11,500.
(3) The Naval Reserve, 16,136.
(4) The Marine Corps Reserve, 2,559.
(5) The Air National Guard of the United States, 10,616.
(6) The Air Force Reserve, 963.

(b) FISCAL YEAR 1999.—Within the end strengths prescribed in section 411(b), the reserve components of the Armed Forces are authorized, as of September 30, 1999, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 21,380.
(2) The Army Reserve, 11,450.
(3) The Naval Reserve, 16,073.
(4) The Marine Corps Reserve, 2,559.
(5) The Air National Guard of the United States, 10,704.
(6) The Air Force Reserve, 984.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

SEC. 501. AUTHORIZATION FOR PERSONNEL TO SERVE IN THE MANAGEMENT OF NON-FEDERAL ENTITIES.

(a) IN GENERAL.—Chapter 53 of title 10, United States Code, is amended by inserting after section 1032 the following:

''§ 1033. Participation in the management of non-Federal entities

''(a) A Secretary concerned may authorize members of the armed forces or officers and employees of the military department concerned or the Department of Transportation when the Coast Guard is not operating as a service in the Navy, as part of their official duties, to serve as directors, officers, trustees, or otherwise participate, without compensation, in the management of a military welfare society and other designated entities.

''(b) For purposes of this section—

''(1) 'military welfare society' means the:

''(A) Army Emergency Relief;
''(B) Air Force Aid Society;
''(C) Navy-Marine Corps Relief Society;
''(D) Coast Guard Mutual Assistance; and

''(2) 'other designated entities' means:

''(A) entities, including athletic conferences, regulating and supporting the athletics programs of the service academies;
''(B) entities regulating international athletic competitions;
''(C) entities, including regional agencies, which accredit service academies and other schools of the armed forces; and
''(D) entities, including health care associations and professional societies, regulating and supporting the performance, standards and policies of military health care.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter 53 of title 10 is amended by inserting after the item relating to section 1032 the following:

''§ 1033. Participation in management of non-Federal entities.''.

SEC. 502. MODIFYING SELECTION BOARD ELIGIBILITY.

Section 691(d) of title 10, United States Code, is amended in paragraph (1) by inserting ''or board report'' after ''promotion list''.

SEC. 503. LIMITATIONS ON PROMOTION CONSIDERATION ELIGIBILITY.

Subsection 14301(c) of title 10, United States Code, is amended by striking paragraph (1) and inserting in lieu thereof the following new paragraph:

''(1) an officer whose name is on a promotion list or a board report for that grade as a result of recommendation for promotion to that grade by an earlier selection board convened under that section or section 14502 of this title or under chapter 36 of this title;''.

SEC. 504. AUTHORITY TO PERMIT NON-UNIT ASSIGNED OFFICERS TO BE CONSIDERED BY VACANCY PROMOTION BOARD TO GENERAL OFFICER GRADES AND FOR OFFICERS TO BE CONSIDERED BY A VACANCY PROMOTION BOARD TO GENERAL OFFICER GRADES WHEN NOT SERVING IN THE HIGHER GRADED POSITION.

(A) CONVENING OF SELECTION BOARDS.—Section 14101(a)(2) of title 10, United States Code, is amended by striking ''(except in the case of a board convened to consider officers as provided in section 14301(e) of this title''.

(b) ELIGIBILITY FOR CONSIDERATION.—Section 14301 of title 10, United States Code, is amended—

(1) by striking subsection (e); and

(2) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(c) GENERAL OFFICER PROMOTIONS.—Section 14308 of title 10 is amended—

(1) in subsection (e)(2), by inserting ''a grade below colonel in'' after ''(2) an officer in''; and

(2) by striking the first sentence in subsection (g) and inserting in lieu thereof the following new sentence: ''A reserve officer of the Army who is on a promotion list for promotion to the grade of brigadier general or major general as a result of selection by a vacancy promotion board may be promoted to that grade to fill a vacancy in the Army Reserve in that grade.''.

(d) VACANCY PROMOTIONS.—Section 14315(b)(1)(A) of title 10 is amended to read as follows:

''(A) is eligible for assignment to the duties of a general officer of the next higher reserve grade in the Army Reserve,''.

SEC. 505. EXCLUSION OF CERTAIN RETIRED MEMBERS FROM THE LIMITATION OF THE PERIOD OF RECALL TO ACTIVE DUTY.

Section 688(e) of title 10, United States Code, is amended—

(1) by designating the current sentence as paragraph (1); and

(2) by adding at the end the following new paragraph:

''(2) In the administration of paragraph (1), the following officers shall not be counted:

''(A) A chaplain who is assigned to duty as a chaplain for the period of active duty to which ordered.

''(B) A health care professional (as characterized by the Secretary concerned) who is assigned to duty as a health care professional for the period of the active duty to which ordered.

''(C) Any officer assigned to the duty with the American Battle Monuments Commission for the period of active duty to which assigned.''.

Subtitle B—Enlisted Personnel Policy

SEC. 511. AUTHORIZATION FOR THE NAVAL POSTGRADUATE SCHOOL TO ADMIT ENLISTED MEMBERS OF THE U.S. NAVAL SERVICE, ARMY, AIR FORCE, AND COAST GUARD AS STUDENTS.

(a) OTHER UNITED STATES MILITARY PERSONNEL AUTHORIZED TO ATTEND.—Section 7045 of such title 10 is amended to read as follows:

''§ 7045. Other United States military personnel: admission

''(a)(1) The Secretary of the Navy may permit officers of the Army, Air Force, and Coast Guard to receive instruction at the Naval Postgraduate School. The numbers and grades of such officers shall be agreed upon by the Secretary of the Navy with the Secretaries of the Army, Air Force, and Transportation, respectively.

''(2) The Superintendent may permit enlisted members of the U.S. Naval Service, Army, Air Force, or Coast Guard who are assigned to the Naval Postgraduate School, or to nearby commands, to receive instruction at the Naval Postgraduate School on a ''space-available'' basis.

''(b) The Department of the Army, the Department of the Air Force, and the Department of Transportation shall bear the cost of the instruction received by the students detailed for that instruction by the Secretaries of the Army, Air Force, and Transportation, respectively.

''(c) While receiving instruction at the Postgraduate School, officers and enlisted students of the Army, Air Force, and Coast Guard are subject to regulations, as determined appropriate by the Secretary of the Navy, as apply to students who are members of the naval service.''; and

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 605 of such title 10 is amended by striking the item relating to section 7045 and inserting in lieu thereof the following new item:

''§ 7045. Other United States military personnel: admission.''.

SEC. 512. SCOPE OF PARTICIPATION IN COMMUNITY COLLEGE OF THE AIR FORCE.

(a) LIMITED EXPANSION.—Section 9315(a)(1) of title 10, United States Code, is amended to read as follows:

''(1) prescribe programs of higher education for enlisted members of the Air Force, for enlisted members of other armed forces attending Air Force training schools whose jobs are closely related to Air Force jobs, and enlisted members of other armed forces who are serving as instructors at Air Force training schools, designed to improve the technical, managerial, and related skills of such members and to prepare such members for military jobs which require the utilization of such skills; and''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to enrollments in the Community College of the Air Force after March 31, 1996.

Subtitle C—Reserve Personnel Policy

SEC. 521. CORRECTION TO RETIRED GRADE, GENERAL RULE CONCERNING NONREGULAR SERVICE.

(A) RETIRED GRADE OF ARMY OFFICER.—Subsection 3961(a) of title 10, United States Code, is amended by striking ''or for nonregular service under chapter 1223 of this title,''.

(b) RETIRED GRADE OF AIR FORCE OFFICER.—Subsection 8961(a) of title 10, United States Code, is amended by striking ''or for nonregular service under chapter 1223 of this title,''.

SEC. 522. GRADE REQUIREMENT FOR INVOLUNTARY SEPARATION BOARD COMPOSITION.

Section 14906(a)(2) of title 10, United States Code, is amended by striking ''above lieutenant colonel or commander'' and inserting in lieu thereof ''of lieutenant colonel or commander or higher,''.

Subtitle D—Education Policy

SEC. 531. PROTECTION OF EDUCATIONAL ASSISTANCE PROGRAM ENTITLEMENTS FOR SELECTED RESERVE MEMBERS SERVING ON ACTIVE DUTY IN SUPPORT OF A CONTINGENCY OPERATION.

(a) EXTENSION OF EDUCATIONAL ASSISTANCE.—Section 16131(c) of title 10, United States Code, is amended in paragraph (3)(B)(i)—

(1) by striking '', in connection with the Persian Gulf War,''; and

(2) by inserting ''or in support of a contingency operation as defined in subsection 101(13) of this title'' after ''of this title''.

(b) EXTENSION OF 10-YEAR PERIOD OF AVAILABILITY.—Section 16133(b) of title 10, United States Code, is amended in paragraph (4)(A)—

(1) by striking '', during the Persian Gulf War,'';

(2) by inserting ''or in support of a contingency operation as defined in subsection 101(13) of this title'' after ''of this title''; and

(3) by striking subparagraph (4)(B).

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. MILITARY PAY RAISE FOR FISCAL YEAR 1998.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any adjustment required by section 1009 of title 37, United States Code, in elements of compensation of members of the uniformed services to become effective during fiscal year 1998 shall not be made.

(b) INCREASE IN BASIC PAY AND BAQ.—Effective on January 1, 1998, the rates of basic pay and basic allowance for quarters of members of the uniformed services are increased by 2.8 percent.

SEC. 602. CHANGE IN REQUIREMENTS FOR PAY OF READY RESERVE MUSTER DUTY ALLOWANCE.

Section 433(c) of title 37, United States Code, is amended by striking the first sentence and inserting in lieu thereof the following new sentence: ''The allowance authorized by this section may not be disbursed in kind and may be paid to the member on or before the date on which the muster duty is performed, but shall be paid no later than 30 days after the date on which muster duty is performed.''.

Subtitle B—Bonuses and Special Pays

SEC. 611. NUCLEAR QUALIFIED OFFICERS: BONUSES AND SPECIAL PAY.

(a) SPECIAL PAY FOR NUCLEAR QUALIFIED OFFICERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section 312 of title 37, United States Code, is amended—

(1) in subsection (a), by striking ''$12,000'' and inserting in lieu thereof ''$15,000''; and

(2) in subsection (e), by striking ''September 30, 1998'' and inserting in lieu thereof ''September 30, 2002''.

(b) SPECIAL PAY: NUCLEAR CAREER ACCESSION BONUS.—Section 312b of title 37, United States Code, is amended—

(1) in subsection (a)(1), by striking ''$8,000'' and inserting in lieu thereof ''$10,000''; and

(2) in subsection (c), by striking ''September 30, 1998'' and inserting in lieu thereof ''September 30, 2002''.

(c) SPECIAL PAY: NUCLEAR CAREER ANNUAL INCENTIVE BONUS.—Section 312c of title 37, United States Code, is amended—

(1) in subsection (a)(1), by striking ''$10,000'' and inserting in lieu thereof ''$12,000'';

(2) in subsection (b)(1), by striking ''$4,500'' and inserting in lieu thereof ''$5,500''; and

(3) in subsection (d), by striking ''October 1, 1998'' and inserting in lieu thereof ''October 1, 2002''.

SEC. 612. INCENTIVE FOR ENLISTED MEMBERS TO EXTEND TOURS OF DUTY OVERSEAS.

(a) INCENTIVE.—Section 314 of title 37, United States Code, is amended—

(1) in subsection (a), by striking the remainder of the text after paragraph (4) and inserting in lieu thereof the following: ''is entitled, upon acceptance of the agreement providing for such extension by the Secretary concerned, to either special pay for duty performed during the period of the extension at a rate of not more than $80 per month, as prescribed by the Secretary concerned, or a bonus of up to $2,000 per year, as prescribed by the Secretary concerned, for specialty requirements at designated locations.'';

(2) by redesignating subsection (b) as subsection (d);

(3) in subsection (d), as so redesignated, by inserting ''or bonus'' after ''special pay''; and

(4) by inserting after subsection (a) the following new subsections (b) and (c):

''(b) PAYMENT OF SPECIAL PAY AND BONUS.—Upon acceptance of a written agreement under subsection (a) by the Secretary concerned, the payment rate for special pay and bonuses payable pursuant to the agreement becomes fixed. A bonus payable under subsection (a) may then be paid by the Secretary, either in a lump sum or installments.

''(c) REPAYMENT OF BONUS.—(1) If a member who has entered into a written agreement under subsection (a) and has received all or part of a bonus under this section fails to complete the total period of extension specified in the agreement, the Secretary concerned may require the member to repay the United States, on a pro rata basis and to the extent that the Secretary determines conditions and circumstances warrant, all sums paid under this section.

''(2) An obligation to repay the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

''(3) A discharge in bankruptcy under title 11 that is entered less than 5 years after the termination of a written agreement entered into under subsection (a) does not discharge the member signing the agreement from a debt arising under such agreement or under paragraph (1). This paragraph applies to any case commenced under title 11 on or after October 1, 1997.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect for agreements executed on or after October 1, 1997.

SEC. 613. AMENDMENTS TO SELECTED RESERVE REENLISTMENT BONUS.

Section 308b of title 37, United States Code, is amended—

(1) by striking out paragraph (a)(1) and inserting in lieu thereof the following new paragraph:

''(1) has completed less than 14 years of total military service; and''.

(2) by amending subsection (b) to read as follows:

''(b) The bonus to be paid under subsection (a) shall be—

''(1) an initial amount not to exceed $2,500, in the case of a member who enlists for a period of three years—, or

''(2) an initial amount not to exceed $5,000, in the case of a member who enlists for a period of six years; and

''(3) subsequent payments according to a payment schedule determined by the Secretary concerned; however, initial payments may not exceed one-half the total bonus amount.''; and

(3) by striking subsection (c) and inserting in lieu thereof the following new subsection (c):

''(c) A member may not be paid more than one six-year bonus or two three-year bonuses under this section. If the option for two three-year bonuses is chosen, the first three year bonus amount shall not exceed $2,000, paid as determined by the Secretary concerned, except that the initial payment may not exceed one-half of the total bonus amount. In order to qualify for the follow on three-year bonus, the member must reenlist immediately after the first three-year term and must meet, as determined by the Secretary concerned, all eligibility criteria at the time of that reenlistment. Failure to meet all eligibility criteria will result in forfeiture of continued eligibility for this bonus. The follow on three-year bonus, if elected and provided the member meets all eligibility requirements, shall be paid, in an amount not to exceed $2,500, as if the member had selected the three-year option alone.''.

SEC. 614. AMENDMENTS TO SELECTED RESERVE PRIOR SERVICE ENLISTMENT BONUS.

Section 308i of title 37, United States Code, is amended—

(1) by striking subparagraph (a)(2)(A) and inserting in lieu thereof the following new subparagraph (A):

''(A) has completed his military service obligation but has less than 14 years of total military service;''; and

(2) by amending subsections (b) and (c) to read as follows:

''(b) The bonus to be paid under subsection (a) shall be—

''(1) an initial payment not to exceed $2,500, in the case of a member who enlists for a period of three years; or

''(2) an initial payment not to exceed $5,000, in the case of a member who enlists for a period of six years; and

''(3) subsequent payments according to a schedule determined by the Secretary concerned; however, initial payments may not exceed one-half the total bonus amount.

''(c) A member may not be paid more than one six-year bonus or two three-year bonuses under this section. Furthermore, a member may not be paid a bonus under this section unless the specialty associated with the position the member is projected to occupy is a specialty in which the member successfully served while on active duty and in which the member attained a level of qualification commensurate with his grade and years of service. If the option for two three-year bonuses is chosen, the first three year bonus amount shall not exceed $2,000, paid as determined by the Secretary concerned, except that the initial payment may not exceed one-half of the total bonus amount. In order to qualify for the follow on three-year bonus, the member must reenlist immediately after the first three-year term and must meet, as determined by the Secretary concerned, all eligibility criteria at the time of that reenlistment. Failure to meet all eligibility criteria will result in forfeiture of continued eligibility for this bonus. The follow on three-year bonus, if elected and provided the member meets all eligibility requirements, shall be paid, in an amount not to exceed $2,500, as if the member had selected the three-year option alone.''.

Subtitle C—Allowances

SEC. 621. TRAVEL AND TRANSPORTATION ALLOWANCES FOR DEPENDENTS PRIOR TO APPROVAL OF A MEMBER'S COURT-MARTIAL SENTENCE.

Section 406(h) of title 37, United States Code, is amended in paragraph (2)(C)(iii) by striking ''if the sentence is approved'' and inserting in lieu thereof ''prior to the sentence being approved''.

SEC. 622. VARIABLE HOUSING ALLOWANCE AT LOCATION OF RESIDENCE AFTER A CLOSE PROXIMITY MOVE.

Section 403a(a) of title 37, United States Code, is amended by adding at the end the following new paragraph (5):

''(5) In the case of a member without dependents who is assigned to duty inside the United States, the location or the circumstances of which make it necessary that he be reassigned under the conditions of low cost or no cost permanent change of station or permanent change of assignment, the member may be paid a variable housing allowance as if he were not reassigned if the Secretary concerned determines (under regulations prescribed under subsection (e) of this section) that it would be inequitable to base the member's entitlement to, and amount of, variable housing allowance on the area to which the member is assigned.''.

SUBTITLE D—OTHER MATTERS

SEC. 631. AUTHORIZATION FOR REIMBURSEMENT OF TAX LIABILITIES INCURRED BY PARTICIPANTS IN THE F. EDWARD HÉBERT ARMED FORCES HEALTH PROFESSIONS SCHOLARSHIP PROGRAM.

The Secretary of Defense is authorized to use amounts appropriated for fiscal year 1997 and subsequent fiscal years for payments to participants in the F. Edward Hébert Armed Forces Health Professions Scholarship Program as reimbursement for payments by such participants for Federal, State, or local income tax liabilities based on the value of tuition and related educational expenses provided under such Program prior to October 1, 1997. Individuals will be compensated in a manner consistent with the models set out in the Relocation Income Tax Allowance as authorized by section 4724b of title 5, United States Code. Participants who fail to fulfill their active duty obligation under circumstances that resulted in recoupment actions are not authorized to receive reimbursement under this section.

SEC. 632. AUTHORIZATION FOR INCREASED STIPEND PAYMENTS MADE UNDER THE F. EDWARD HEBERT ARMED FORCES HEALTH PROFESSIONS SCHOLARSHIP PROGRAM.

(a) SUPPLEMENTAL STIPEND.—Section 2121 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) If authorized by the Secretary of Defense pursuant to paragraph (2), during any month in which a participant in the program receives a stipend under subsection (d), the participant may also be paid a supplemental stipend of $400 per month. This amount shall be increased in the same manner as the stipend amount under subsection (d).

''(2) The supplemental stipend referred to in paragraph (1) may not be paid if the Secretary of Defense determines, after consultation with the Secretary of the Treasury, that payments made by the Secretary under section 2127(a) of this title on behalf of a participant in the program are excluded from taxable income under section 108 of the Internal Revenue Code of 1986 (26 U.S.C.).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall become effective October 1, 1997.

TITLE VII—HEALTH CARE PROVISIONS

SEC. 701. REPEAL OF THE STATUTORY RESTRICTION ON USE OF FUNDS FOR ABORTIONS.

(a) IN GENERAL.—Section 1093 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of Chapter 55, United States Code, is amended by striking out the item referring to section 1093.

(c) EFFECTIVE DATE.—The amendment made by this section shall be effective October 1, 1997.

SEC. 702. EXPANDING THE LIMITS IMPOSED ON PROVIDING PROSTHETIC DEVICES TO MILITARY HEALTH CARE BENEFICIARIES.

Section 1077 of title 10, United States Code, is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

''(14) Prosthetic devices, as determined by the Secretary of Defense to be necessary because of significant conditions resulting from trauma, congenital anomalies or disease.''; and

(2) in subsection (b), by amending paragraph (2) to read as follows:

''(2) hearing aids, orthopedic footwear, and spectacles except that outside of the United States and at stations inside the United States where adequate civilian facilities are unavailable, such items may be sold to dependents at cost to the United States.''.

TITLE VIII—REPEAL OF ACQUISITION REPORTS AND ACQUISITION POLICY

Subtitle A—Repeal of Certain Acquisition Reports

SEC. 801. REPEAL OF ACQUISITION REPORTS REQUIRED BY DEFENSE AUTHORIZATION ACTS.

(a) ANNUAL REPORT ON FIVE-YEAR SHIP CONSTRUCTION PROGRAM.—Section 808 of the Department of Defense Appropriation Authorization Act, 1976 (Public Law 94–106; 89 Stat. 539; 10 U.S.C. 7291 note) is repealed.

(b) REPORTS RELATING TO POTENTIAL EFFECT OF OFFSHORE DRILLING ON NAVAL OPERATIONS.—Section 1260 of the Department of Defense Authorization Act, 1984 (Public Law 98–94; 97 Stat. 703) is repealed.

(c) REPORT ON ADVANCED CRUISE MISSILE (SM–2(N)).—Section 1426 of the Department of Defense Authorization Act, 1986 (Public Law 99–145; 99 Stat. 753) is amended—

(1) by striking subsection (b); and

(2) by redesignating subsection (c) as subsection (b).

(d) REPORT ON REMOVAL OF BASIC POINT DEFENSE MISSILE SYSTEM FROM NAVAL AMPHIBIOUS VESSELS.—Section 1437 of the Department of Defense Authorization Act, 1986 (Public Law 99–145; 99 Stat. 757) is repealed.

(e) REPORT ON PROCUREMENT COMPETITION GOALS.—Section 913 of the Department of Defense Authorization Act, 1986 (Public Law 99–145; 99 Stat. 687) is repealed.

(f) REPORT CONCERNING THE STRETCHOUT OF MAJOR DEFENSE ACQUISITION PROGRAMS.—Section 117 of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100–456; 102 Stat. 1933) is repealed.

(g) ANNUAL REPORT ASSESSING THE SECURITY OF UNITED STATES BASES IN THE PHILIPPLINES.—Section 1309 of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100–456; 102 Stat. 2063) is repealed.

(h) COMMISSION REPORT ON ALTERNATIVE UTILIZATION OF MILITARY FACILITIES.—Section 2819 of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100–456; 102 Stat. 2119; 10 U.S.C. 2391 note) is repealed.

(i) REPORTS CONCERNING THE B–2 PROGRAM.—The National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public

Law 101–189; 103 Stat. 1373)) is amended as follows:

(1) Section 112 is repealed.

(2) Section 115 is repealed.

(j) REPORT ON PROCUREMENT FROM COUNTRIES THAT DENY ADEQUATE AND EFFECTIVE PROTECTION OF INTELLECTUAL PROPERTY RIGHTS.—Section 852 of the National Defense Authorization Act for Fiscal Year 1990 and 1991 (Public Law 101–189; 103 Stat. 1517) is amended by striking subsection (b).

(k) REPORT ON ENVIRONMENTAL COMPLIANCE AT OVERSEAS INSTALLATIONS.—Section 342(b) of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1537; 10 U.S.C. 2701 note) is amended by striking paragraph (4).

SEC. 802. REPEAL OF EXTRANEOUS ACQUISITION REPORTING REQUIREMENTS.

(A) REPEAL OF ANNUAL REPORT.—Section 20 of the Office of Federal Procurement Policy Act (41 U.S.C. 418) is amended—

(1) by striking ''and'' at the end of paragraph (b)(3)(B);

(2) by striking (b)(4); and

(3) by redesignating paragraphs (b) (5), (6), and (7) as paragraphs (b) (4), (5), and (6), respectively.

(b) REPEAL OF REGULATORY REVIEW UPON REQUEST OF INDIVIDUAL.—Section 20 of the Office of Federal Procurement Policy Act (41 U.S.C. 421) is amended (1) by striking paragraphs (c) (4), (5), and (6); and

(2) by striking subsection (g).

(c) DELETION OF REPORTING REQUIREMENTS FOR NONMAJOR ACQUISITION PROGRAMS.—Section 2220(b) of title 10, United States Code, is amended by striking ''and nonmajor''.

(d) REPEAL OF REQUIREMENT FOR CONTRACTOR GUARANTEES ON MAJOR WEAPON SYSTEMS.—Section 2403 of title 10, United States Code, is repealed.

Subtitle B—Acquisition Policy

SEC. 811. USE OF SINGLE PAYMENT DATE FOR MIXED INVOICES.

Section 3903(a) of title 31, United States Code, is amended—

(1) by striking ''; and'' at the end of paragraph (8);

(2) by striking the period at the end of paragraph (9) inserting in lieu thereof ''; and''; and

(3) by inserting at the end the following new paragraph (10):

''(10) notwithstanding paragraphs (2), (3) and (4) of this subsection, in the case of an acquisition for commercial items for which more than one statutory payment date applies to an invoice, permit a contract to specify a single payment due date, consistent with prevailing industry contracting practices and not to exceed 30 days after the date of receipt of a proper mixed invoice.''.

SEC. 812. RETENTION OF EXPIRED FUNDS DURING THE PENDENCY OF CONTRACT LITIGATION.

(a) IN GENERAL.—Chapter 141 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2410m. Retention of expired funds during the pendency of contract litigation

''(a) RETENTION OF FUNDS.—Notwithstanding sections 1552(a) and 3302(b) of title 31, United States Code, any amount, including interest, collected from a contractor as a result of a claim made by an executive agency under the Contract Disputes Act of 1978 (41 U.S.C. 601–613), shall remain available to pay any settlement reached between the parties or judgment rendered in a contractor's favor on an appeal of the same Government claim to the federal courts or the Armed Services Board of Contract Appeals.

''(b) PERIOD OF AVAILABILITY.—The funds shall remain available for obligation and expenditure for a period not to exceed 180 calendar days following the settlement of the parties or conclusion of the litigation, including all avenues of appeal or expiration of all appeal periods. Thereafter, if the funds have not been obligated and expended, the account shall be closed and the funds shall be deposited in the Treasury as miscellaneous receipts.

''(c) REPORTING REQUIREMENT.—Any disbursements of funds retained under this section shall be reported to Congress annually.''.

''(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 141 of title 10, United States Code, is amended by adding at the end the following new item:

''2410m. Retention of expired funds during the pendency of contract litigation.''.

SEC. 813. EXPANDING THE AUTHORITY TO CROSS FISCAL YEARS TO ALL SEVERABLE SERVICE CONTRACTS NOT EXCEEDING A YEAR

''(a) EXPANDED AUTHORITY.—Section 2410a of title 10, United States Code, is amended to read as follows:

''§ 2410a. Severable service contracts for periods crossing fiscal years

''(a) AUTHORITY.—The Secretary of Defense or the Secretary of a military department may enter into a contract for procurement of severable services for a period that begins in one fiscal year and ends in the next fiscal year if (without regard to any option to extend the period of the contract) the contract period does not exceed one year.

''(b) OBLIGATION OF FUNDS.—Funds made available for a fiscal year may be obligated for the total amount of a contract entered into under the authority of subsection (a).''.

''(b) CLERICAL AMENDMENT.—The item relating to such section in the table of sections at the beginning of chapter 141 of such title is amended to read as follows:

''2410a. Severable service contracts for periods crossing fiscal years.''.

SEC. 814. SMALL ARMS WEAPONS PROCUREMENT OBJECTIVES FOR THE ARMY.

Section 115(b)(1) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2681), as amended by section 115(b) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 206), is further amended by striking the table and inserting in lieu thereof the following new table:

''Weapon	*Quantity*
MK19–3 grenade machine gun	20,751
M16A2 rifle	846,028
M249 squad automatic weapon	75,443
M4 carbine	119,942.''.

SEC. 815. AVAILABILITY OF SIMPLIFIED PROCEDURES TO COMMERCIAL ITEM PROCUREMENTS.

''(a) TITLE 10 AMENDMENT.—Section 2304(g) of title 10, United States Code, is amended in subparagraph (1)(B) by striking ''only''.

''(b) FEDERAL PROPERTY ACT AMENDMENT.—Section 303(g) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(is amended in subparagraph (1)(B) by striking ''only''.

SEC. 816. UNIT COST REPORTS.

''(a) ELIMINATION OF TIME REQUIREMENT FOR REPORT.—Section 2433(c) of title 10, United States Code, is amended—(1) by striking ''during the current fiscal year (other than the last quarterly unit cost report under subsection (b) for the preceding fiscal year)'' at the end of the paragraph;

(2) by inserting ''or'' at the end of paragraph (1);

(3) by striking ''or'' at the end of paragraph (2); and

(4) by striking paragraph (3).

''(b) ELIMINATION OF QUALIFYING REQUIREMENT.—Section 2433(d) of such title 10 is amended by striking in paragraph (3) ''(for the first time since the beginning of the current fiscal year)''.

SEC. 817. REPEAL OF ADDITIONAL DOCUMENTATION REQUIREMENT FOR COMPETITION EXCEPTION FOR INTERNATIONAL AGREEMENTS.

Section 2304(f) of title 10, United States Code, is amended in subparagraph (2)(E) by inserting a period after the phrase ''other than competitive procedures'' and striking the remainder of that sentence.

SEC. 818. ELIMINATION OF DRUG-FREE WORKPLACE CERTIFICATION REQUIREMENT FOR GRANTS.

Section 5153 of the Drug-Free Workplace Act of 1988 (Public Law 100–690; 102 Stat. 4306; 41 U.S.C. 702) is amended—

(1) in subsection (a)(1), by striking ''has certified to the granting agency that it will'' and inserting in lieu thereof ''agrees to'';

(2) in subsection (a)(2), by striking ''certifies to the agency'' and inserting in lieu thereof ''agrees''; and

(3) in subsection (b)(1)—

(A) by striking subparagraph (A);

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(C) in subparagraph (A), as so redesignated, by striking ''such certification by failing to carry out''.

SEC. 819. VESTITURE OF TITLE.

Section 2307 of title 10, United States Code, is amended—

(1) by redesignating subsection (h) as subsection (i); and

(2) by inserting after subsection (g) the following new subsection (h):

''(h) VESTITURE OF TITLE.—If a contract provides for title to property to vest in the United States, such title shall vest in accordance with the terms of the contract. Such title shall vest in the United States regardless of any prior or subsequently asserted security interest in the property.''.

SEC. 820. UNDEFINITIZED CONTRACT ACTIONS.

Section 2326 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) by striking paragraph (4); and

(B) by redesignating paragraph (5) as paragraph (4); and

(2) in subsection (g)(1), by adding at the end the following new subparagraphs:

''(E) Contingency operations as defined in section 101(a)(13) of this title.

''(F) Peacekeeping or peace enforcement operations as directed by the President.

''(G) Disaster relief operations when directed by the President to perform disaster relief pursuant to the Disaster Relief Act of 1974 (42 U.S.C. 5121 *et seq.*), or

''(H) Humanitarian assistance''.

SEC. 821. AUTHORITY OF DIRECTORS OF DEPARTMENT OF DEFENSE AGENCIES TO LEASE NON-EXCESS PROPERTY.

Section 2667 of title 10, United States Code, is amended—

(1) by redesignating subsection (g) as subsection (j); and

(2) by inserting after subsection (f) the following new subsections (g), (h), and (i):

''(g) Whenever the Director of a Defense Agency considers it advantageous to the United States, he may lease to such lessee and upon such terms as he considers will promote the national defense or to be in the public interest, personal property that is—

''(1) under the control of the Defense Agency;

''(2) not for the time needed for public use; and

''(3) not excess property, as defined by section 3 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472).

''(h) A lease under subsection (g)—

''(1) may not be for more than five years unless the Director of the Defense Agency concerned determines that a lease for a longer period will promote the national defense or be in the public interest;

''(2) may give the lessee the first right to buy the property if the lease is revoked to allow the United States to sell the property under any other provision of law;

''(3) shall permit the Director to revoke the lease at any time, unless he determines that the omission of such a provision will promote the national defense or be in the public interest; and

''(4) may provide, notwithstanding any other provision of law, for the improvement, maintenance, protection, repair, restoration, or replacement by the lessee, of the property leased as the payment of part or all of the consideration for the lease.

''(i) Money rentals received pursuant to leases entered into by the Director of a Defense Agency under subsection (h) shall be deposited in a special account in the Treasury established for such Defense Agency. Such sums deposited in a Defense Agency's special account shall be available, as provided in appropriations acts, solely for the maintenance, repair, restoration, or replacement of the leased property.''.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

SEC. 901. AMENDMENT TO FREQUENCY OF PROVIDING POLICY GUIDANCE FOR CONTINGENCY PLANS.

Section 113(g) of title 10, United States Code, is amended in paragraph (2) by striking ''annually'' and inserting in lieu thereof ''every two years or as needed''.

SEC. 902. REVISION OF MEMBERSHIP TERMS FOR STRATEGIC ENVIRONMENTAL RESEARCH AND DEVELOPMENT PROGRAM SCIENTIFIC ADVISORY BOARD.

Section 2904(b) of title 10, United States code, is amended in paragraph (4) by striking ''three'' and inserting in lieu thereof ''not less than two and not more than four''.

SEC. 903. CLOSURE OF THE UNIFORM SERVICES UNIVERSITY OF THE HEALTH SCIENCES.

(a) REPEAL OF AUTHORITY.—Chapter 104 of title 10, United States Code, is hereby repealed.

(b) PHASE-OUT PROCESS.—(1) Notwithstanding any other provision of law, the Secretary of Defense shall phase out the Uniformed Services University of the Health Sciences, beginning in fiscal year 1998, and ending with the closure of such University not later than September 30, 2001. No provision of section 2687 of title 10, United States Code, or of any other law establishing preconditions to the closure of any activity of the Department of Defense shall operate to establish any precondition to the phase-out and closure of the Uniformed Services University of the Health Sciences as required by this Act.

(2) Under the phase-out process required by paragraph (1), the Secretary of Defense may exercise all of the authorities pertaining to the operations of the Uniformed Services University of the Health Sciences that were granted to the Secretary of Defense, the Board of Regents, or the Dean of the Uniformed Services University of the Health Sciences by Chapter 104 of title 10, United States Code, prior to enactment of the repeal of that chapter by subsection (a). Such authorities may be exercised by the Secretary of Defense so as to achieve an orderly phase-out of operations of the Uniformed Services University of the Health Sciences.

(3) No new class of students may be admitted to begin studies in the Uniformed Services University of the Health Sciences after September 30, 1997. No students may be awarded degrees by such University after September 30, 2001, except that the Secretary may grant exceptions on a case-by-case basis for any students who by that date have completed substantially all degree requirements.

(c) AUTHORITIES AFFECTED.—(1) Commissioned service obligations incurred by students of the Uniformed Services University of the Health Sciences shall be unaffected by enactment of the repeal of chapter 104 of title 10, United States Code, by subsection (a).

(2) Nothing in this Act shall be construed as limiting the exercise by the Secretary of Defense of other authorities under law pertaining to health sciences education, training, and professional development, graduate medical education, medical and scientific research, and similar activities. To the extent the Secretary of Defense assigned any such activities to another component or entity of the Department of Defense, such activities shall not be affected by the phase-out and closure of the Uniformed Services University of the Health Sciences pursuant to this Act.

(d) CONFORMING AMENDMENTS.—(1) Section 178 of title 10, United States Code, pertaining to the Henry M. Jackson Foundation for the Advancement of Military Medicine, is amended—

(A) in subsection (b), by striking ''Uniformed Services University of the Health Sciences'' and inserting in lieu thereof ''Department of Defense'';

(B) in subsection (c)(1)(B), by striking ''the Dean of the Uniformed Services University of the Health Sciences'' and inserting in lieu thereof ''a person designated by the Secretary of Defense''; and

(C) in subsection (g)(1), by striking ''Uniformed Services University of the Health Sciences'' and inserting in lieu thereof ''Secretary of Defense''.

(2) Section 466 of the Public Health Service Act (42 U.S.C. Section 286a), pertaining to the Board of Regents of the National Library of Medicine, is amended in subsection (a)(1)(B) by striking ''the Dean of the Uniformed Services University of the Health Sciences''.

(e) CLERICAL AMENDMENT.—The table of chapters at the beginning of Subtitle A and at the beginning of part II of such subtitle of title 10, United States Code, is amended by striking the items pertaining to chapter 104.

SEC. 904. REPEAL OF REQUIREMENT TO OPERATE NAVAL ACADEMY DAIRY FARM, GAMBRILLS, MARYLAND.

Section 810 of the Military Construction Authorization Act, 1968 (Public Law 90–110; 81 Stat. 309) is hereby repealed.

SEC. 905. INCLUSION OF INFORMATION RESOURCES MANAGEMENT COLLEGE IN THE NATIONAL DEFENSE UNIVERSITY.

(a) TECHNICAL AMENDMENT AND ADDITION OF INFORMATION RESOURCES MANAGEMENT COLLEGE TO THE DEFINITION OF THE NATIONAL DEFENSE UNIVERSITY.—Section 1595(d)(2) of title 10, United States Code, is amended by striking ''the Institute for National Strategic Study'' and inserting in lieu thereof ''the Institute for National Strategic Studies, the Information Resources Management College''.

(b) CONFORMING AMENDMENT.—Section 2162(d)(2) of title 10, United States Code, is amended by inserting ''the Institute for National Strategic Studies, the Information Resources Management College,'' after ''the Armed Forces Staff College,''.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. TWO-YEAR EXTENSION OF COUNTERPROLIFERATION AUTHORITIES.

Section 1505 of the Weapons of Mass Destruction Act of 1992 (Public Law 102–484; 106 Stat. 2570; 22 U.S.C. 5859a) is amended—

(1) in subsection (d)(3), by striking ''or'' after ''fiscal year 1996,'' and by inserting '', $15,000,000 for fiscal year 1998, or $15,000,000 for fiscal year 1999'' before the period at the end; and

(2) in subsection (f), by striking ''1997'' and inserting in lieu thereof ''1999''.

Subtitle B—Other Matters

SEC. 1010. NEGOTIATING SALES OF VESSELS STRICKEN FROM THE NAVAL REGISTER.

Section 7305(c) of title 10, United States Code, is amended to read as follows:

''(c) PROCEDURES FOR SALE.—A vessel stricken from the Naval Register and not subject to disposal under any other law may be sold under this section. In such a case, a vessel may be sold, regardless of the appraised value of the vessel, to the highest acceptable bidder after the vessel is publicly advertised for sale for a period of not less than 30 days or to the acceptable offeror submitting the most advantageous proposal, price and other factors considered, by means of competitive negotiations. All bids or offers may be rejected if it is in the Government's best interest to do so. The determination of the method of sale shall depend upon the particular circumstances surrounding the proposed sale.''.

SEC. 1011. AUTHORITY TO CHARTER VESSEL FOR LONGER THAN FIVE YEARS IN SUPPORT OF SURVEILLANCE TOWED ARRAY SENSOR (SURTASS) PROGRAM.

Pursuant to section 2401(b)(1)(A) of title 10, United States Code, the Secretary of the Navy is authorized to charter a vessel in support of the SURTASS Program through Fiscal Year 2003.

SEC. 1012. EIGHTEEN MONTH SHIPBUILDING CLAIMS.

(a) REPEAL.—(1) Section 2405 of title 10, United States Code, is repealed.

(2) The table of sections at the beginning of chapter 141 of such title 10 is amended by striking the item that refers to section 2405.

(b) EFFECTIVE DATE.—Repeal is effective for all shipbuilding contracts and any claim, request for equitable adjustment or demand for payment submitted thereunder on, before or after the date of enactment of this Act, except that the repeal by this Act shall not apply to any claim, request for equitable adjustment or demand for payment (1) the appeal of which has been denied or dismissed by a court or board of contract appeals and where such court or board decision has become final and unappealable, (2) which has been denied by a final decision of a contracting officer and the time limit for appealing the decision under the Contract Disputes Act of 1978, as amended, to a court or board has expired, or (3) which has been released by a contractor.

Subtitle C—Other Matters

SEC. 1020. ARREST AUTHORITY FOR SPECIAL AGENTS OF THE DEFENSE CRIMINAL INVESTIGATIVE SERVICE.

(a) ARREST AUTHORITY.—Chapter 81 of title 10, United States Code, is amended by inserting after section 1585 the following new section 1585b:

''§ 1585b. Arrest authority for special agents of the defense Criminal Investigative Service

''(a) Upon designation by the Secretary of Defense, a Special Agent of the Defense Criminal Investigative Service, may—

''(1) carry firearms;

''(2) execute and serve any warrant or other processes issued under the authority of the United States; and

''(3) make arrests without warrant for—

''(A) any offense against the United States committed in such officer's presence; or

''(B) any felony cognizable under the laws of the United States if such agent has probable cause to believe that the person to be

arrested has committed or is committing such felony.

''(b) The powers granted under subsection (a) of this section shall be exercised in accordance with guidelines approved by the Attorney General.''.

(b) CONFORMING AMENDMENT.—The table of sections for such chapter 81 is amended by inserting after the item relating to section 1585 the following new item:

''1585b. Arrest authority for special agents of the Defense Criminal Investigative Service.''.

SEC. 1021. ACCESS TO PRE-ACCESSION OFFENDER RECORDS.

Section 520a of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''requested'' and inserting in lieu thereof ''required'';

(2) by redesignating subsection (d) as subsection (e); and

(3) by inserting after subsection (c) the following new subsection (d):

''(d) Costs to the Secretary concerned for providing criminal history information under this section shall be no greater than the costs for providing such information to law enforcement agencies of the State or the unit of general local government of the State.''.

SEC. 1022. EXTENSION OF AUTHORITY TO PROVIDE ADDITIONAL SUPPORT FOR COUNTER-DRUG ACTIVITIES OF MEXICO.

Section 1031(a) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2637), is amended by striking ''1997'' and inserting in lieu thereof ''1998''.

SEC. 1023. ASIA-PACIFIC CENTER FOR SECURITY STUDIES.

(a) AUTHORITY TO ACCEPT FOREIGN GIFTS AND DONATIONS.—(1) The Secretary of Defense may, on behalf of the Asia-Pacific Center for Security Studies (in this section referred to as Asia-Pacific Center), accept foreign gifts or donations in order to defray the costs of, or enhance the operation of, the Asia-Pacific Center.

(2) Funds received by the Secretary under paragraph (1) shall be credited to appropriations available to the Department of Defense for the Asia-Pacific Center. Funds so credited shall be available for the Center for the same purposes and for the same period of availability of the appropriations.

(3) The Secretary of Defense shall notify Congress if total contributions of money under paragraph (1) exceeds $2,000,000 in any fiscal year. Any such notice shall list each of the contributors of such amounts and the amount of each contribution in such fiscal year.

(4) For purposes of this subsection, a foreign gift or donation is a gift or donation of funds, materials (including research materials), property, and services (including lecture services and faculty services) from a foreign government, foundation or other charitable organization in a foreign country, or an individual in a foreign country.

(5) The Secretary shall establish written guidelines setting forth the criteria to be used in determining whether the acceptance of contributions of money or services pursuant to paragraph (1) would reflect unfavorably upon the ability of the Department of Defense or any employee to carry out its responsibilities or official duties in a fair and objective manner, or would compromise the integrity or the appearance of the integrity of its programs or any official involved in those programs.

(b) ASIA-PACIFIC CENTER PARTICIPATION BY FOREIGN NATIONS.—(1) Notwithstanding any other provision of law, the Secretary of Defense may authorize representatives of a foreign government to participate in a program of the Asia-Pacific Center, if the Secretary determines, in consultation with the Secretary of State, that such participation is in the national interest of the United States.

(2) Not later than January 31 of each year, the Secretary of Defense shall submit to Congress a report setting forth the foreign governments permitted to participate in programs of the Center during the preceding year under the authority provided in paragraph (1).

SEC. 1024. PROTECTION OF CERTAIN IMAGERY AND GEOSPATIAL INFORMATION AND DATA.

Section 455(b) of title 10, United States Code, is amended—

(1) in paragraph (1)(B), by inserting ''or capabilities'' after ''methods'';

(2) in paragraph (2), by inserting ''to include imagery, imagery intelligence or geospatial information as defined in section 467'' after ''related product''.

SEC. 1025. NATIONAL GUARD CIVILIAN YOUTH OPPORTUNITIES PILOT PROGRAM.

(a) EXTENSION OF AUTHORITY.—The authority to carry out a pilot program under section 1091(a) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2519; 32 U.S.C. 501 note) is continued through September 30, 1999.

(b) LIMITATION ON NUMBER OF PROGRAMS.—During the period beginning on the date of the enactment of this Act and ending on the first day of October, 1998, under subsection (a), the number of programs carried out under subsection (d) of that section as part of the pilot program may not exceed the number of such programs as of September 30, 1995.

(c) CONFORMING AMENDMENT.—Section 573 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106, 110 Stat. 355; 32 U.S.C. 501 note) is hereby repealed.

SEC. 1026. REPEAL OF ANNUAL DEPARTMENT OF DEFENSE CONVENTIONAL STANDOFF WEAPONS MASTER PLAN AND REPORT ON STANDOFF MUNITIONS.

Section 1641 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189; 103 Stat. 1613; 10 U.S.C. 2431 note) is repealed.

SEC. 1027. REVISIONS TO THE BALLISTIC MISSILE DEFENSE ACT OF 1995.

Section 234(a) of the Ballistic Missile Defense Act of 1995 (Subtitle C of title II of the National Defense Authorization Act of 1996 (Public Law 104–106; 110 Stat. 229)) is amended—

(1) in the matter preceding the colon by striking '', to be carried out so as to achieve the specified capabilities'';

(2) in paragraph (1) by striking '', with a first unit equipped during fiscal year 1998'';

(3) in paragraph (2), by striking '', with a user operational evaluation system (UOES) capability during fiscal year 1997 and an initial operational capability (IOC) during fiscal year 1999'';

(4) in paragraph (3), by striking '', with a user operational evaluation system (UOES) capability not later than fiscal year 1998 and a first unit equipped (FUE) not later than fiscal year 2000''; and

(5) in paragraph (4), by striking '', with a user operational evaluation system (UOES) capability during fiscal year 1999 and an initial operational capability (IOC) during fiscal year 2001''.

SEC. 1028. REPEAL OF REPORTING REQUIREMENTS, SPECIAL OPERATIONS FORCES: TRAINING WITH FRIENDLY FOREIGN FORCES.

Section 2011 of title 10, United States Code, is amended by striking subsection (e).

SUBTITLE D—MILITARY CONSTRUCTION PROVISIONS

SEC. 1031. AUTHORITY FOR THE SECRETARY OF THE ARMY TO CONSTRUCT A HELIPORT AT FORT IRWIN, CALIFORNIA.

Using amounts appropriated pursuant to the authorization of appropriations in the Military Construction Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 3027) for military construction at Fort Irwin and appropriated pursuant to the authorization of appropriations in the Military Construction Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 523) for military construction at Fort Irwin, the Secretary of the Army may carry out the construction of a heliport at Fort Irwin, California.

SEC. 1032. REPEAL OF REPORTS REQUIRED BY MILITARY CONSTRUCTION AUTHORIZATION ACTS.

(a) REQUIREMENT, WAIVER AND REPORT RELATING TO THE PROCUREMENT OF OVERSEAS FAMILY HOUSING FROM A UNITED STATES CONTRACTOR.—Section 803 of the Military Construction Authorization Act, 1984 (Public Law 98–115; 97 Stat. 784; 10 U.S.C. 2812 note) is repealed.

(b) REPORT ON FUNDING FOR NAVAL STRATEGIC HOMEPORTING.—Section 205 of the Military Construction Authorization Act, 1986 (Public Law 99–167; 99 Stat. 971) is repealed.

(c) REPORT ON PROPOSED CONTRACT FOR SALE OF GREGG CIRCLE AREA, FORT JACKSON, SOUTH CAROLINA.—Section 840 of the Military Construction Authorization Act, 1986 (Public Law 99–167; 99 Stat. 997) is amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e), (f), (g), and (h) as subsections (d), (e), (f), and (g), respectively.

SEC. 1033. FINANCIAL INCENTIVES FOR ENERGY SAVINGS.

Section 2865 of title 10, United States Code, is amended as follows:

(1) In subsection (b)(1) by striking from the first sentence ''and financial incentives described in subsection (d)(2)''.

(2) In subsection (d)(2) by adding at the end thereof the following new sentence:

''Financial incentives received from gas or electric utilities under this subparagraph, and under 2866(b)(2), shall be credited to an appropriation designated by the Secretary of Defense or designee. The impact of this initiative will be reflected in the Secretary's annual energy report.''.

SEC. 1034. WATER CONSERVATION FINANCIAL INCENTIVES.

Section 2866(b) of title 10, United States Code, is amended as follows:

(1) by inserting ''AND FINANCIAL INCENTIVES'' immediately after ''USE OF WATER COST SAVINGS'';

(2) by inserting ''(1)'' immediately before ''Water cost savings''; and

(3) by inserting the following new subparagraph at the end thereof:

''(2) Water financial incentives realized under this section shall be used as provided in section 2865(d)(2).''.

SEC. 1035. PRIVATIZATION OF GOVERNMENT OWNED UTILITY SYSTEMS.

(a) IN GENERAL.—Chapter 159 of title 10, United States Code, is amended by inserting the following new section at the end thereof:

''§ 2694. Privatization of Government Owned Utility Systems.

''(a) AUTHORITY.—The Secretary of a military department may convey all right, title, and interest of the United States, or any lesser estate as appropriate to serve the interests of the United States, in any utility system or part of a utility system, located on or adjacent to a military installation under the control of that department, to a

municipal, private, regional, district, or cooperative utility company or other entity. Such utility systems may include, but are not limited to, electrical generation and supply, water supply, water treatment, wastewater collection, wastewater treatment, steam/hot/chilled water generation and supply, and natural gas supply.

''(b) CONSIDERATION.—Any consideration received for a conveyance under subsection (a) may be accepted in the form of a lump sum payment or a reduction in utility rate charges for a period of time sufficient to amortize the monetary value of the utility system, including any real property interests, conveyed. Any lump sum payment received shall be credited to an appropriation designed as appropriate by the Secretary of Defense or a designee of the Secretary. Amounts so credited shall be available for the same time period as the appropriation credited and shall be used only for the purposes authorized for that appropriation.

''(c) NOTICE AND WAIT REQUIREMENTS.—A conveyance may not be made under subsection (a) until—

''(1) the Secretary submits to the appropriate committees of Congress, in writing, an economic analysis (based upon accepted lifecycle costing procedures) which demonstrates that the full cost to the taxpayer of the proposed conveyance is cost-effective when compared with alternative means of furnishing the same utility systems; and

''(2) a period of 21 days has elapsed after the date on which the economic analysis is received by the committees.

''(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary concerned may require such additional terms and conditions in a conveyance entered into under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

''(e) RELIEF FROM FORMAL COST COMPARISON.—Chapter 146 of title 10, United States Code, and section 257(e) of the Budget Enforcement Act, shall not apply to any conveyance under subsection (a) that results in the transfer of ownership of related utility assets.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting the following new item:

''2694. Privatization of Government Owned Utility Systems.''.

TITLE XI—DEPARTMENT OF DEFENSE CIVILIAN PERSONNEL

SEC. 1101. EXTENSION OF VOLUNTARY SEPARATION INCENTIVE PAY AUTHORIZATION.

(a) EXTENSION.—Section 5597(e) of title 5, United States Code, is amended by striking ''September 30, 1999'' and inserting in lieu thereof ''September 30, 2001''.

(b) REMITTANCE OF FUNDS.—Section 5597 of title 5, United States Code, is amended by adding at the end the following new subsection:

''(h)(1) In addition to any other payments which it is required to make under subchapter III of chapter 83 or chapter 84, the Department of Defense shall remit to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Civil Service Retirement and Disability Fund an amount equal to 15 percent of the final basic pay of each employee of the Department who is covered under subchapter III of chapter 83 or chapter 84 to whom a voluntary separation incentive has been paid under this section based on separation on or after October 1, 1997. The remittance required by this subsection shall be in lieu of any remittance required under section 4(a) of the Federal Workforce Restructuring Act of 1994 (5 U.S.C. 8331 note).

''(2) For the purpose of this subsection, the term 'final basic pay', with respect to an employee, means the total amount of basic pay which would be payable for a year of service by such employee, computed using the employee's final rate of basic pay, and, if last serving on other than a full-time basis, with appropriate adjustment therefor.''.

(c) CONFORMING AMENDMENT.—Section 4436(d)(2) of the Defense Conversion, Reinvestment, and Transition Act of 1992 (5 U.S.C. 8348 note) is amended by striking ''January 1, 2000'' and inserting in lieu thereof ''January 1, 2002''.

SEC. 1102. ELIMINATION OF TIME LIMITATION FOR PLACEMENT CONSIDERATION OF INVOLUNTARILY SEPARATED RESERVE TECHNICIANS.

Section 3329(b) of title 5, United States Code, is amended by striking ''a position described in subsection (c) not later than 6 months after the date of the application''.

SEC. 1103. PAY PRACTICES WHEN OVERSEAS TEACHERS TRANSFER TO GENERAL SCHEDULE POSITIONS.

Section 5334(d) of title 5, United States Code, is amended by inserting ''such amounts as may be authorized, if any, under regulations issued by the Secretary of Defense, up to'' after ''is deemed increased by''.

SEC. 1104. CITIZENSHIP REQUIREMENTS FOR STAFF OF THE GEORGE C. MARSHALL CENTER FOR SECURITY STUDIES.

Section 506 of the Intelligence Authorization Act, Fiscal Year 1990 (Public Law 101–193; 103 Stat. 1709) is amended—

(1) in the section heading, by striking ''United States Army Russian Institute'' and inserting in lieu thereof ''George C. Marshall European Center for Security Studies'';

(2) in subsection (a), by striking ''United States Army Russian Institute'' and inserting in lieu thereof ''George C. Marshall European Center for Security Studies''; and

(3) in subsection (c), by adding at the end the following sentence: ''No prior admission for permanent residence shall be required.''.

SEC 1105. PRESERVATION OF CIVIL SERVICE RIGHTS FOR EMPLOYEES OF THE FORMER DEFENSE MAPPING AGENCY.

Section 1612(b) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''in paragraph (2)'' and inserting in lieu thereof ''in paragraph (3)''; and

(B) by striking ''to paragraph (3)'' and inserting in lieu thereof ''to paragraph (4)'';

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting the following new paragraph (2):

''(2) For each former Defense Mapping Agency employee who was in a position established under title 5, United States Code, and who on October 1, 1996, became an employee of the National Imagery and Mapping Agency under 1601(a)(1) of this title, and for whom the provisions of law referred to in paragraph (3) applied before October 1, 1996, such provisions of law shall, subject to paragraph (4), continue to apply for as long as the employee continues to serve as a Department of Defense employee in the National Imagery and Mapping Agency without a break in service.'';

(4) in paragraph (3), as so redesignated, by striking ''by paragraph (1)'' and inserting in lieu thereof ''by paragraphs (1) and (2)''; and

(5) in paragraph (4), as so redesignated, by striking ''by paragraph (1)'' and inserting in lieu thereof ''by paragraphs (1) and (2)''.

SEC. 1106. AUTHORIZATION FOR THE MARINE CORPS UNIVERSITY TO EMPLOY CIVILIAN PROFESSORS.

(a) IN GENERAL.—Section 7478 of title 10, United States Code, is amended—

(1) by amending the section heading to read as follows:

''§ 7478. Naval War College and Marine Corps University: civilian faculty members'';

(2) in subsection (a), by striking ''or at the Marine Corps Command and Staff College'' and inserting in lieu thereof ''or at a school of the Marine Corps University''; and

(3) in subsection (c), by striking ''or at the Marine Corps Command and Staff College'' and inserting in lieu thereof ''or at a school of the Marine Corps University''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 643 of such title 10 is amended by amending the item relating to section 7478 to read as follows:

''7478. Naval War College and Marine Corps University: civilian faculty members.''.

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Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATION

Sec. 2001. Short title.

TITLE XXI—ARMY

Sec. 2101. Authorized Army construction and land acquisition Projects.
Sec. 2102. Family housing.
Sec. 2103. Improvements to military family housing units.
Sec. 2104. Authorization of appropriations, Army.

TITLE XXII—NAVY

Sec. 2201. Authorized Navy construction and land acquisition projects.
Sec. 2202. Family housing.
Sec. 2203. Improvements to military family housing units.
Sec. 2204. Authorization of appropriations, Navy.

TITLE XXIII—AIR FORCE

Sec. 2301. Authorized Air Force construction and land acquisition projects.
Sec. 2302. Family housing.
Sec. 2303. Improvements to military family housing units.
Sec. 2304. Authorization of appropriations, Air Force.
Sec. 2305. Authorization of Military Construction Project for which funds have been appropriated.

TITLE XXIV—DEFENSE AGENCIES

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
Sec. 2402. Military Housing planning and design.
Sec. 2403. Improvements to military family housing units.
Sec. 2404. Energy Conservation Projects.
Sec. 2405. Authorization of appropriations, Defense Agencies.
Sec. 2406. Use of Prior Year Appropriations.
Sec. 2407. Modification of authority to carry out fiscal year 1995 projects.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION INFRASTRUCTURE

Sec. 2501. Authorized NATO Construction and land acquisition projects.
Sec. 2502. Authorization of appropriations, NATO.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Sec. 2601. Authorized Guard and Reserve construction and land acquisition projects.

TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

Sec. 2701. Expiration of authorizations and amounts required to be specified by law.

Sec. 2702. Extensions of authorizations of certain fiscal year 1994 projects.
Sec. 2703. Extensions of authorizations of certain fiscal year 1993 projects.
Sec. 2704. Extension of Over-The-Horizon Radar in Puerto Rico.
Sec. 2705. Effective date.
TITLE XXVIII—GENERAL PROVISIONS
SUBTITLE A—MILITARY CONSTRUCTION PROGRAM AND MILITARY FAMILY HOUSING CHANGES
Sec. 2801. Streamlining real property transactions and architectural and engineering services and construction design
SUBTITLE B—OTHER MATTERS
Sec. 2802. Increase in maximum limit for minor land acquisition.
Sec. 2803. Administrative expenses for certain real estate transactions.
Sec. 2804. Long term lease authority, Naples Improvement Initiative, Naples, Italy.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 1998''.

TITLE XXI—ARMY

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104 (a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

ARMY: INSIDE THE UNITED STATES

State and Installation or Location	Amount
Arizona: Fort Huachuca	$20,000,000
California: Naval Weapons Station, Concord	23,000,000
Colorado: Fort Carson	7,300,000
Georgia: Fort Gordon	22,000,000
Hawaii: Schofield Barracks	44,000,000
Indiana: Crane Army Ammunition Activity	7,700,000
Kansas:	
Fort Leavenworth	63,000,000
Fort Riley	25,800,000
Kentucky: Fort Campbell	37,000,000
South Carolina: Naval Weapons Station, Charleston	7,700,000
Texas: Fort Sam Houston	16,000,000
Virginia:	
Charlottesville	3,100,000
Fort A.P. Hill	5,400,000
Fort Myer	8,200,000
Washington: Fort Lewis	33,000,000
CONUS Classified: Classified Location	6,500,000
Total	329,700,000

(b) OUTSIDE THE UNITED STATES.—Using amount appropriated pursuant to the authorization of appropriations in section 2104(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

ARMY: OUTSIDE THE UNITED STATES

Country and Installation or Location	Amount
Germany:	
Ansbach	$22,000,000
Heidelberg	8,800,000
Mannheim	6,200,000
Military Support Group	6,000,000
Kaiserslautern	.....
Korea:	
Camp Casey	5,100,000
Camp Castle	8,400,000
Camp Humphreys	32,000,000
Camp Red Cloud	23,600,000
Camp Stanley	7,000,000
Overseas: Classified: Overseas Classified	37,000,000
Total	156,100,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(7)(A), the Secretary of the Army may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

ARMY: FAMILY HOUSING

State and Installation or Location	Purpose units	Amount
Florida: U.S. Southern Command Headquarters	8	$2,300,000
Hawaii: Schofield Barracks	132	26,600,000
Maryland: Fort George Meade	56	7,900,000
North Carolina: Fort Bragg	174	20,150,000
Texas:		
Fort Bliss	91	12,900,000
Fort Hood	130	18,800,000
Total	.....	88,650,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(7)(A), the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $9,550,000.

SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in sections 2104(a)(7)(A), the Secretary of the Army may improve existing military family housing units in an amount not to exceed $44,800,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1997, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $1,887,214,000 as follows:

(1) For military construction projects inside the United States authorized by section 2101(a), $329,700,000.

(2) For the military construction projects outside the United States authorized by section 2101(b), $156,100,000.

(3) For the construction of the National Range Control Center, White Sands Missile Range, New Mexico, authorized in section 2101(a) of the National Defense Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2763), $18,000,000.

(4) For the construction of the Whole Barracks Complex Renewal, Fort Knox, Kentucky, authorized in section 2101(a) of the National Defense Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2763, $22,000,000.

(5) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, $6,000,000.

(6) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $63,477,000.

(7) For military family housing functions:

(A) For construction and acquisition, planning and design and improvement of military family housing and facilities, $143,000,000.

(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $1,148,937,000.

(B) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the total amount authorized to be appropriated under paragraphs (1) through (4) of subsection (a).

TITLE XXII—NAVY

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

NAVY: INSIDE THE UNITED STATES

State and installation or location	Amount
Arizona: Navy Detachment, Camp Navajo	$11,426,000
California:	
Marine Corps Air Station, Camp Pendleton	14,020,000
Marine Corps Air Station, Miramar	8,700,000
Marine Corps Air-Ground Combat Center, Twentynine Palms	3,810,000
Marine Corps Base, Camp Pendleton	39,469,000
Naval Air Facility, El Centro	11,000,000
Naval Air Station, North Island	19,600,000
Connecticut: Naval Submarine Base, New London	18,300,000
Florida: Naval Air Station, Jacksonville	3,480,000
Hawaii:	
Marine Corps Air Station, Kaneohe Bay	19,000,000
Naval Com & Telecoms Area Master Station EASTPAC, Honolulu	3,900,000
Naval Station, Pearl Harbor	25,000,000
Illinois: Naval Training Center, Great Lakes	41,220,000
Mississippi: Naval Station, Pascagoula	4,990,000
North Carolina:	
Marine Corps Air Station, Cherry Point	8,800,000
Marine Corps Air Station, New River	19,900,000
Rhode Island: Naval Undersea Warfare Center Division, Newport	8,900,000
South Carolina: Marine Corps Reserve Detachment Parris Island	3,200,000
Virginia:	
AEGIS Training Center, Dahlgren	6,600,000
Fleet Combat Training Center, Dam Neck	7,000,000
Naval Air Station, Norfolk	14,240,000
Naval Air Station, Oceana	28,000,000
Naval Amphibious Base, Little Creek	8,685,000
Naval Shipyard, Norfolk, Portsmouth	9,500,000
Naval Station, Norfolk	18,850,000
Naval Surface Warfare Center, Dahlgren	13,880,000
Naval Weapons Station, Yorktown	11,257,000
Washington:	
Naval Air Station, Whidbey Island	1,110,000
Puget Sound Naval Shipyard, Bremerton	4,400,000
Total	388,227,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(2), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

NAVY: OUTSIDE THE UNITED STATES

Country and Installation or Location	Amount
Bahrain: Administrative Support Unit, Bahrain	30,100,000
Guam: Naval Com & Telecoms Area Master Station WESTPAC, Guam	4,050,000
Italy: Naval Air Station, Sigonella	21,440,000
Italy: Naval Support Activity, Naples	8,200,000
Puerto Rico: Naval Station, Roosevelt Roads	500,000
United Kingdom: Joint Maritime Communications Center, St. Mawgan	2,330,000
Total	66,620,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

NAVY: FAMILY HOUSING

State and Installation or Location	Purpose (Units)	Amount
California:		
Marine Corps Air Station, Miramar	166	$28,881,000
Marine Corps Air-Ground Combat Center, Twentynine Palms	117	23,891,000
Marine Corps Base, Camp Pendleton	171	22,518,000
Naval Air Station, Lemoore	128	23,226,000
Total		98,516,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriation in section 2204(a)(8)(A), the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $15,100,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(8)(A), the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $173,780,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1997, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of $1,791,033,000 as follows:

(1) For military construction projects inside the United States authorized by section 2201(a), $388,227,000.

(2) For military construction projects outside the United States authorized by section 2201(b), $66,120,000.

(3) For construction of Bachelor Enlisted Quarters at Naval Hospital, Great Lakes, Illinois, authorized by section 2201(a) of the Military Construction Authorization Act for fiscal year 1997 (Division B of Public Law 104–201; 110 Stat. 2766), $5,200,000.

(4) For construction of Bachelor Enlisted Quarters at Naval Station Roosevelt Roads, Puerto Rico, authorized by section 2201(a) of the Military Construction Authorization Act for fiscal year 1997 (Division B of Public Law 104–201; 110 Stat. 2767), $14,600,000.

(5) For construction of a Large Anecohic Chamber Facility at Patuxent River Naval Air Warfare Center, Maryland, authorized by section 2201(a) of the Military Construction Authorization Act for fiscal year 1993 (Division B of Public Law 102–484; 106 Stat. 2590), $9,000,000.

(6) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $9,960,000.

(7) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $42,489,000.

(8) For military family housing functions:

(A) For construction and acquisition, planning and design and improvement of military family housing and facilities, $278,933,000.

(B) For support of military housing (including functions described in section 2833 of title 10, United States Code), $976,504,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the total amount authorized to be appropriated under paragraphs (1) through (5) of subsection (a).

TITLE XXIII—AIR FORCE

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amount appropriated pursuant to the authorization of appropriations in section 2304(a)(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

AIR FORCE: INSIDE THE UNITED STATES

State and Installation or Location	Amount
Alabama: Maxwell Air Force Base	$5,574,000
Alaska:	
Clear Air Station	67,069,000
Eielson Air Force Base	7,764,000
Indian Mountain	1,991,000
California:	
Edwards Air Force Base	2,887,000
Vandenberg Air Force Base	26,876,000
Colorado:	
Buckley Air National Guard Base	6,718,000
Falcon Air Force Station	10,551,000
Peterson Air Force Base	4,081,000
US Air Force Academy	15,229,000
Florida:	
Eglin Auxiliary Field 9	6,470,000
MacDill Air Force Base	1,543,000
Georgia: Robins Air Force Base	18,663,000
Idaho: Mountain Home Air Force Base	17,719,000
Kansas: McConnell Air Force Base	6,669,000
Louisiana: Barksdale Air Force Base	19,410,000
Mississippi: Keesler Air Force Base	30,855,000
Missouri: Whiteman Air Force Base	17,419,000
New Jersey: McGuire Air Force Base	9,954,000
North Carolina: Pope Air Force Base	8,356,000
North Dakota: Grand Forks Air Force Base	8,560,000
Ohio: Wright-Patterson Air Force Base	10,750,000
Oklahoma: Tinker Air Force Base	9,655,000
South Carolina: Shaw Air Force Base	6,072,000
Tennessee: Arnold Air Force Base	10,750,000
Texas: Randolph Air Force Base	2,488,000
Utah: Hill Air Force Base	6,470,000
Virginia: Langley Air Force Base	4,031,000
Washington:	
Fairchild Air Force Base	7,366,000
McChord Air Force Base	9,655,000
CONUS Classified: Classified Location	6,175,000
Total	367,770,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(2), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

AIR FORCE: OUTSIDE THE UNITED STATES

Country and Installation or Location	Amount
Germany: Spangdahlem Air Base	$18,500,000
Italy: Aviano Air Base	15,220,000
Korea:	
Kunsan Air Base	10,325,000
Osan Air Base	11,100,000
Portugal: Lajes Field, Azores	4,800,000
United Kingdom: Royal Air Force, Lakenheath	11,400,000
Overseas Classified: Classified Location	31,100,000
Total	102,445,000

SEC. 2302. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

AIR FORCE: FAMILY HOUSING

State and Installation or Location	Purpose (Units)	Amount
California:		
Edwards Air Force Base	51	$8,500,000
Travis Air Force Base	70	9,714,000
Vandenberg Air Force Base	108	17,100,000
Delaware: Dover Air Force Base	([1])	831,000

AIR FORCE: FAMILY HOUSING—Continued

State and Installation or Location	Purpose (Units)	Amount
District of Columbia: Bolling Air Force Base	46	5,100,000
Florida:		
MacDill Air Force Base	58	10,000,000
Tyndall Air Force Base	32	4,200,000
Georgia: Robins Air Force Base	60	6,800,000
Idaho: Mountain Home Air Force Base	60	11,032,000
Kansas: McConnell Air Force Base	19	2,951,000
Mississippi:		
Columbus Air Force Base	50	6,200,000
Keesler Air Force Base	40	5,000,000
Montana: Malmstrom Air Force Base	28	4,842,000
New Mexico: Kirtland Air Force Base	180	20,900,000
North Dakota: Grand Forks Air Force Base	42	7,936,000
Texas:		
Dyess Air Force Base	70	10,503,000
Goodfellow Air Force Base	3	500,000
Wyoming: F E Warren Air Force Base	52	6,853,000
Total		138,962,000

[1] Ancillary facility.

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $11,971,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $102,195,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1997, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $1,579,144,000 as follows:

(1) For military construction projects inside the United States authorized by section 2301(a), $343,912,000.

(2) For military construction projects outside the United States authorized by section 2301(b), $102,445,000.

(3) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $8,545,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $40,880,000.

(5) For military housing functions:

(A) For construction and acquisition, planning and design and improvement of military family housing and facilities, $253,128,000.

(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $830,234,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a) plus $23,858,000 of prior year appropriations.

SEC. 2305. AUTHORIZATION OF MILITARY CONSTRUCTION PROJECT FOR WHICH FUNDS HAVE BEEN APPROPRIATED.

(a) AUTHORIZATION.—The table in section 2301(a) of the Military Construction Authorization Act for fiscal year 1997 (division B of Public Law 104–201; 110 Stat. 2771) is amended in the item relating to McConnell Air Force Base, Kansas, by striking out ''$19,130,000'' in

the amount column and inserting in lieu thereof ''$25,830,000''.

(b) CONFORMING AMENDMENT.—Section 2304 of such Act (110 Stat. 2774) is amended—

(1) in the matter preceding the paragraph, by striking out ''$1,894,594,000'' and inserting in lieu thereof ''$1,901,294,000'' and

(2) in paragraph (1), by striking out ''$603,834,000'' and inserting in lieu thereof ''$610,534,000.''

TITLE XXIV—DEFENSE AGENCIES

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2404(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

DEFENSE AGENCIES: INSIDE THE UNITED STATES

Agency and Installation or Location	Amount
Defense Commissary Agency: Fort Lee, Virginia	$9,300,000
Defense Finance and Accounting Service:	
Columbus Center, Ohio	9,722,000
Naval Air Station, Millington, Tennessee	6,906,000
Naval Station, Norfolk, Virginia	12,800,000
Naval Station, Pearl Harbor, Hawaii	10,000,000
Defense Intelligence Agency:	
Bolling Air Force Base, District of Columbia	7,000,000
Redstone Arsenal, Alabama	32,700,000
Defense Logistics Agency:	
Defense Distribution Depot—DDNV, Virginia	16,656,000
Defense Distribution New Cumberland—DDSP, Pennsylvania	15,500,000
Defense Fuel Support Point, Craney Island, Virginia	22,100,000
Defense General Supply Center, Richmond (DLA), Virginia	5,200,000
Elmendorf Air Force Base, Alaska	21,700,000
Naval Air Station, Jacksonville, Florida	9,800,000
Truax Field, Wisconsin	4,500,000
Westover Air Reserve Base, Massachusetts	4,700,000
CONUS Various, CONUS Various	11,275,000
Defense Medical Facilities Office:	
Fort Campbell, Kentucky	13,600,000
Fort Detrick, Maryland	5,300,000
Hill Air Force Base, Utah	3,100,000
Holloman Air Force Base, New Mexico	3,000,000
Lackland Air Force Base, Texas	3,000,000
Marine Corps Combat Dev Com, Quantico, Virginia	19,000,000
McGuire Air Force Base, New Jersey	35,217,000
Naval Air Station, Pensacola, Florida	2,750,000
Naval Station, Everett, Washington	7,500,000
Naval Station, San Diego, California	2,100,000
Naval Submarine Base, New London, Connecticut	2,300,000
Robins Air Force Base, Georgia	19,000,000
Tinker Air Force Base, Oklahoma	6,500,000
Wright-Patterson Air Force Base, Ohio	2,750,000
National Security Agency: Fort George Meade, Maryland	29,800,000
Special Operations Command:	
Eglin Auxiliary Field 3, Florida	6,100,000
Fort Benning, Georgia	12,314,000
Fort Bragg, North Carolina	1,500,000
Hurlburt Field, Florida	2,450,000
Naval Amphibious Base, Coronado, California	7,400,000
Total	384,540,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2404(a)(2), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

DEFENSE AGENCIES: OUTSIDE THE UNITED STATES

Agency and Installation or Location	Amount
Ballistic Missile Defense Organization: Pacific Missile Range, Kwajalein Atoll	$4,565,000
Defense Logistics Agency:	
Defense Fuel Support Point, Guam	16,000,000
Moron Air Base, Spain	14,400,000
Defense Medical Facilities Office: Anderson Air Force Base, Guam	3,700,000
Total	38,665,000

SEC. 2402. MILITARY HOUSING PLANNING AND DESIGN.

Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(13)(A), the Secretary of Defense may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $50,000.

SEC. 2403. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriation in section 2405(a)(13)(A), the Secretary of Defense may improve existing military family housing units in an amount not to exceed $4,900,000.

SEC. 2404. ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(11), the Secretary of Defense may carry out energy conservation projects under section 2865 of title 10, United States Code.

SEC. 2405. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1997, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), in the total amount of $2,772,161,000 as follows:

(1) For military construction projects inside the United States authorized by section 2401(a), $377,390,000.

(2) For military construction projects outside the United States authorized by section 2401(a), $34,965,000.

(3) For military construction projects at Walter Reed Army Institute of Research, Maryland, hospital replacement, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1993 (division B of Public Law 102–484; 106 Stat. 2599), $20,000,000.

(4) For military construction projects at Defense Finance and Accounting Service, Columbus, Ohio, authorized by section 2401(a) of the Military Construction Authorization Act of Fiscal Year 1996 (division B of Public Law 104–106; 110 Stat. 535), $14,200,000.

(5) For military construction projects at Pine Bluff Arsenal, Arkansas, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1995 (division B of the Public Law 103–337; 108 Stat. 3040), $44,000,000.

(6) For military construction projects at Umatilla Army Depot, Oregon, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1995 (division B of the Public Law 103–337; 108 Stat. 3040), $57,427,000.

(7) For military construction projects at Anniston Army Depot, Alabama, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1993 (division B of the Public Law 102–484; 106 Stat. 2586), $9,900,000.

(8) For unspecified minor construction projects under section 2805 of title 10, United States Code, $25,257,000.

(9) For contingency construction projects of the Secretary of Defense under section 2804 of title 10, United States Code, $9,844,000.

(10) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $55,650,000.

(11) For Energy Conservation projects authorized by section 2403, $25,000,000.

(12) For base closure and realignment activities as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), $2,060,854,000.

(13) For military family housing functions:

(A) For improvement and planning of military family housing and facilities, $4,950,000.

(B) For support of military housing (including functions described in section 2833 of title 10, United States Code), $32,724,000 of which not more than $27,673,000 may be obligated or expended for the leasing of military family housing units worldwide.

(b) LIMITATION OF TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variation authorized by section 2853 of title 10, United States Code, and any other cost variations authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under paragraphs (1) through (13) of subsection (a).

SEC. 2406. USE OF PRIOR YEAR APPROPRIATIONS.

Funds provided by the Military Construction Appropriations Act, 1995 (Public Law 103–307) August 23, 1994) in the amount of $10,280,000 for the upgrade the hospital facility at McClellan Air Force Base, California are available due to the closure of this facility as a result of Base Realignment and Closure actions. These moneys are to be used by the Department to fund two medical construction projects authorized by this Act, the Aeromedical Clinic Addition at Andersen Air Base, Guam in the amount of $37,700,000 and the Occupational Health Clinic Facility at Tinker Air Force Base, Oklahoma, in the amount of $6,500,000.

SEC. 2407. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 1995 PROJECTS.

The table in section 2401 of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337: 108 Stat. 3040), under the agency heading relating to Chemical Weapons and Munitions Destruction, is amended—

(1) in the item relating to Pine Bluff Arsenal, Arkansas, by striking out ''$115,000,000'' in the amount column and inserting in lieu thereof $134,000,000; and

(2) in the item relating to Umatilla Army Depot, Oregon, by striking out ''$186,000,000'' in the amount column and inserting in lieu thereof $187,000,000.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1997, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501, in the amount of $176,300,000.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

There are authorized to be appropriated for fiscal years beginning after September 30, 1997, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1801 of title 10, United States Code

(including the cost of acquisition of land for those facilities), the following amounts:

(1) For the Department of the Army—

(A) for the Army National Guard of the United States, $45,098,000; and

(B) for the Army Reserve, $39,112,000.

(2) For the Department of the Navy, for the Naval and Marine Corps Reserve, $13,921,000.

(3) For the Department of the Air Force—

(A) for the Air National Guard of the United States, $60,225,000; and

(B) for the Air Force Reserve, $14,530,000.

TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVI for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2000; or

(2) the date for the enactment of an Act authorizing funds for military construction for fiscal year 2001.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2000; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2001 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Investment program.

SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1995 PROJECTS.

(a) EXTENSIONS.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337, 108 Stat. 3046), authorizations for the projects set forth in the tables in subsection (b), as provided in title XXI, XXII, XXIII, and XXIV of that Act, shall remain in effect until October 1, 1998, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 1999, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

ARMY: EXTENSION OF 1995 PROJECT AUTHORIZATIONS

State and Installation or Location	Project	Amount
California: Fort Irwin	National Training Center Airfield Phase I.	$10,000,000

NAVY: EXTENSION OF 1995 PROJECT AUTHORIZATIONS

State and Installation or Location	Project	Amount
Georgia: Naval Air Station Marietta.	Training Center	$2,650,000
Maryland:		
Indian Head Naval Surface Warfare Center.	Upgrade Power Plant	4,000,000
Indian Head Naval Surface Warfare Center.	Denitrification/Acid Mixing Facility.	6,400,000
Virginia: Norfolk Marine Corps Sec Force Batt LANT.	Bachelor Enlisted Quarters	6,480,000
Washington: Naval Station Puget Sound, Everett.	New Construction (Housing Office).	780,000
Conus Classified: Classified Location.	Aircraft Fire/Rescue & Vehicle Maint Fac.	2,200,000

AIR FORCE: EXTENSION OF 1995 PROJECT AUTHORIZATIONS

State and Installation or Location	Project	Amount
California:		
Beal Air Force Base	Consolidated Support Center	$10,400,000
Los Angeles Air Force Station.	Family Housing (50 units)	8,962,000
North Carolina:		
Pope Air Force Base	Combat Control Team Facility.	2,400,000
Pope Air Force Base	Fire Training Center	1,100,000

DEFENSE AGENCIES: EXTENSION OF 1995 PROJECT AUTHORIZATIONS

State and Installation or Location	Project	Amount
Alabama: Anniston Army Depot.	Carbon Filtration System	$5,000,000
Arkansas: Pine Bluff Arsenal	Ammunition Demilitarization Facility.	115,000,000
California: Def Contract Mgmt Ofc El Segundo.	Administrative Building (Conjunctive Fund).	5,100,000
Oregon: Umatilla Army Depot	Ammunition Demilitarization Facility.	186,000,000

SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1994 PROJECTS.

(a) EXTENSIONS.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1994 (division B of Public Law 103–160, 107 Stat. 1880), authorizations for the projects set forth in the tables in subsection (b), as provided in title XXII, and XXIII of that Act, shall remain in effect until October 1, 1997, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 1998, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

NAVY: EXTENSION OF 1994 PROJECT AUTHORIZATIONS

State and Installation or Location	Project	Amount
California: Camp Pendleton Marine Corps Base.	Sewage Facility	$7,930,000
Connecticut: New London	Hazardous Waste Facility	1,450,000

SEC. 2704. EXTENSION OF AUTHORIZATION OF OVER-THE-HORIZON RADAR IN PUERTO RICO.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337; 108 Stat. 3046), authorization set forth in table in subsection (b) and the fiscal year 1995 Defense Appropriation Act Public Law 103–335; 108 Stat. 2615 and subsequently transferred to the Military Construction appropriation shall remain in effect until October 1, 1998, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 1999, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

NAVY: EXTENSION OF 1995 PROJECT AUTHORIZATION

Location and Installation	Project	Amount
Puerto Rico: Naval Station Roosevelt Roads.	Relocatable Over-The-Horizon Radar.	$10,000,000

SEC. 2705. EFFECTIVE DATE.

Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI shall take effect on the later of—

(1) October 1, 1997; or

(2) the date of the enactment of this Act.

TITLE XXVIII—GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. STREAMLINING REAL PROPERTY TRANSACTIONS AND ARCHITECTURAL AND ENGINEERING SERVICES AND CONSTRUCTION DESIGN.

(a) IN GENERAL.—(1) Section 2662 of title 10, United States Code, is repealed.

(2) Section 2807 of title 10, United States Code, is amended—

(A) by striking subsection (b);

(B) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of Chapter 159 of title 10, United States Code, is amended by striking the item relating to section 2662 and inserting in lieu thereof the following:

''[2662. Repealed.]''.

Subtitle B—Other Matters

SEC. 2802. INCREASE IN MAXIMUM LIMIT FOR MINOR LAND ACQUISITIONS.

(a) IN GENERAL.—Section 2672 of title 10, United States Code is amended by striking ''$200,000'' each place it appears and inserting in lieu thereof ''$500,000''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of Chapter 159 of title 10, United States Code, is amended by striking the item relating to section 2672 and inserting in lieu thereof the following:

''2672. Acquisition: interests in land when cost is not more than $500,000.''.

SEC. 2803. ADMINISTRATIVE EXPENSES FOR CERTAIN REAL ESTATE TRANSACTIONS.

(a) IN GENERAL.—Chapter 159 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2695. Administrative expenses for certain real estate transactions

''Whenever the Secretary of a Military Department (1) exchanges, (2) grants an easement or lease, or (3) licenses real property to a non-Federal party, the Department may accept funds from the non-Federal party for expenses incurred incident to or in furtherance of such transaction. Any funds so received shall be credited to the current appropriation, fun, or account that is available for the same purpose as the appropriation, fund, or account from which the cost of conducting such transaction is paid.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2695. Administrative expenses for certain real estate transactions.''.

SEC. 2804. LONG TERM LEASE AUTHORITY, NAPLES IMPROVEMENT INITIATIVE, NAPLES, ITALY.

(a) AUTHORITY.—The Secretary of the Navy may acquire by lease in Naples, Italy, structures and real property relating to a regional hospital complex that are needed for military purposes as required to support the Naples Improvement Initiative. A lease under this subsection may be for a period of up to twenty years.

(b) EXPIRATION.—This authority shall expire 30 September 2002.

By Mr. DORGAN (for himself, Mr. GRASSLEY, Mr. ROCKEFELLER, Mr. BAUCUS, Mr. ROBERTS, Mr. HARKIN, Mr. FAIRCLOTH, Mr. HUTCHINSON, Mr. INOUYE and Mr. CONRAD):

S. 452. A bill to amend titles XVIII and XIX of the Social Security Act to permit a waiver of the prohibition of offering nurse aide training and competency evaluation programs in certain nursing facilities; to the Committee on Finance.

THE NURSE AIDE TRAINING ACT OF 1997

• Mr. DORGAN. Mr. President, today, I am introducing legislation that will preserve quality care in rural nursing homes by ensuring that they can continue to conduct nurse aide training programs in their facilities.

This bill enjoys bipartisan support, and I am joined in introducing this bill by Senators GRASSLEY, ROCKEFELLER, BAUCUS, ROBERTS, HARKIN, FAIRCLOTH, HUTCHINSON, INOUYE, and CONRAD. The bill, which also has the support of the Clinton administration, will prevent the termination of nurse aide training programs where the reason for the termination is unrelated to the quality of the program and where no training alternative exists within a reasonable distance.

I have long believed that the Federal Government has an important role to play in ensuring against the kinds of abuses that sometimes occurred prior to enactment of Federal nursing home standards. I do not believe that those abuses were the norm in nursing homes. Nursing homes in my State of North Dakota have a strong record of providing quality care, and I believe that this was the case in most nursing homes.

But it is clear that some nursing homes did not meet that high standard, and many States were slow to respond. To address that critical problem, I supported and continue to support minimum Federal quality standards. Our first priority in nursing home legislation must be the quality of care provided to residents, and we should not pass any laws that would compromise that goal.

However, I believe that some of our efforts to regulate nursing homes have not resulted in greater quality of care for residents. In some cases, by imposing unnecessary burdens and severe penalties that are not focused on quality, some laws and regulations can actually hinder the delivery of quality care. The legislation I am offering today will address one such instance.

In rural areas all over the country, nursing facilities offer potential caretakers an opportunity to learn the basic nursing and personal care skills needed to become a certified nurse aide. In return, those who participate in a nurse aide training program help nursing facilities meet their staffing needs and allow the nursing staff to focus more on administering quality nursing care.

Nurse aide training programs are especially important in rural areas like my State of North Dakota, where potential nurse aides might have to travel hundreds of miles for training if it is not available at the nursing facility in their community. These nurse aide training programs comply with strict guidelines related to the amount of training necessary and determination of competency for certification.

Despite these safeguards, current law allows programs to be terminated for up to 2 years if a facility has been cited for a deficiency or assessed a civil money penalty for reasons completely unrelated to the quality of the nurse aide training program. In North Dakota, this could result in real hardship not just for the nursing facility and potential nurse aides, but for the nursing home residents who rely on nurse aides for their day-to-day care.

Under my bill, rural areas would be exempt from termination of nurse aide training programs in these specific instances only if: First, no other program is offered within a reasonable distance of the facility; second, the State assures that an adequate environment exists for operating the program; and third, the State provides notice of the determination and assurances to the State long-term care ombudsman.

The President has included this proposal in the last two budgets he has presented to Congress. In addition, Congress included this proposal in the Balanced Budget Act passed in December 1995.

I hope my colleagues will join me in supporting this bill.

I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 452

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMITTING WAIVER OF PROHIBITION OF OFFERING NURSE AIDE TRAINING AND COMPETENCY EVALUATION PROGRAMS IN CERTAIN FACILITIES.

(a) WAIVER.—Sections 1819(f)(2) and section 1919(f)(2) of the Social Security Act (42 U.S.C. 1395i–3(f)(2), 1396r(f)(2)) are each amended—

(1) in subparagraph (B)(iii), by inserting ''subject to subparagraph (C),'' after ''(iii)''; and

(2) by adding at the end, the following:

''(C) WAIVER AUTHORIZED.—Clause (iii) of subparagraph (B) shall not apply to a program offered in (but not by) a nursing facility in a State if the State—

''(i) determines that there is no other such program offered within a reasonable distance of the facility;

''(ii) assures, through an oversight effort, that an adequate environment exists for operating the program in the facility; and

''(iii) provides notice of such determination and assurances to the State long-term care ombudsman.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply to programs offered on or after the date of enactment of this Act.●

Mr. GRASSLEY. Mr. President, today I join Senator BYRON DORGAN of North Dakota in introducing legislation aimed at reversing the lack of qualified nurse aides in rural America by encouraging local training programs to continue their work. Our goal is to improve the level of care in nursing homes. Increasing the availability of qualified staff in rural nursing homes will help older Americans live better lives.

Many rural nursing homes rely on their own training programs to certify nurse aides. Current Federal law allows these training programs to be terminated due to problems unrelated to the quality of the training program. In rural areas, terminating a nurse aide training program can result in a lack of qualified staff at a rural facility. Therefore, terminating a nurse training program can actually make conditions worse, not better.

This bill ensures that nurse aide training programs will be judged on their own merits, not on outside factors. This is commonsense legislation. Judging people on their actions and programs on their results is the American way. Judging training programs on outside factors doesn't penalize the substandard nursing homes, it penalizes older Americans.

By Mr. TORRICELLI (for himself and Mr. LAUTENBERG):

S. 453. A bill to study the high rate of cancer among children in Dover Township, NJ, and for other purposes; to the Committee on Labor and Human Resources.

THE MICHAEL GILLICK CHILDHOOD CANCER RESEARCH ACT

Mr. TORRICELLI. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 453

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Michael Gillick Childhood Cancer Research Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) during the period from 1980 to 1988, Ocean County, New Jersey, had a significantly higher rate of childhood cancer than the rest of the United States, including a rate of brain and central nervous system cancer that was nearly 70 percent above the rate of other States;

(2) during the period from 1979 to 1991—

(A) there were 230 cases of childhood cancer in Ocean County, of which 56 cases were in Dover Township, and of those 14 were in Toms River alone;

(B) the rate of brain and central nervous system cancer of children under 20 in Toms River was 3 times higher than expected, and among children under 5 was 7 times higher than expected; and

(C) Dover township, which would have had a nearly normal cancer rate if Toms River was excluded had a 49 percent higher cancer rate than the rest of the State and an 80 percent higher leukemia rate than the rest of the State; and

(3)(A) according to New Jersey State averages, a population the size of Toms River should have 1.6 children under age 19 with cancer; and

(B) Toms River currently has 5 children under the age of 19 with cancer.

SEC. 3. STUDY.

(a) IN GENERAL.—The Administrator of the Agency for Toxic Substances and Disease Registry shall conduct dose-reconstruction modeling and an epidemiological study of childhood cancer in Dover Township, New Jersey.

(b) GRANT TO NEW JERSEY.—The Administrator may make 1 or more grants to the State of New Jersey to carry out subsection (a).

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act—

(1) $1,000,000 for fiscal year 1998; and

(2) $2,000,000 for each of fiscal years 1999 and 2000.

By Mr. DORGAN (for himself and Mr. CRAIG):

S. 454. A bill to provide incentives to encourage stronger truth in sentencing of violent offenders, and for other purposes; to the Committee on the Judiciary.

THE STOP ALLOWING FELONS EARLY RELEASE (SAFER) ACT

Mr. DORGAN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 454

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stop Allowing Felons Early Release (SAFER) Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) violent criminals often serve only a small portion of the terms of imprisonment to which they are sentenced;

(2) a significant proportion of the most serious crimes of violent committed in the United States are committed by criminals who have been released early from a term of imprisonment to which they were sentenced for a prior conviction for a crime of violence;

(3) violent criminals who are released before the expiration of the term of imprisonment to which they were sentenced often travel to other States to commit subsequent crimes of violence;

(4) crimes of violence and the threat of crimes of violence committed by violent criminals who are released from prison before the expiration of the term of imprisonment to which they were sentenced affects tourism, economic development, use of the interstate highway system, federally owned or supported facilities, and other commercial activities of individuals; and

(5) the policies of one State regarding the early release of criminals sentenced in that State for a crime of violence often affect the citizens of other States, who can influence those policies only through Federal law.

(b) PURPOSE.—The purpose of this Act is to reduce crimes of violence by encouraging States to incarcerate violent offenders for the full term of imprisonment to which they are sentenced.

SEC. 3. ELIGIBILITY FOR TRUTH IN SENTENCING INCENTIVE GRANTS.

(a) IN GENERAL.—Section 20102(b)(1) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13702(b)(1)) is amended to read as follows:

''(1) FORMULA ALLOCATION.—

''(A) IN GENERAL.—Of amounts made available to carry out this section, the Attorney General shall allocate for each eligible State an amount equal to the ratio that the number of part 1 violent crimes reported by such State to the Federal Bureau of Investigation for 1993 bears to the number of part 1 violent crimes reported by all States to the Federal Bureau of Investigation for 1993.

''(B) OTHER STATES.—

''(i) IN GENERAL.—For each eligible State that has not enacted a statute meeting the requirements of clause (ii), the Attorney General shall reduce the amount allocated under subparagraph (A) by 25 percent.

''(ii) STATUTE DESCRIBED.—A statute meets for requirements of this clause if it results in the elimination of parole, good time credit release, and any other form of early release for any person convicted of a part 1 violent crime, with early release permitted only by approval of the Governor of the State after a public hearing during which representatives of the public and the victims of the part 1 violent crime at issue have had an opportunity to be heard regarding the proposed release.

''(iii) ALLOCATION.—The total amount of the reductions under clause (i) shall be allocated to each eligible State that has enacted a statute meeting the requirements of clause (ii) in accordance with the formula under subparagraph (A).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 3 years after the date of enactment of this Act.

By Mr. DORGAN (for himself and Mr. CRAIG):

S. 455. A bill to amend title 18, United States Code, to eliminate good time credits for prisoners serving a sentence for a crime of violence, and for other purposes; to the Committee on the Judiciary.

THE 100 PERCENT TRUTH-IN-SENTENCING ACT

Mr. DORGAN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 455

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''100 Percent Truth-in-Sentencing Act''.

SEC. 2. ELIMINATION OF CREDIT TOWARD SERVICE OF SENTENCE FOR SATISFACTORY BEHAVIOR.

Section 3624(b) of title 18, United States Code, is amended—

(1) by striking ''(b)'' and all that follows through ''Subject to paragraph (2),'' and inserting the following:

''(b) CREDIT TOWARD SERVICE OF SENTENCE FOR SATISFACTORY BEHAVIOR.—

''(1) IN GENERAL.—

''(A) GENERAL RULE.—Subject to paragraph (2) and to subparagraph (B) of this paragraph,'';

(2) by striking the second sentence; and

(3) by adding at the end the following:

''(B) CRIMES OF VIOLENCE.—A prisoner who is serving a term imprisonment of more than 1 year for a crime of violence shall not be eligible for credit toward the service of the prisoner's sentence under subparagraph (A).''; and

(4) by indenting paragraphs (3) and (4) 2 ems to the right.

ADDITIONAL COSPONSORS

S. 25

At the request of Mr. FEINGOLD, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 25, a bill to reform the financing of Federal elections.

S. 28

At the request of Mr. THURMOND, the name of the Senator from North Carolina [Mr. FAIRCLOTH] was added as a cosponsor of S. 28, a bill to amend title 17, United States Code, with respect to certain exemptions from copyright, and for other purposes.

S. 66

At the request of Mr. HATCH, the names of the Senator from Mississippi [Mr. COCHRAN], and the Senator from Indiana [Mr. LUGAR] were added as cosponsors of S. 66, a bill to amend the Internal Revenue Code of 1986 to encourage capital formation through reductions in taxes on capital gains, and for other purposes.

S. 102

At the request of Mr. BREAUX, the names of the Senator from North Dakota [Mr. CONRAD], and the Senator from Rhode Island [Mr. REED] were added as cosponsors of S. 102, a bill to amend title XVIII of the Social Security Act to improve medicare treatment and education for beneficiaries with diabetes by providing coverage of diabetes outpatient self-management training services and uniform coverage of blood-testing strips for individuals with diabetes.

S. 112

At the request of Mr. MOYNIHAN, the names of the Senator from Virginia [Mr. ROBB], the Senator from Washington [Mrs. MURRAY], and the Senator from Connecticut [Mr. DODD] were added as cosponsors of S. 112, a bill to amend title 18, United States Code, to regulate the manufacture, importation, and sale of ammunition capable of piercing police body armor.

S. 146

At the request of Mr. ROCKEFELLER, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 146, a bill to permit medicare beneficiaries to enroll with qualified provider-sponsored organizations under title XVIII of the Social Security Act, and for other purposes.

S. 148

At the request of Mr. DASCHLE, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 148, a bill to amend the Public Health Service Act to provide a comprehensive program for the prevention of Fetal Alcohol Syndrome.

S. 197

At the request of Mr. ROTH, the name of the Senator from Arkansas [Mr. HUTCHINSON] was added as a cosponsor of S. 197, a bill to amend the Internal Revenue Code of 1986 to encourage savings and investment through individual retirement accounts, and for other purposes.

S. 230

At the request of Mr. THURMOND, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of S. 230, a bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes.

S. 293

At the request of Mr. HATCH, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 293, a bill to amend the Internal Revenue Code of 1986 to make permanent the credit for clinical testing expenses for certain drugs for rare diseases or conditions.

S. 317

At the request of Mr. CRAIG, the name of the Senator from Nevada [Mr.

REID] was added as a cosponsor of S. 317, a bill to reauthorize and amend the National Geologic Mapping Act of 1992.

S. 369

At the request of Mr. JEFFORDS, the names of the Senator from North Dakota [Mr. DORGAN], and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 369, a bill to amend section 1128B of the Social Security Act to repeal the criminal penalty for fraudulent disposition of assets in order to obtain medicaid benefits added by section 217 of the Health Insurance Portability and Accountability Act of 1996.

S. 381

At the request of Mr. ROCKEFELLER, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 381, a bill to establish a demonstration project to study and provide coverage of routine patient care costs for medicare beneficiaries with cancer who are enrolled in an approved clinical trail program.

S. 387

At the request of Mr. HATCH, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 387, a bill to amend the Internal Revenue Code of 1986 to provide equity to exports of software.

S. 400

At the request of Mr. GRASSLEY, the name of the Senator from Nebraska [Mr. HAGEL] was added as a cosponsor of S. 400, a bill to amend rule 11 of the Federal Rules of Civil Procedure, relating to representations in court and sanctions for violating such rule, and for other purposes.

S. 409

At the request of Mr. COATS, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of S. 409, a bill to amend the Communications Act of 1934 to provide for the implementation of systems for rating the specific content of specific television programs.

S. 411

At the request of Mrs. HUTCHISON, the name of the Senator from Arkansas [Mr. BUMPERS] was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to provide a tax credit for investment necessary to revitalize communities within the United States, and for other purposes.

S. 419

At the request of Mr. BOND, the names of the Senator from Montana [Mr. BAUCUS], the Senator from Massachusetts [Mr. KERRY], and the Senator from North Dakota [Mr. CONRAD] were added as cosponsors of S. 419, a bill to provide surveillance, research, and services aimed at prevention of birth defects, and for other purposes.

SENATE JOINT RESOLUTION 6

At the request of Mr. KYL, the name of the Senator from Arkansas [Mr. HUTCHINSON] was added as a cosponsor of Senate Joint Resolution 6, a joint resolution proposing an amendment to the Constitution of the United States to protect the rights of crime victims.

SENATE CONCURRENT RESOLUTION 10

At the request of Mr. GRASSLEY, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of Senate Concurrent Resolution 10, a concurrent resolution expressing the sense of the Congress regarding certification of Mexico pursuant to section 490 of the Foreign Assistance Act of 1961.

SENATE RESOLUTION 58

At the request of Mr. ROTH, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of Senate Resolution 58, a resolution to state the sense of the Senate that the Treaty of Mutual Cooperation and Security Between the United States of America and Japan is essential for furthering the security interests of the United States, Japan, and the countries of the Asia-Pacific region, and that the people of Okinawa deserve recognition for their contributions toward ensuring the Treaty's implementation.

SENATE CONCURRENT RESOLUTION 12—RELATE TO THE DECENNIAL CENSUS

Mr. TORRICELLI (for himself, Mr. ABRAHAM, Mr. KENNEDY, Mr. LIEBERMAN, Mr. SPECTER, Mr. DEWINE, Mr. GLENN, Mr. LEVIN, and Mr. SARBANES) submitted the following concurrent resolution; which was referred to the Committee on Government Affairs:

S. CON. RES. 12

Whereas the decennial census of population is the only source of complete and comparable information on the ethnic composition of the United States;

Whereas no other source can provide as accurate and reliable data on the changing ethnic composition of the population of the United States at the national, State, and local levels as is provided by the decennial census;

Whereas ancestry data, together with other demographic and socioeconomic data, collected in the decennial census assists policymakers in assessing patterns of assimilation, mobility, and achievement on the part of different population subgroups of the United States;

Whereas the United States Commission on Civil Rights uses census ancestry data to monitor unlawful discrimination based on national origin; and

Whereas ancestry data collected in the decennial census is used by many other individuals and entities, including Federal, State, and local governmental agencies, educators, service providers, businesses, and researchers: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. SENSE OF THE CONGRESS.

It is the sense of the Congress that the Secretary of Commerce should ensure that the information requested in the 2000 decennial census of population with respect to ancestry will be at least as comprehensive as the information that was requested in the 1990 decennial census (in terms of the content of the information and the range of respondents from whom that information is sought).

SEC. 2. TRANSMISSION TO THE SECRETARY OF COMMERCE.

The Secretary of the Senate shall transmit a copy of this concurrent resolution to the Secretary of Commerce.

NOTICES OF HEARINGS

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that an executive session of the Senate Committee on Labor and Human Resources will be held on Tuesday, March 18, 1997, 9 a.m., in SD–430 of the Senate Dirksen Building. The following are on the agenda to be considered.

1. S. 4, The Family Friendly Workplace Act.

2. Presidential nominations.

For further information, please call the committee, 202/224–5375.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Labor and Human Resources will be held on Tuesday, March 18, 1997, 2 p.m., in SD–430 of the Senate Dirksen Building. The subject of the hearing is on the nomination of Alexis M. Herman to be Secretary of Labor. For further information, please call the committee, 202/224–5375.

ADDITIONAL STATEMENTS

BLOODY SUNDAY ANNIVERSARY

● Mr. TORRICELLI. Mr. President, I rise today to commemorate an important event which took place on January 30 of this year. This day marked the 25th anniversary of Bloody Sunday which left 14 civil rights marchers dead in Northern Ireland.

During the late 1960's, peaceful opposition to disenfranchisement, internment and anti-Catholic discrimination in Northern Ireland led to large protest marches throughout the region. On January 30, 1972, one of these peaceful protest marches was indiscriminately fired upon by a British regiment. Fourteen demonstrators were killed during the violence.

The investigation conducted by Lord Widgery, and the subsequent Widgery Report, were conclusive. All of the victims were unarmed, and most were shot in the back, leaving the world to conclude that the killings were reckless. However, not a single British soldier was ever prosecuted for this crime.

The victims sought only to establish the rights of equal citizens, but paid the ultimate price for challenging British authority. However, the perpetrators go unpunished, and the British Government continue to ignore the seriousness of the crime committed 25 years ago.

I urge the British Government to recognize the innocence of the demonstrators who were killed or injured on

Bloody Sunday, and work toward establishing justice for them and their families. The struggle for justice continues today in Northern Ireland, and the British should work to repair the rift in Protestant-Catholic relations.●

TRIBUTE TO GEORGE PASERO

● Mr. SMITH of Oregon. Mr. President, my home State of Oregon lost one of its most distinguished citizens last Thursday, with the passing of George Pasero.

For the past half century, generation after generation of Oregonians have opened up their newspaper and turned to the sports page to read what George Pasero had to say. As a reporter, columnist, and sports editor for the Oregon Journal from 1946 to 1982, and then as a part-time columnist for the Oregonian, George earned a reputation not only as a respected and keen observer of the world of sports, but as a professional, fair, and compassionate person.

In these days where it seems that the sports world is full of million dollar salaries and million dollar egos, George Pasero liked to focus on the true joys of sports. Let me share with you some very eloquent words from one of the final columns George wrote before his death:

''Dismiss for one evening the egomania, greed, and disrespect for authority that have so marred the high levels of professionals,'' George wrote about a banquet honoring Oregon athletes. ''Think here of your neighbor kid happily going out to soccer practice, all the basketball shooting you see on driveways, all the evenings of Little League and hamburger dinners, the prep football players with mud-caked uniforms on a rainy, cold Friday night.''

Mr. President, I am just one of countless Oregonians who will miss George's insights and wisdom. Sharon joins with me in sending our condolences to his wife, Jeanne, his daughter, Anne, his sons, John, Mark, and Jim, and his five grandchildren.●

MEASURE READ THE FIRST TIME—HOUSE JOINT RESOLUTION 58

Mr. NICKLES. Mr. President, I understand that House Joint Resolution 58 has arrived from the House, and I now ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 58) disapproving the certification of the President under section 490(b) of the Foreign Assistance Act of 1961 regarding foreign assistance for Mexico during fiscal year 1997.

Mr. NICKLES. I now ask for its second reading, and I object to my own request on behalf of the other side of the aisle.

The PRESIDING OFFICER. The objection is heard.

The bill will be read the second time on the next legislative day.

ORDERS FOR TUESDAY, MARCH 18, 1997

Mr. NICKLES. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 10 a.m. on Tuesday, March 18. I further ask unanimous consent that on Tuesday immediately following the prayer, the routine requests be granted and there then be a period of morning business until the hour of 11:30 a.m, with Senators permitted to speak for up to 5 minutes each, with the following exceptions: Senator BOND, 15 minutes; Senator MOSELEY-BRAUN, 15 minutes; and Senator CAMPBELL, 15 minutes. I further ask unanimous consent that at 11:30 a.m. the Senate resume consideration of Senate Joint Resolution 18 by previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NICKLES. I ask unanimous consent that the Senate stand in recess between the hours of 12:30 p.m. and 2:15 p.m. in order for the weekly party caucuses to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. NICKLES. For the information of all Senators, at 11:30 a.m. tomorrow the Senate will resume consideration of Senate Joint Resolution 18, the constitutional amendment regarding campaign funding. Following the weekly policy meetings, there will be 30 minutes of additional debate on that resolution, with a vote occurring at 2:45 p.m. on the adoption of Senate Joint Resolution 18. Following disposition of Senate Joint Resolution 18, the Senate will resume consideration of Senate Joint Resolution 22, the independent counsel resolution. Hopefully, a unanimous consent agreement will be reached to allow the Senate to debate two independent counsel resolutions, and all Members will be notified accordingly when the votes are scheduled on those resolutions. Therefore, Senators can expect recall votes throughout Tuesday's session of the Senate as we continue to make progress on Senate Joint Resolution 22.

APPOINTMENTS BY THE MAJORITY LEADER

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to public law 104–264, appoints the following individuals to the National Civil Aviation Review Commission: The Honorable Larry Pressler of Washington, DC, and Richard E. Smith Jr. of Mississippi.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. NICKLES. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 4:28 p.m., adjourned until Tuesday, March 18, 1997, at 10 a.m.

EXTENSIONS OF REMARKS

VETERAN SERVICES

HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1997

Mr. QUINN. Mr. Speaker, I rise today to introduce a bill that requires the U.S. Department of Veterans Affairs to truly consider the needs of our veterans who so bravely served our Nation.

The VA has devised a plan called the veterans equitable resource allocation. However, the funding formula simply considers population trends, the cost of labor, and specialized care.

There is no mention of the special needs and challenges that are unique that each veteran community across the country. As we all know, a multitude of other factors, both nonmedical and medical, plague our veterans.

How could it be proposed that a formula for distributing dollars for VA health care not take into account medical conditions of the veterans it serves?

If we allow the VA to implement their plan as it exists today, the VA will be sending a message to its sicker, poorer, older, and service-disabled veterans that they just don't care.

My bill addresses a fundamental problem with the VA's plan. My legislation charges the VA to certify to Congress that they have accounted for such critical factors as catastrophic injuries, disease, homelessness, poverty, cost of living and care, the age and type of infrastructure used by the Department of Veterans Affairs medical facilities, and so forth.

Until these conditions are met, we might as well remove the word equitable from the VA's so-called equitable resource allocation model.

I would like to add that many of the established health care facilities in the northeast are considered centers of excellence. Just last year, the Eastern Paralyzed Veterans Association [EPVA] made 164 trips transporting patients to and from VA hospitals. Eleven of those trips were made from southern VA facilities to northeast medical centers because of their ability to perform specialized surgeries and treatment.

No trips were made from the Northeast to the Southwest.

I am pleased to inform you that I have introduced my bill today along with 25 of my colleagues.

I encourage my other colleagues to sign onto the bill. A veteran in the Southwest who needs care is no more important than one in the North.

We owe it to our veterans to make available the highest quality of care.

I would like to submit the attached text of my bill for the RECORD.

H.R.—

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CERTIFICATION THAT PLAN FOR ALLOCATION OF VETERANS HEALTH CARE RESOURCES CONSIDERED CERTAIN MEDICAL AND NONMEDICAL FACTORS.

(a) CERTIFICATION REQUIRED.—The plan for allocation of health care resources of the Department of Veterans Affairs submitted to Congress under subsection (c) of section 429 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 (110 Stat. 2929) may not be implemented until after the Secretary of Veterans Affairs certifies to the Congress that the Secretary, in developing such plan, took into account the medical-related factors described in subsection (b) and the nonmedical factors described in subsection (c). Such certification shall be accompanied by the data the Secretary used in considering such factors.

(b) MEDICAL-RELATED FACTORS.—The medical-related factors described in this subsection are the following:

(1) The medical condition of veterans residing within each region served by a Veterans Integrated Services Network.

(2) The cost for each Veterans Integrated Services Network to meet the specialized medical needs for veterans suffering from catastrophic injury, disease, or illness, including spinal cord dysfunction, amputation, blindness, and mental illness.

(3) The cost for each Veterans Integrated Services Network to meet the rehabilitative needs of veterans suffering from such catastrophic injury, disease, or illness.

(4) The cost for each Veterans Integrated Services Network to provide medical support services, including prosthetics, pharmaceutical supplies, social services, and medical transportation to and from Veterans Integrated Services Network medical facilities.

(5) The cost for Veterans Integrated Services Network facilities to provide for the treatment and care of those members of the veterans population suffering from substance abuse, psychological problems, of AIS.

(c) NONMEDICAL FACTORS.—The nonmedical factors described in this subsection are the following:

(1) The expected reliance of veterans on Department of Veterans Affairs health care facilities for medical care as a result of—

(A) the cost of living for veterans residing in the region served by each Veterans Integrated Services Network; and

(B) the size of the population of veterans in each such region who are impoverished.

(2) The size of the population of homeless veterans in each such region and the wider array of disease and illness due to the hardships and lack of hygiene from which the homeless suffer.

(3) The age of the veterans population residing in each such region and the costs associated with long-term care necessary to meet the needs of the aging veterans population.

(4) The age and type of infrastructure used by Department of Veterans Affairs medical facilities, including the cost of operating, maintaining, repairing, and remodeling such facilities and the costs associated with adverse weather conditions, such as snow removal, in regions in which such facilities are located.

(d) VETERANS INTEGRATED SERVICES NETWORK DEFINED.—For purposes of this section, the term ''Veterans Integrated Services Network'' means the network developed by the Department of Veterans Affairs to provide for the health care of veterans.

TRIBUTE TO THE EL CARISO HOT SHOTS

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1997

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention the outstanding bravery of a dedicated group of firefighters in California, the El Cariso Hot Shots. Over 30 years ago, a dozen men gave their lives and many more were injured while fighting a particularly dangerous fire in a steep canyon near Pacoima.

On November 1, 1966, a U.S. Department of Agriculture Forest Service firefighting crew, was trapped by flames in the Loop Fire. The El Cariso Hot Shots were constructing a fireline downhill into a chimney canyon and were within 200 feet of completing their assignment when a sudden shift of winds caused a spot fire directly below where the crew was working. Within seconds, flames raced uphill, engulfing the firefighters in temperatures exceeding 2,500 degrees. The fire flashed through the canyon in less than 1 minute trapping many in the crew. Ten brave El Cariso Hot Shots perished on the Loop Fire that day and another two died in the following days. Many of those who survived, were critically burned and remained hospitalized for some time.

Gerald Smith, who brought this heroic action to my attention, suffered third degree burns on his face, hands, arms, and legs and has had over 20 surgical operations as a result of his injuries. After overcoming many personal challenges, he has now completed training as a registered nurse and is making a difference in the lives of many people.

Mr. Speaker, in November 1996—the 30th anniversary of this tragedy—a monument was erected and dedicated to the firefighters of the Loop Fire. Over the years, the lessons of the Loop Fire have been shared with other firefighters around the world and have saved many lives. I believe it is only appropriate that the House remember the names of those firefighters below who lost their lives as well as those who survived the Loop Fire of 1966.

Those who lost their lives include: Raymond Chee, James Moreland, Michael White, John Figlo, William Waller, Joel Hill, Steven White, Carl Shilcutt, John Verdugo, Daniel Moore, Kenneth Barnhill, and Frederick Danner. Those who survived the Loop Fire include: Gordon King, Warren Burchett, Glen Spady, Joseph Smalls, Edward Cosgrove, Rodney Seewald, Stephen Bowman, Charles Gibson, Franklin Keesling, Jerry Gunter, William Davidson, Thomas Sullivan, Gerald Smith, William Parshall, John Moore, Richard Leak, Robert Chounard, Patrick Chase, and Thomas Rother.

PEACEMAKER

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1997

Mr. WALSH. Mr. Speaker, for the past 2 years, Senator George Mitchell has co-chaired the multiparty talks on the future of Northern Ireland in Belfast. On the evening of March 13, 1997, in Washington, DC, he was presented the American Ireland Fund International Humanitarian Award. I would like to share Senator Mitchell's inspiring speech with you at this time.

EXCERPTS FROM REMARKS BY SENATOR GEORGE J. MITCHELL, AMERICAN-IRELAND FUND DINNER

I'm grateful for this award. The American-Ireland Fund is an important force for good in Ireland. I commend you for your efforts and I encourage you to continue them.

As you know, I've spent most of the past two years in Northern Ireland. On my trips back to the U.S., I've been asked two questions, over and over again, by Americans who care about Ireland: Why are you doing this? And, What can I do to help?

Tonight, I'll try to answer both of those questions.

Why am I doing this?

I've asked myself that question many times. To answer it, I must go back nearly 20 years, before I'd ever been to Ireland, before I'd ever thought seriously about Northern Ireland.

Before I entered the United States Senate I had the privilege of serving as a Federal Judge. In that position I had great power. The power I most enjoyed exercising was when I presided over what are called naturalization ceremonies. They're citizenship ceremonies. A group of people who'd come from every part of the world, who'd gone through all the required procedures, gathered before me in a federal courtroom. There I administered to them the oath of allegiance to the United States and, by the power vested in me under our constitution and laws I made them Americans.

It was always emotional for me, because my mother was an immigrant from Lebanon, my father the orphan son of immigrants from Ireland. They had no education and they worked hard all their lives at difficult and low-paying jobs. But because of their efforts, and, more importantly, because of the openness of American society, I, their son, was able to become the majority leader of the United States Senate.

After every naturalization ceremony, I spoke personally with each new American, individually or in family groups. I asked them where they came from, how they came, why they came. Their stories were as different as their countries of origin. But they were all inspiring, and through them ran a common theme, best expressed by a young Asian. When I asked why he had come, he replied, in slow and halting English, ''I came because here in America everybody has a chance''.

A young man who'd been an American for just a few minutes summed up the meaning of our country in a single sentence. Here, everybody has a chance.

I was one of those who had a chance, and I thank God for my good fortune. Now, by an accident of fate, in a way that I did not seek or expect, I have been given the opportunity to help others to have a chance. That they are in Ireland, the land of my father's heritage, is just a fortuitous coincidence. That I am able to help, even if in just a small way, is what matters.

No one can really have a chance in a society dominated by fear and violence. And so I, who have been helped by so many, now must do what I can to help others to try to end the violence, to banish the fear, to hasten the day when all the people of Northern Ireland can lead lives of peace, reconciliation and opportunity.

Let me say, as clearly and as emphatically as I can: There will be peace and reconciliation in Northern Ireland. I don't know exactly when it will come. But I am convinced that it is inevitable, for one over-riding reason: It is the will of the overwhelming majority of the people of Northern Ireland.

They remain divided along sectarian lines, and they mistrust each other. But they share a fervent desire not to return to the violence which for so long has filled their lives with fear and anxiety.

It will take a very long time for the mistrust to end. But it need not take a long time for the violence to end. Once it does, once people can live free of fear, then gradually the walls of division will come down. Walls that exist on the ground, and in people's minds, will come down, brick by brick, person by person, slowly but inevitably.

Over the past two years I've come to know the people of Northern Ireland. They're energetic, intelligent and productive. I admire and like them. They deserve better than the troubles they have. But there is only one way to achieve that better life.

There is no alternative to democratic, meaningful, inclusive dialogue. For that to come about, there must be an end to violence and to intransigence. They are the twin demons of Northern Ireland—violence and intransigence. They feed off each other in a deadly ritual in which most of the victims are innocent.

There are those who don't want anything to change, ever. They want to recreate a past that can never be recreated. But their way will only guarantee never-ending conflict. It will insure that the next half century is as full of death and fear as was the past half century.

The people of Northern Ireland must make it clear to their leaders that they oppose intransigence, that they want meaningful negotiation. Not capitulation; not the surrender of conviction. But good-faith negotiation that places the interest of the people, the interest of peace, above personal or political considerations. Good faith negotiation can produce an agreed settlement that will command the support of the majority in Northern Ireland, including the majority in each community. I know in my heart that it can be done.

TRIBUTE TO KIWANIS CLUB'S 40TH ANNIVERSARY

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1997

Mr. BONIOR. Mr. Speaker, I ask my colleagues to join me in saluting the Kiwanis Club of Warren, MI, as they celebrate their 40th anniversary on May 9, 1997.

In 1957, a group of concerned Warren citizens felt there was a need to join Kiwanis International and form the Kiwanis Club of Warren. Their goal was to aid the public in ways that other charities and the Government could not.

In the past 40 years, the Kiwanis Club has contributed their time and resources to the betterment of their community. Among their many contributions include the funding of a handicapped fitness trail at the Council Park and the donation of a Salvation Army bus. The club has also donated funds for thousands of individuals in need of operations, utility bills, and handicapped ramps.

I would like to thank the hundreds of volunteers, past and present, who have donated their various talents to improve the quality of life in the Warren community. The self-sacrificing qualities of the Kiwanis volunteers is what makes our communities successful.

I ask my colleagues to join me in wishing the Kiwanis Club of Warren a joyful 40th anniversary. Their long history of public service is sure to last at the very least, another 40 years.

HONORING STATE REPRESENTATIVE KEITH MCCALL

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1997

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to a close personal friend and colleague from my congressional district in Pennsylvania, State Representative Keith McCall.

Representative McCall will be honored by the Panther Valley Irish American Association as its 1997 recipient of the Shamrock Award. I am pleased to have been asked to participate in this prestigious event.

The youngest son of the late Representative Thomas J. and Mary Ann McCall, Keith began his career in the Pennsylvania State Auditor General's office in Harrisburg while he was attending Penn State and Harrisburg Community College. His father's untimely death in 1981, while serving his fourth State legislative term, brought Keith to succeed his father in the Assembly. Now a high ranking Representative in the Pennsylvania General Assembly, Keith has followed in his father's footsteps by serving his district for 15 years.

Keith McCall is one of the finest legislators that I have had the privilege to work with during my years in Congress. He has been responsible for helping numerous local constituents and bringing millions of dollars in economic development to his district.

Keith's hard work and tenacity on numerous issues of importance to his district demonstrates his commitment to his constituents. His attention to the needs of the residents of his legislative district is unsurpassed and manifests itself in the strong results he receives.

Keith has consistently worked closely with me on numerous projects for Carbon County, from flood control to highway projects, I can always count on Keith to be an energetic ally with all the projects that involve the state.

A few of his major projects and accomplishments include Lehigh Gorge State Park, rail infrastructure improvements, a visitors center for Delaware and Lehigh Navigation Canal National Heritage Corridor, and preservation of historical buildings.

In the State Assembly Keith wrote the Pennsylvania Enhanced Automobile Emission Inspection law and is now considered an expert on this issue.

Along with his work in the State assembly, Keith builds upon his dedication to his community by being an active participant in community service organizations. Keith's community involvement includes the Elks, Summit Hill Fire Company, Knights of Columbus, Ancient Order of Hibernians, Pennsylvania Emergency Management council, and his work as past president of the Panther Valley Irish American Association.

Mr. Speaker, I am proud to join with the community, his friends and family in paying tribute to an exemplary legislator and public servant. I congratulate the Panther Valley Irish American Association on its 50th year, for the work they do in the community, and for their outstanding choice for this year's Shamrock Award.

A TRIBUTE TO KEVIN ''CASEY'' GENTHER

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1997

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention the fine work and outstanding public service of Kevin ''Casey'' Genther, the commander of American Legion Rim of the World Post No. 360. Casey will be relinquishing his position in July after 2 years of remarkable service to our community.

Casey has played an instrumental role in the growth and success of American Legion Post No. 360 since he assumed his position upon the resignation of the previous commander.

In that time, the enrollment of new members has increased by 20 percent. Casey has also been the driving force in getting Rim of the World Post No. 360 to participate in the activities of the Mountain Thrift Shoppe, a nonprofit resale store that benefits nine charitable and service organizations in our mountain community. In addition, donations and grants to local organizations in need of financial support have increased fivefold during his tenure in office.

Casey has also made a major contribution to local educational efforts and the lives of young people in our community. Scholarship funding for local high school graduates has increased from $350 to $4,000. Educational incentive grants for graduates of the local continuing education school have risen considerably. In addition, Casey has formalized the annual American Legion National High School Oratorical Contest. He has also overseen a 100-percent increase in attendance at Boy's State and Girl's State by local high school juniors. Since Casey assumed his leadership position, Post No. 360 has sent eight local teachers to teaching workshops at the Freedom Foundation in Valley Forge, PA.

Mr. Speaker, Casey Genther has made a remarkable difference in the lives of many people through his leadership of the American Legion Rim of the World Post No. 360. His many contributions toward the betterment of Post No. 360, local education, and our community is certainly worthy of our appreciation and recognition. It is only appropriate that the House recognize Commander Genther today.

IN THE SPIRIT OF ST. PATRICK'S DAY

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1997

Mr. WALSH. Mr. Speaker, in the spirit of St. Patrick's Day, I am inviting all my colleagues to become a Friend of Ireland. The Friends of Ireland is a bipartisan congressional organization established in 1981 by the late Speaker, Thomas ''Tip'' O'Neill. Every successive Speaker has carried on the tradition and my appointment as chairman by Speaker GINGRICH is a clear demonstration of the bipartisan nature of the Friends. The Speaker and Minority Leader GEPHARDT serve as honorary chairmen of the group.

The purpose of the Friends of Ireland is to increase the bonds of friendship and understanding between the American people and the people of Ireland. We look for a peaceful solution to the problems of this troubled land. Our organization is open to all members of the 105th Congress who share its principles and has attracted widespread support over the years. There are also several Senators who are members of the Friends.

Over the years, the statements of support for peace in Ireland, condemnations of human rights abuses, assistance to the International Fund for Ireland, and general expressions of goodwill have made a difference. The voice of the United States Congress is listened to very attentively in Ireland both in the Republic and in the North.

I would like to share with you this year's St. Patrick's Day statement:

STATEMENT BY THE FRIENDS OF IRELAND, ST. PATRICK'S DAY 1997

On this St. Patrick's Day, we the Friends of Ireland renew our call for the IRA to restore its cease-fire, which should be followed by Sinn Fein's immediate entry into the Northern Ireland all-party peace talks when they resume in June.

The Friends of Ireland commend our former colleague, Senator George Mitchell, for his outstanding service as chairman of the talks. The talks offer an historic opportunity to address the three key relationships which must underpin any settlement—those within Northern Ireland, between North and South, and between Ireland and Britain. We fully support this process, and recognize that there is much greater likelihood for success if all parties with an electoral mandate, including Sinn Fein, participate in the talks. Sinn Fein's participation in the talks, however, is properly conditional on the unequivocal restoration of the cease-fire by the IRA.

We also recognize that the IRA maintained a cease-fire for 17 months, from September 1994 to February 1996. It is of deepest concern that, during that long and hopeful period, additional obstacles were laid in the way of bringing all parties to the table. We hope that a renewed IRA cease-fire will on this occasion be met with an appropriate response by the British Government, including the taking of necessary confidence-building measures.

Basic issues of equal justice and human rights are at the heart of the conflict in Northern Ireland and they must be central to any realistic resolution of the conflict. Peace without justice is not sustainable. It is only likely to flourish when all sides feel that their basic rights are respected and protected. Accordingly, we urge prompt action to remedy outstanding miscarriages of justice such as the Casement and Latimer cases. In light of the compelling new evidence surrounding Bloody Sunday, we add our voice to the calls for a new inquiry into this tragedy.

We are also concerned by the deteriorating conditions under which Republican prisoners are being held in Britain and in particular the treatment of Roisin McAliskey. It is essential, in negotiating a new political framework for Northern Ireland, that respect for human rights be guaranteed. The creation of a Bill of Rights, and a police service with the confidence of the whole community, are essential to ensure the protection of the rights of all and to lay a solid foundation for a lasting peace.

We strongly oppose the continued and increased punishment beatings by paramilitaries in both communities. Such atrocities have no place in society, and we call for an immediate end to these attacks.

It is essential that there be no repeat of the deplorable events during last year's marching season. The RUC behavior at Drumcree further eroded the confidence of the Catholic community in fairness of the police force. As the State Department's Country Reports on Human Rights Practices recently noted: ''Many observers on both sides of the community perceived the Government's reversal in the face of unlawful Unionist protests as a victory of might over the rule of law, and the incident damaged the RUC's reputation as a impartial police force.''

We therefore strongly endorse the recommendations in the North Report that an independent parades commission be given full decision-making powers to deal effectively with controversial parades. We are concerned at the British Government's decision to delay implementation of significant sections of the report, which in our view must be in place in advance of this year's marching season.

The Friends of Ireland welcome the strong commitment of President Clinton and the Congress to the success of the peace process in Northern Ireland, and the transformation in the situation which all have helped bring about. We are confident that the United States will continue to play a constructive role in encouraging an early and peaceful resolution of the conflict for the benefit of all of the people of Northern Ireland.

FRIENDS OF IRELAND EXECUTIVE COMMITTEE

Edward M. Kennedy, Daniel Patrick Moynihan, Christopher J. Dodd, Newt Gingrich, Richard A. Gephardt, and James T. Walsh.

TRIBUTE TO DICK LANGE

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1997

Mr. BONIOR. Mr. Speaker, today I would like to pay tribute to Dick Lange as he retires from the Macomb Intermediate School District. His friends and colleagues will host a party in his honor at Partridge Creek Golf Course.

Education has always been central in Dick's life. His hard work in school was rewarded when he was honored with a 4-year Ford scholarship to the University of Michigan. While at U. of M., Dick was extremely active in intramural sports. His experience and success as a student gave him the insight he would later need as a teacher, administrator, and educational leader.

After college graduation, Dick taught high school social studies at Lakeview High School. His dedication to his students was not limited to the classroom. As a football coach, he was able to give to his students the same satisfaction in sports that he enjoyed as a student. As a teacher and coach, Dick was able to capture the energy and minds of the students he taught.

Not only was Dick an inspiration to students, but also to teachers. In 1972, he began representing teachers with the Michigan Education Association. His dedication to improving education prompted him to cofound Local 1, the first collective bargaining unit in Macomb County. Dick was instrumental in bringing together 16 school districts into 1 united group.

In 1982, Dick returned to Lakeview Public Schools as the assistant superintendent of curriculum and personnel where he turned his talents to review texts books and curriculum. For the past 11 years, Dick has been the director of consultant services of the Macomb Intermediate School District. His vision to provide quality education for our youth has made him successful in training teachers. He has used his leadership skills to guide teachers to inspire and teach the next generation.

I have known Dick for over 20 years and have witnessed the caring attitude that Dick has toward both teachers and students. His simple goal of providing a quality education for our youth has inspired not only teacher and students, but parents and the community. Throughout the years, Dick has been a dedicated volunteer in Macomb County as well as defending and improving public schools.

On behalf of myself and those who have had the opportunity to work with Dick, I would like to wish him well and thank him for his numerous contributions to our community.

FRIENDLY SONS OF ST. PATRICK HONOR JUDGE BLEWITT

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1997

Mr. KANJORSKI. Mr. Speaker, I rise today to join with the Friendly Sons of St. Patrick, Pittston, PA, in paying tribute to the Honorable U.S. Magistrate Judge Thomas M. Blewitt. The judge will be the recipient of the W. Francis Swingle Irishman of the Year Award at their 83d annual St. Patricks' Day banquet. I am extremely pleased to have been asked to participate in this annual tradition.

Judge Blewitt was appointed on February 21, 1992, to an 8-year term. From January 1, 1986 through February 1992, he served as assistant Federal public defender in the Scranton division. From May 1984 to January 1986, he was assistant district attorney for Lackawanna County. From December 1972 to October 1980, he was a special investigator for the Pennsylvania Department of Justice, Bureau of Consumer Protection.

A graduate of Scranton Prep in 1968, he went on to the University of Scranton, Marywood College and earned his juris doctorate from Temple School of Law in 1983.

Mr. Speaker, Judge Blewitt is well deserving of this prestigious award not only for his professional accomplishments but for his sincere commitment and involvement in his community. He has served on the board of directors for the Friendship House Children's Center, Family Services of Lackawanna County, and is a member of the Pennsylvania Bar Association as well as the Federal Magistrate Judges Association.

Once again, I am pleased and proud to have the opportunity to bring judge Blewitt's accomplishments to the attention of my colleagues. I congratulate the judge on this fine honor and the Friendly Sons of St. Patrick on their 83d year.

A MEMORIAL TRIBUTE TO ALEXANDRA APOSTOLIDES SONENFELD

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1997

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention the recent passing of Alexandra Apostolides Sonenfeld, a role model and inspiration to many throughout California. Alexandra died in her sleep in San Francisco on July 26, 1996, just 10 days shy of her 100th birthday.

Alexandra Sonenfeld was born on August 6, 1896, in Sokraki on the Island of Corfu, Greece. One of nine children of Father Mandilla, a priest, and Barbara Chondroyianis, a schoolteacher, Alexandra accompanied her father on a trip to the United States when she was 10 years old. She remained in the United States until her recent passing, never rejoining her family in Sokraki.

Alexandra married Dr. Emmanuel Apostolides at the age of 20 and together they settled in San Francisco and raised three children—Alexander, Zoe, and Kleo. Her first husband passed away and she later married her second husband, Howard Sonenfeld.

In 1929, Alexandra Sonenfeld opened her home to wives of the members of the Order of AHEPA in San Francisco to discuss the formation of a women's auxiliary. Shortly thereafter, the first chapter of the Daughters of Penelope was established. In 1931, the Daughters of Penelope was chartered and incorporated in the State of California as a nonprofit organization. In the decade that followed, Alexandra Sonenfeld devoted her time to the development and expansion of this organization across the United States as well as the formulation of bylaws and a constitution. In 1939, she was elected the first grand president of the Daughters of Penelope. Over the years, this worthy organization has grown to its current 390 chapters throughout the United States and Canada, including 4 chapters in Greece.

Mr. Speaker, words do not begin to convey the love and admiration with which Alexandra Sonenfeld was held by her family, friends, and supporters. Her life journey stands as a remarkable testament to faith and hope and her memory will continue to inspire countless people. It is only appropriate that the House pay tribute to this courageous woman today.

CODIFICATION OF RECENT LAWS IN TITLE 49, UNITED STATES CODE, TRANSPORTATION

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1997

Mr. HYDE. Mr. Speaker, today I am introducing a bill to codify in title 49, United States Code, recent laws related to transportation, and to make other technical and conforming amendments to the Code. This bill was prepared by the Office of the Law Revision Counsel of the House of Representatives under its statutory mandate to prepare and submit periodically revisions of positive law titles of the Code to keep those titles current. This bill makes no change in the substance of existing law.

Anyone interested in obtaining a copy of the bill and a section-by-section summary—containing reviser's notes—of the bill should contact John R. Miller, acting law revision counsel, U.S. House of Representatives, H2–304 Ford House Office Building, Washington, DC, 20515–6711. The telephone number is (202) 226–2411.

Persons wishing to comment on the bill should submit those comments to the acting law revision counsel no later than April 30, 1997.

FIFTH ANNIVERSARY OF THE BOMBING OF THE ISRAELI EMBASSY IN BUENOS AIRES—HOUSE CONCURRENT RESOLUTION 50 URGES ACTION FROM ARGENTINEAN AUTHORITIES

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1997

Mr. LANTOS. Mr. Speaker, 5 years ago, on March 17, 1992, the Israeli Embassy in Buenos Aires, Argentina, was destroyed by a massive suicide bomb, and several nearby buildings were also destroyed. In that bombing, 29 people were killed and an additional 252 innocent people were injured, many seriously.

Victims of the attack included employees of the Israeli Embassy and their families, children from a nearby Roman Catholic primary school, men and women from a nearby Roman Catholic church shelter, a Roman Catholic priest, and others. Two years later the Jewish Community in Buenos Aires was also destroyed in a terrorist bombing in which 86 people died and over 200 were injured.

Despite worldwide attention to these catastrophes, we are now marking the fifth anniversary of this hideous terrorist bombing and yet we still have had no prosecution and even no sign of progress in identifying those who carried out this vicious attack. It is time for the Congress to express our serious concern about this outrageous and unacceptable situation.

Mr. Speaker, on this tragic anniversary, with 12 of our distinguished colleagues, I introduced House Concurrent Resolution 50 which notes the fifth anniversary of the bombing of the Israeli Embassy in Buenos Aires, Argentina, on March 17, 1992, and calls upon the

Argentinean Government to take more aggressive steps to solve the crime. Our resolution ''notes with regret'' that this is the fifth anniversary of the Israeli Embassy bombing and ''police and judicial authorities in Argentina have not identified and initiated prosecution of the perpetrators of these two barbarous acts of terrorism.'' The resolution also urges the Supreme Court of Argentina to designate a single judge to conduct the investigation of the Embassy bombing in order to improve the efficiency of the inquiry. Currently, the full membership of the Supreme Court is in charge of the investigation, and this has hampered the effectiveness of the investigation.

I invite my colleagues to join as cosponsors of this legislation and urged redoubled effort to solve these horrendous crimes. The text of House Concurrent Resolution 50 follows:

H. CON. RES. 50

Whereas on March 17, 1992, the Israeli Embassy in Buenos Aires, Argentina, a school, and several nearby buildings were destroyed by a powerful suicide car bomb blast in which 29 innocent children, women, and men lost their lives and an additional 252 innocent people were injured;

Whereas the victims of this terrorist attack included employees of the Israeli embassy and their families, children from a nearby Roman Catholic primary school, women and men from a nearby Roman Catholic church shelter, a Roman Catholic priest, and people across the spectrum of Argentine society;

Whereas Argentina's Jewish community, which numbers over 300,000 and is the largest Jewish community in Latin America, has suffered periods of severe Anti-Semitism during periods of military rule and feels particularly vulnerable to assault from certain radical Islamic groups and from indigenous far right extremists in Argentina;

Whereas Islamic Jihad claimed responsibility for the bombing of the Israeli Embassy and praised the name of the alleged suicide bomber, Abu Yasser, by calling him a ''martyr struggler,'' and Islamic Jihad is a terrorist organization that is supported by Iran and United States State Department officials have stated that Iranian diplomats collected information to plan the bombing;

Whereas the failure of Argentine and international efforts to bring the perpetrators of the embassy bombing to justice made Argentina a prime target for a second devastating terrorist attack on July 18, 1994, just two years after the bombing of the Israeli Embassy in Buenos Aires, when the Asociacion Mutual Israelita Argentina (AMIA) Jewish Community Center was destroyed in a similar car bombing in which 86 people died and over 200 people were injured; and

Whereas the effectiveness of the investigation of the Israeli embassy bombing, which is being conducted by the Supreme Court of Argentina, has been hampered by the inefficiency of having the entire membership of the court in charge of the investigation:

Now, therefore, be it—

Resolved by the House of Representatives (the Senate concurring) that the Congress

(1) Notes with regret that March 17, 1997, marked the fifth anniversary of the bombing of the Israeli Embassy in Buenos Aires, that it is now more than two and a half years since the bombing of the AMIA Jewish Community Center, and that policy and judicial authorities in Argentina have not yet identified and initiated prosecution of the perpetrators of these two barbarous acts of terrorism;

(2) Urges the Supreme Court of Argentina to designate a single investigative judge to conduct the investigation of the terrorist bombing of the Israeli Embassy in order to improve the efficiency of the inquiry;

(3) Urges Argentinean judicial authorities to move forward aggressively in the investigation of the terrorism bombing of the AMIA Jewish Community Center because of the probability that there is a connection between that bombing and the bombing of the Israeli Embassy in Buenos Aires;

(4) Urges Argentinean authorities to acknowledge publicly the reports submitted by Argentinean, United States, and Israeli experts, which determined that the explosion at the Israeli Embassy took place outside the walls of the embassy;

(5) Urges the President and appropriate executive agencies to provide all appropriate assistance which has been or which may be requested by Argentinean government authorities in order to help that government in investigating these acts of terrorism; and

(6) Directs the Clerk of the House of Representatives to forward a copy of this resolution to the government of Argentina.

IN RECOGNITION OF CAROLYN LANIER

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1997

Mr. COMBEST. Mr. Speaker, the pages of the CONGRESSIONAL RECORD chronicle two centuries of actions affecting the everyday lives of Americans. Today, I'd like to add to that history with the account of an everyday American who has affected the lives of the needy beyond the boundaries of her community.

Carolyn Lanier has for 14 years served as the South Plains Food Bank executive director in Lubbock, TX. Her leadership has brought the food bank from its beginnings as a simple storeroom with shelves of canned goods, to its modern-day operation with refrigeration, a working farm and a dehydration plant. The food bank's success in feeding the needy and in helping other food banks created the necessity for the facility's Breedlove Dehydration Plant. Each day, the South Plains Food Bank under the leadership of Carolyn Lanier, its patrons and the many volunteer workers, feed as many as 16,000 people through 254 charitable agencies in a 20-county area of the vast Texas Panhandle-South Plains-Permian Basin Region.

Carolyn is the first to answer the compliment about her service by praising those working with her and the many financial supporters of the South Plains Food Bank. In recognizing those good works, it is helpful for those of us here in Congress and for people who study the pages of the CONGRESSIONAL RECORD to know that people just like Carolyn Lanier, who was qualified by the experience of feeding and caring for her family, saw a need and a way to help feed and care for an extended family of thousands and thousands she had never met.

Carolyn's success—and thus the success of the South Plans Food Bank—comes from her caring and her determined effort. Those seeing the need in their community can take heart from Carolyn's example. And those of us here in Congress seeking ways to meet those needs are gratified by these efforts. Government must be a servant of the people, doing all it can to encourage these charitable works.

PERSONAL EXPLANATION

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1997

Ms. ROS-LEHTINEN. Mr. Speaker, I was unavoidably detained on Thursday, March 13 and was unable to be present for rollcall vote No. 50, final passage of H.R. 852, the Paperwork Reduction Act. Had I been present I would have voted ''yea.''

TRIBUTE TO REV. LESTER PRATT, SR.

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1997

Mr. TOWNS. Mr. Speaker, today I rise to recognize Rev. John Lester Pratt, Sr., pastor of Zion Shiloh Baptist Church. Reverend Pratt was born in Fredericksburg, VA, and attended Storer College in Harpers Ferry, WV. As an undergraduate he majored in education. He graduated from Manhattan Bible Institute and American Divinity School of Religion; earning undergraduate and masters degrees in theology.

In 1977 he was elected pastor of Zion Shiloh Baptist Church. He abides by the philosophy of, ''I accept the challenge.'' Currently he is serving as secretary of the Progressive National Baptist Convention. Pastor Pratt has served as past moderator of New York Missionary Baptist Association, been a member of Cumberland Community Board and served as a member of the board of Hampton Ministers Conference.

The reverend is married to Mrs. Gertrude Pratt, and they are the proud parents of two sons, Leo, John, Jr., grandson, Leo Sterling Pratt, and have a wonderful daughter-in-law, Michelle. It is my pleasure to introduce Rev. Lester Pratt, Sr., to my House colleagues.

CODIFICATION OF TITLE 36, UNITED STATES CODE, PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND ORGANIZATIONS

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1997

Mr. HYDE. Mr. Speaker, today I am introducing a bill to codify and enact certain general and permanent laws, related to patriotic and national observances, ceremonies, and organizations, as title 36 of the United States Code. This bill has been prepared by the Office of the Law Revision Counsel of the House of Representatives as a part of the responsibilities of that Office to prepare and submit to the Committee on the Judiciary, for enactment into positive law, all titles of the United States Code. This bill makes no change in the substance of existing law.

Anyone interested in obtaining a copy of the bill and a description of the bill, containing a section-by-section summary should contact

John R. Miller, acting law revision counsel, U.S. House of Representatives, H2–304 Ford House Office Building, Washington, DC, 20515–6711. The telephone number is (202) 226–2411.

Persons wishing to comment on the bill should submit those comments to the acting law revision counsel no later than May 31, 1997.

THE SERIOUS PROBLEM OF ANTI-SEMITISM IN EGYPT

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1997

Mr. LANTOS. Mr. Speaker, last week Egyptian President Mohammed Hosni Mubarak, as well as Foreign Minister Amre Mahmoud Moussa and other leaders of the Egyptian Government, were here in Washington for meetings with the administration and with Members of Congress. I was one of the Members who welcomed President Mubarak and his delegation at a lunch hosted by the Committee on International Relations.

As always, President Mubarak and Foreign Minister Moussa were gracious and frank in their discussion on a whole range of issues involving the relationship between the United States and Egypt. One issue which deserves particular attention, however, is the issue of anti-Semitism in the Egyptian press.

Shortly before President Mubarak arrived in the United States, the Anti-Defamation League [ADL] issued an excellent report ''Anti-Semitism in the Egyptian Media.'' This report was another outstanding example of the kind of work that the ADL does in fighting racism and anti-Semitism here in America and around the world. At our meeting with President Mubarak, I presented him with a copy of this report and indicated to him my serious concerns about its disturbing findings.

President Mubarak responded that the Egyptian press was a free press, and even the Government media were quite independent. I told both the President and Foreign Minister Moussa that the press in Egypt is far from being truly free and independent. The moral authority of the President and the political, economic, and ethical leverage which the Government can exercise could go a long way to discourage and diminish the anti-Semitism that appears so frequently throughout the Egyptian press.

President Mubarak gave me a copy of the Egyptian Government response to the ADL study, in which was included a collection of Israeli cartoons which were considered offensive to Egypt. There is, however, a significant difference. The Egyptian cartoons are patently anti-Semitic—vicious racial stereotypes of Jews appear and there are a number of cartoons in which the Star of David is transformed into the Nazi swastika. The Israeli cartoons are very much like the political cartoons we see here in the United States—Egyptian leaders are portrayed in caricatures and the cartoons satirize policies much as Herblock or Oliphant would do here. There are no racist stereotypes, there are no anti-Muslim overtones to the cartoons.

Mr. Speaker, as I told President Mubarak, peace must be won in the minds of the people—the Egyptian people must accept the Israelis if there is to be real peace in the Middle East. People must come to accept the right of the Jews to live in the land of Israel. These anti-Semitic cartoons do not create the climate that is essential for a lasting peace. I strongly urged the President to use his enormous prestige and moral authority to bring an end to this kind of racism.

Mr. Speaker, I ask that the column of Stephen S. Rosenfeld from the March 14 issue of the Washington Post be placed in the RECORD. Mr. Rosenfeld also met with the Egyptian President as I did and his reaction was much the same as mine. I urge my colleagues to read carefully this article.

[From the Washington Post, Mar. 14, 1997]

THE WAR OF THE CARTOONS

(By Stephen S. Rosenfeld)

At breakfast in Blair House I asked President Hosni Mubarak of Egypt about those terrible antisemetic cartoons that for years have adorned the government-controlled Cairo press. The Anti-Defamation League had greeted him on this visit with a booklet and a challenge in a New York Times ad, and it seemed to me a good time to hear how the government that has led the Arab world in reconciling with Israel deals with the seemingly contradictory policy of perpetuating those vicious images.

Mubarak is rough and affable in an officers' mess style, an old hand at engaging with the foreign press. He looks you right in the eye, and plainly he was ready for the question. He said in essence that Egypt has a press law and he does not control the press, that he is himself criticized in the press and that he had advised editors not to get personal in dealing with Israel but to stick to criticism of official Israeli policies. He batted away my attempt to induce him to say whether the Egyptian press meets that excellent standard.

At one point in the discussion, he signaled to an aide who left the room and quickly came back with an exhibit so similar in format to the ADL attack booklet that it was almost amusing. Mubarak had suggested that the Egyptian press was merely indulging a type of criticism familiar in the Israeli press. He now handed me a sheaf of cartoons from both English- and Hebrew-language papers in Israel.

The war of the cartoons may not seem very compelling at a moment when the whole structure of Arab-Israeli peace-seeking trembles on a knife's edge. Consider, however, that one important reason why the process is so precariously perched lies exactly in the fact that it is vulnerable to the popular sentiments evoked in those cartoons, especially the Egyptian ones.

The Egyptian cartoons have what is to a Western eye an unmistakably racist content. They rely on crude physical and cultural stereotypes of Jews, and they drape Israeli officials with Nazi swastikas. These images and accusations, says the ADL report on ''Anti-Semitism in the Egyptian Media,'' are to be found in words but most flagrantly in political cartoons which, ''often boldly displayed on newsstands, can inflame passions in a country where illiteracy is significant and where young people may not read the newspapers, but obtain a clear and distorted impression of Jews from the illustrations.''

Mubarak cannot be taken literally when he claims that the Egyptian press is independent and that its independence absolves him of responsibility for its enthusiasms. There can be a discussion only over whether particular parts of the Cairo press are best described as ''tame,'' ''government-owned'' or ''-controlled'' or ''semi-official.'' Egypt, for all the sophistication of many in its elite, remains one of those countries where editors get to massage major media themes with the president over coffee. A shrewd Third World leader like Mubarak would hardly ignore the capability his press gives him to conduct a certain second line of public diplomacy based on the domestic mass media to complement the first line conducted at the foreign office.

It is sobering to consider that no matter how often he is reminded that the cartoons measurably shrivel Israeli readiness for compromise and accommodation, Mubarak still lets them run. He does so apparently in order to appease hard-liners at home and in the Arab world. It is pale comfort to be told that many Arabs don't think those cartoons are all that abusive anyway and that Egypt is actually something of an island of tolerance in the larger Arab sea.

The Israeli cartoons have what is to a Western eye an unmistakably political content. The Egyptian information ministry's booklet describes them, in this instance fairly, as ''Israeli Caricatures of Egyptian Policy.'' Caricatures they are, strong and abrasive but not racial attacks on Arabs. It is foolish to claim there is no trace of racialism in Israeli attitudes toward Arabs. But if you are looking for it on these pages chosen by Arab officials, you will not find it.

An Egyptian cartoon from Ros al-Yusuf of last Sept. 9 depicts an Israeli soldier bedecked in a Nazi flag. An Israeli cartoon in Maariv of Oct. 29 shows Mubarak unleashing a press attack on Israeli Prime Minister Binyamin Netanyahu.

An American journalist has to be sensitive to the booby traps that imperil any effort to distinguish objectionable ''racist'' cartoons in one place from acceptable ''political'' ones in another. Such an effort cannot be used either to spare Israeli criticism for its policies or to rationalize censorship practices in Egypt. But the fact is there is an antisemitic strain on public view in Egyptian society and in the media. It is appalling in its own right and it does harm to constructive public policies. Rather than allowing it to go on, responsible Egyptian authorities ought to be repudiating it without equivocation.

ANCHOR CONNECTION'S HEROISM ON THE FRONT LINES OF AMERICA'S DRUG WAR IS RIGHTFULLY HONORED

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1997

Mr. SMITH of New Jersey. Mr. Speaker, it is all too easy to get discouraged when reading the latest statistics showing that marijuana and heroin use among teenagers has skyrocketed over the last 5 years. Day after day, it seems that our media reports are filled with reports of violence; depression, and lost opportunities. Yet as a counter-balance against these reports, I am encouraged to share the experience and success of the Anchor Connection in Trenton, NJ.

Anchor Connection is a specialized program operated within the Anchor House, a nationally recognized basic service center for runaway and homeless youth, and has served the residents of central New Jersey since 1979. The Anchor House also operates a Transitional Living Program, which helps reduce drug abuse by teaching independent living skills to troubled teens.

I am proud that Anchor Connection is being honored today for its hard work by three of our

Nation's top drug prevention organizations at the Federal level: Gen. Barry McCaffrey, Director of the Office of National Drug Control Policy, Nelba Chavez, Ph.D., Administrator of the Department of Health and Human Services' Substance Abuse and Mental Health Services Administration [SAMHSA], and Stephania O'Neill, Acting Director of the Center for Substance Abuse Prevention [CSAP].

Anchor Connection's outreach director, Heidi Camerlengo, and their drug prevention counselor, Ann Suabedissen, are doing marvelous and critical work in Mercer County and have earned our Nation's collective applause today. Anchor Connection, as the only comprehensive alcohol, tobacco, and other drug [ATOD] prevention program for runaway and homeless youth in central New Jersey, saw over 800 youth and families last year to help them resist the deadly allure of drugs and alcohol.

These children stayed in the custody of Anchor Connection for an average of 6 to 8 months, where they were introduced to Anchor House's enormously successful family of comprehensive programs that help troubled runaway youths. Anchor Connection's programs include resistance skills education and social skills training so that these teens can adapt and cope with life's day-to-day problems without having to resort to illicit substances of alcohol.

Their programs also provide transportation to needed services within the community, drug and alcohol screening, as well as life, education, and job skills training. This is in keeping with the idea that people who lack these basic life skills are more likely to succumb to the temptation of drugs. Through these programs, Anchor Connection enables these teens to adapt more readily for a normal, drug-free life.

Anchor Connection also conducts community awareness and education seminars to get the facts out about drug and alcohol abuse, and conduct individual, group, and family counseling to help those whose lives are directly touched and affected by our Nation's drug epidemic.

This overall approach has paid big dividends to the troubled kids and teens of Mercer County. Anchor Connection boasts a drug-reduction rate of at least 25 percent for children who remain with the program for 12 months. Heidi Camerlengo has estimated that the program has an 80-percent success rate in reducing drug use and getting the youth participants interested in school and other activities.

Another important aspect of Anchor Connection's drug prevention program is its individual written service plan, which helps young persons understand and achieve set goals. Since the program has a focus on runaway youths, it actively gets involved in resolving family conflicts. Where possible, it encourages family reunification, and where this is not a viable option, Anchor Connection will place children into foster care or other families.

I have been a longtime supporter and advocate for the Anchor House and its family of runaway youth programs, including the Drug and Alcohol Prevention Program run by Anchor Connection, as well as the Transitional Living Program administered by the Anchorage. Over the years, I have been honored to author many letters of support and have followed-up with the key Federal officials who administer Federal grant programs. Given the solid record of accomplishment they have built for themselves, Anchor House and Anchor Connection have proven that every cent of Federal support they have earned has been well worth the investment in our children.

In conclusion, Mr. Speaker, let me say that the employees and volunteers at Anchor Connection have every right to be proud and gratified by this national award today. Today's award honors not only Mercer County's successes, but all the heroes across America who work in obscurity and anonymity on the front lines and in the trenches of America's war on drugs. These are the heroes who are out there on the streets of America day and night saving our children from the scourge of drugs one kid at a time. When the fanfare from today's ceremony ends, their quiet, patient task of rebuilding and repairing lives will go on. The hope and promise of a drug-free America that Anchor Connection has amply demonstrated in 1996, is and should be inspiration to teachers, parents, and students everywhere. It is right and fitting that we honor their arduous efforts and successes today.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, March 18, 1997, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 19

9:00 a.m.
Judiciary
Technology, Terrorism, and Government Information Subcommittee
To hold hearings to examine Internet crimes affecting consumers.
SD–226

9:30 a.m.
Armed Services
Strategic Forces Subcommittee
To resume hearings in open and closed session on proposed legislation authorizing funds for fiscal year 1998 for the Department of Defense and the future years defense program, focusing on Department of Energy weapons programs.
SR–222

Budget
To hold a meeting to discuss various budget proposals for fiscal year 1998.
SD–608

Commerce, Science, and Transportation
Communications Subcommittee
To hold hearings to examine the Federal Communications Commission implementation of the Telecommunications Act of 1996, focusing on efforts to implement universal telephone service reform and FCC proposals to assess new per-minute fees on Internet service providers.
SR–253

Environment and Public Works
Transportation and Infrastructure Subcommittee
To resume hearings on proposed legislation authorizing funds for programs of the Intermodal Surface Transportation Efficiency Act, focusing on environmental programs and statewide and metropolitan planning.
SD–406

Labor and Human Resources
To hold hearings to examine proposals to reform the operation of the Food and Drug Administration.
SD–430

Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs on the legislative recommendations of the Disabled American Veterans.
345 Cannon Building

10:00 a.m.
Appropriations
Defense Subcommittee
To hold closed hearings to review proposed budget estimates for fiscal year 1998 for the intelligence community.
S–407, Capitol

Armed Services
Acquisition and Technology Subcommittee
To hold hearings to review the status of acquisition reform in the Department of Defense.
SR–418

Finance
To hold hearings on improving Medicare choices.
SD–215

Joint Economic
To hold hearings to examine the problems of the current automobile insurance system and how American motorists could benefit from reform of the industry.
2226 Rayburn Building

11:00 a.m.
Small Business
Business meeting, to mark up S. 208, to provide Federal contracting opportunities for small business concerns located in historically underutilized business zones.
SR–428A

2:00 p.m.
Appropriations
Commerce, Justice, State, and the Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Securities and Exchange Commission.
S–146, Capitol

Armed Services
SeaPower Subcommittee
To hold hearings on proposed legislation authorizing funds for fiscal year 1998 for the Department of Defense and the future years defense program.
SR–222

Armed Services
Readiness Subcommittee
To hold hearings on proposed legislation authorizing funds for fiscal year 1998 for the Department of Defense and the future years defense program, focusing on military readiness accounts.
SR–232A

Commerce, Science, and Transportation
To hold hearings on S. 377, to promote electronic commerce by facilitating the use of strong encryption.
SR–253

Judiciary
To hold hearings to examine efforts by private individuals, community organizations, and religious groups to prevent juvenile crime.
SD–226

MARCH 20

9:00 a.m.
Agriculture, Nutrition, and Forestry
To resume hearings on proposed legislation authorizing funds for agricultural research.
SR–332

9:30 a.m.
Appropriations
Energy and Water Development Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for atomic energy defense activities of the Department of Energy.
SD–124

Commerce, Science, and Transportation
Surface Transportation and Merchant Marine Subcommittee
To hold hearings on S. 414, to amend the Shipping Act of 1984 to encourage competition in international shipping and growth of United States imports and exports.
SR–253

Energy and Natural Resources
To resume hearings to examine issues with regard to competitive change in the electric power industry.
SD–106

Governmental Affairs
Oversight of Government Management and The District of Columbia Subcommittee
To hold hearings to examine the role of the Department of Commerce in United States trade policy, promotion and regulation, and opportunities for reform and consolidation.
SD–342

Rules and Administration
To hold oversight hearings to review the operations and budget of the Congressional Research Service and the Library of Congress.
SR–301

Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs on the legislative recommendations of AMVETS, the American Ex-Prisoners of War, the Veterans of World War I, and the Vietnam Veterans of America.
345 Cannon Building

10:00 a.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Education.
SD–192

Appropriations
Transportation Subcommittee
To hold hearings on the implications of the proposed acquisition of Conrail by CSX Corporation.
SD–192

Armed Services
To resume hearings on proposed legislation authorizing funds for fiscal year 1998 for the Department of Defense and the future years defense program, focusing on Department of Energy national security programs and to review environmental management activities.
SR–222

Finance
To continue hearings on improving Medicare choices.
SD–215

Labor and Human Resources
To resume hearings on proposed legislation authorizing funds for programs of the Higher Education Act.
SD–430

Joint Economic
To hold hearings to examine the current economic outlook and monetary policy.
2175 Rayburn Building

10:30 a.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for international narcotics, crime and law enforcement.
SD–138

Judiciary
Business meeting, to consider pending calendar business.
SD–226

2:00 p.m.
Appropriations
Commerce, Justice, State, and the Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the United Nations.
S–146, Capitol
Energy and Natural Resources
National Parks, Historic Preservation, and Recreation Subcommittee
To resume hearings to examine the future of the National Park System and to identify and discuss the needs, requirements, and innovative programs that will insure the Park Service will continue to meet its responsibilities well into the next century.
SD–366

MARCH 21

11:00 a.m.
Commission on Security and Cooperation in Europe
To hold a briefing on prospects for elections, reintegration, and democratization in Croatia.
2200 Rayburn Building

APRIL 8

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Environmental Protection Agency.
SD–138

10:00 a.m.
Appropriations
Agriculture, Rural Development, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Farm Service Agency, the Foreign Agricultural Service, and the Risk Management Agency, Department of Agriculture.
SD–124

2:00 p.m.
Appropriations
Commerce, Justice, State, and the Judiciary Subcommittee
To hold hearings to examine child pornography issues.
S–146, Capitol

APRIL 9

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for Navy and Marine Corps programs.
SD–192

APRIL 10

9:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Bureau of Indian Affairs of the Department of the Interior and Indian gaming activities.
SD–124

10:00 a.m.
Appropriations
Commerce, Justice, State, and the Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Immigration and Naturalization Service, Federal Bureau of Investigation, and the Drug Enforcement Administration.
S–146, Capitol
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Transportation
SD–192

APRIL 15

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Housing and Urban Development.
SD–138

10:00 a.m.
Appropriations
Agriculture, Rural Development, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Rural Utilities Service, the Rural Housing Service, the Rural Business-Cooperative Service, and the Alternative Agricultural Research and Commercialization Center, all of the Department of Agriculture.
SD–124

2:00 p.m.
Appropriations
Commerce, Justice, State, and the Judiciary Subcommittee
To hold hearings on counter-terrorism issues.
S–146, Capitol

APRIL 16

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of the Army.
SD–192
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Transportation.
SD–124

2:00 p.m.
Appropriations
Commerce, Justice, State, and the Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Federal Communications Commission.
S–146, Capitol

APRIL 17

9:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Forest Service of the Department of Agriculture.
SD–192

1:30 p.m.
Appropriations
Commerce, Justice, State, and the Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Supreme Court of the United States and the Judiciary.
S–146, Capitol

APRIL 22

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the National Science Foundation and the Office of Science and Technology Policy.
SD–192
Appropriations
Energy and Water Development Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Environmental Management Program of the Department of Energy.
SD–124

10:00 a.m.
Appropriations
Agriculture, Rural Development, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Agricultural Research Service, the Cooperative State Research, Education, and Extension Service, the Economic Research Service, and the National Agricultural Statistics Service, all of the Department of Agriculture.
SD–138

APRIL 23

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Defense, focusing on medical programs.
SD–192

APRIL 24

9:30 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the National Endowment for the Arts/National Endowment for the Humanities.
SD–192
Appropriations
Energy and Water Development Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Corp of Engineers and the Bureau of Reclamation, Department of the Interior.
SD–124

APRIL 29

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Veterans Affairs.
SD–138

10:00 a.m.
Appropriations
Agriculture, Rural Development, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Commodity Futures Trading Commission, and the Food and Drug Administration, Department of Health and Human Resources.
SD–124

APRIL 30

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Defense, focusing on the structure and modernization of the National Guard.
SD–192

MAY 1

9:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of the Interior.
SD–192

MAY 6

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the National Aeronautics and Space Administration.
SD–138

MAY 7

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Defense.
SD–192

MAY 14

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Defense, focusing on environmental programs.
SD–192

MAY 21

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Defense, focusing on Air Force programs.
SD–192

JUNE 4

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Defense.
SD–192

JUNE 11

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Defense.
SD–192

CANCELLATIONS

MARCH 18

10:00 a.m.
Commerce, Science, and Transportation
Business meeting, to consider pending calendar business.
SR–253

MARCH 19

9:30 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings to examine international aviation and United States-United Kingdom bilateral agreements.
SR–253

Daily Digest

HIGHLIGHTS

(Today's publication of the Daily Digest marks the 50th anniversary of its first issue)

Senate

Chamber Action

Routine Proceedings, pages S2337–S2376

Measures Introduced: Eight bills and one resolution were introduced, as follows: S. 448–455, and S. Con. Res. 12. **Page S2356**

Independent Counsel: Senate resumed consideration of S.J. Res. 22, to express the sense of the Congress concerning the application by the Attorney General for the appointment of an independent counsel to investigate allegations of illegal fundraising in the 1996 Presidential election campaign. **Pages S2344–49, S2354**

Senate will continue consideration of the resolution on Tuesday, March 18, 1997.

Appointments:

National Civil Aviation Review Commission: The Chair, on behalf of the Majority Leader, pursuant to Public Law 104–264, appointed Senator Pressler and Richard E. Smith, Jr., of Mississippi to the National Civil Aviation Review Commission. **Page S2376**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting the notice relative to the emergency with respect to Iran; referred to the Committee on Banking, Housing, and Urban Affairs. (PM–22). **Pages S2354–55**

Messages From the President: **Pages S2354–55**

Messages From the House: **Page S2356**

Measures Read First Time: **Page S2356**

Communications: **Page S2356**

Statements on Introduced Bills: **Pages S2356–74**

Additional Cosponsors: **Pages S2374–75**

Notices of Hearings: **Page S2375**

Additional Statements: **Pages S2375–76**

Adjournment: Senate convened at 12 noon, and adjourned at 4:28 p.m., until 10 a.m., on Tuesday, March 18, 1997. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2376.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Bills Introduced: 6 public bills, H.R.1083–1088, were introduced. **Pages H1039–40**

Reports Filed: Reports were filed as follows:

H.R. 929, to amend title 18, United States Code, to ban partial-birth abortions, amended (H. Rept. 105–24, filed on March 14);

H.R. 672, to make technical amendments to certain provisions of title 17, United States Code, amended (H. Rept. 105–25);

H.R. 908, to establish a Commission on Structural Alternatives for the Federal Courts of Appeals (H. Rept. 105–26);

H.R. 927, to amend title 28, United States Code, to provide for appointment of United States marshals by the Attorney General (H. Rept. 105–27);

H.R. 924, to amend title 18, United States Code, to give further assurance to the right of victims of crime to attend and observe the trials of those accused of the crime, amended (H. Rept. 105–28);

H.R. 514, to permit the waiver of District of Columbia residency requirements for certain employees of the Office of the Inspector General of the District of Columbia, amended (H. Rept. 105–29);

H. Res. 91, providing amounts for the expenses of certain committees of the House of Representatives in the One Hundred Fifth Congress, amended (H. Rept. 105–30). **Page H1039**

National Civil Aviation Review Commission: The Speaker announced his appointment of Mr. John J. O'Connor of Philadelphia, Pennsylvania and Mr. D. Scott Yohe of Washington, D.C. to the National Civil Aviation Review Commission. Subsequently, read a letter from the Democratic Leader wherein he appointed Col. Leonard Griggs (retired) of Chesterfield, Missouri and Mr. John O'Brien of Lovettsville, Virginia to the commission. **Page H1021**

Presidential Message—National Emergency re Iran: Read a message from the President wherein he transmitted his report concerning the National Emergency with respect to Iran. Referred to the Committee on International Relations and ordered printed (H. Doc. 105–53). **Pages H1021–23**

Quorum Calls—Votes: No quorum calls or recorded votes developed during the proceedings of the House today.

Adjournment: Met at 2:00 p.m. and adjourned at 4:05 p.m.

Committee Meetings

No Committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, MARCH 18, 1997

Senate

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry, to resume hearings on proposed legislation authorizing funds for agricultural research, 9 a.m., SR–332.

Committee on Appropriations, Subcommittee on VA, HUD, and Independent Agencies, to hold hearings on proposed budget estimates for fiscal year 1998 for the Federal Emergency Management Agency, 9:30 a.m., SD–562.

Subcommittee on Energy and Water Development, to hold hearings on proposed budget estimates for fiscal year 1998 for energy research programs of the Department of Energy, 9:30 a.m., SD–124.

Subcommittee on Agriculture, Rural Development, and Related Agencies, to hold hearings on proposed budget estimates for fiscal year 1998 for the Natural Resources Conservation Service, Department of Agriculture, 10 a.m., SD–138.

Committee on Armed Services, to resume hearings on proposed legislation authorizing funds for the Department of Defense and the future years defense program, focusing on the unified commands military strategies and operational requirements, 10 a.m., SR–222.

Committee on Banking, Housing, and Urban Affairs, business meeting, to mark up S. 318, to require automatic cancellation and notice of cancellation rights with respect to private mortgage insurance which is required by a creditor as a condition for entering into a residential mortgage transaction, and to consider the nominations of Yolanda Townsend Wheat, of Missouri, to be a Member of the National Credit Union Administration Board, Jeffrey A. Frankel, of California, to be a Member of the Council of Economic Advisers, Charles A. Gueli, of Maryland, to be a Member of the Board of Directors of the National Institute of Building Sciences, and Susan R. Baron, of Maryland, to be a Member of the National Corporation for Housing Partnerships, 3 p.m., SD–538.

Committee on Commerce, Science, and Transportation, Subcommittee on Oceans and Fisheries, to hold hearings on proposed legislation authorizing funds for fiscal year 1998 for the United States Coast Guard, 2:30 p.m., SR–253.

Committee on Environment and Public Works, to hold hearings on proposals to authorize state and local governments to enact flow control laws and to regulate the interstate transportation of solid waste, 9:30 a.m., SD–406.

Committee on Foreign Relations, Subcommittee on East Asian and Pacific Affairs, to hold hearings on issues facing China in the post Deng era, 10 a.m., SD–419.

Committee on the Judiciary, to hold hearings on pending nominations, 2:30 p.m., SD–226.

Committee on Labor and Human Resources, to resume mark up of S. 4, to provide private sector employees the same opportunities for time-and-a-half compensatory time off, biweekly work programs, and flexible credit hour programs to help balance the needs of work and family, and to clarify the provisions relating to exemptions of certain professionals from the minimum wage and overtime requirements of the Fair Labor Standards Act of 1938, and to consider pending nominations, 9 a.m., SD–430.

Full Committee, to hold hearings on the nomination of Alexis M. Herman, of Alabama, to be Secretary of Labor, 2 p.m., SD–430.

Select Committee on Intelligence, to resume hearings on the nomination of Anthony Lake, of Massachusetts, to be Director of Central Intelligence, 10 a.m., SH–216.

NOTICE

For a listing of Senate committee meetings scheduled ahead, see pages E490–92 in today's Record.

House

Committee on Agriculture, hearing to review Agriculture Trade into the 21st century, 9:30 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Federal Drug Administration and Related Agencies, on Departmental Administration; Office of the Chief Financial Officer, 1 p.m., and on Congressional and public witnesses, 4 p.m., 2362A Rayburn.

Subcommittee on Commerce, Justice, State and Judiciary, on Department of Commerce; International Trade Administration/International Trade Commission, 2 p.m., H–309 Capitol.

Subcommittee on Interior, on Geological Survey, 10 a.m., and on Secretary of Energy, 2 p.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, and Education, on National Institute of Mental Health and National Institute of Aging, 10 a.m., and on National Institute of Neurological Disorders and Stroke and on National Institute of General Medical Sciences, 2 p.m., 2358 Rayburn.

Subcommittee on Transportation, on the FAA, 10 a.m., 2358 Rayburn.

Subcommittee on Treasury, Postal Service, and General Government, on National Archives, 10 a.m., 2360 Rayburn.

Subcommittee on VA, HUD and Independent Agencies, on Department of Housing and Urban Development, 2 p.m., 2360 Rayburn.

Committee on Banking and Financial Services, hearing on H.R. 607, Homeowners Insurance Protection Act; and to consider the Committee Budget Views and Estimates for Fiscal Year 1998 for transmission to the Committee on the Budget, 2 p.m., 2128 Rayburn.

Committee on Commerce, Subcommittee on Health and Environment, hearing on reauthorization of the Substance Abuse and Mental Health Services Act (SAMSHA), 10 a.m., 2123 Rayburn.

Committee on Education and the Workforce, Subcommittee on Employer-Employee Relations, hearing on mandatory union dues, 9:30 a.m., 2175 Rayburn.

Committee on Government Reform and Oversight, Subcommittee on Human Resources, to continue oversight hearings on the Department of Health and Human Services and the Department of Veterans' Affairs: Mission, Management, and Performance, 10 a.m., 2247 Rayburn.

Committee on International Relations, Subcommittee on International Economic Policy and Trade, hearing to review the Overseas Private Investment Corporation, Authorize, Privatize, Reform, or Terminate? 2:30 p.m., 2237 Rayburn.

Subcommittee on International Operations and Human Rights, hearing on Foreign Relations Authorization for FY 1998–99: International Organizations and Conferences, 1:30 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on the Constitution, hearing on H.J. Res. 62, proposing an amendment to the Constitution of the United States with respect to tax limitation, 9:30 a.m., 2237 Rayburn.

Committee on National Security, Subcommittee on Military Installations and Facilities, hearing on current implementation issues in the base realignment and closure process, 2 p.m., 2212 Rayburn.

Subcommittee on Military Procurement, hearing on the New Attack Submarine Program, 2 p.m., 2118 Rayburn.

Subcommittee on Military Readiness, hearing on depot-level maintenance issues. 10 a.m., 2118 Rayburn.

Committee on Resources, Subcommittee on Forests and Forest Health, oversight hearing on Management of our Nation's forests and criteria for determining healthy forests, 2 p.m., 1324 Longworth.

Committee on Rules, to consider H.R. 1, Working Families Flexibility Act of 1997, and the Committee Budget Views and Estimates for Fiscal Year 1998 for transmission to the Committee on the Budget, 1:30 p.m., H–313 Capitol.

Committee on Science, Subcommittee on Basic Research, hearing on fiscal year 1998 Authorization of the United States Fire Administration, 10 a.m., 2325 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Railroads, hearing on ISTEA Rail Infrastructure Programs, 2 p.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Health, to mark up the following bills: H.R. 1001, to extend the term of appointment of certain members of the Prospective Payment Assessment Commission and the Physician Payment Review Commission; and H.R. 1003, a bill to clarify Federal Law with respect to restricting the use of Federal funds in support of assisted suicide, 5 p.m., B–318 Rayburn.

Subcommittee on Oversight, hearing on IRS Budget for fiscal year 1998 and the 1997 Tax Return Filing Season, 11 a.m., B–318 Rayburn.

Subcommittee on Trade, hearing on U.S. Trade Policy Objectives and Initiatives, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, hearing on the Budget-Technical Intelligence: Requirements, Collection, Processing and Exploitation, 10 a.m., H–405 Capitol.

Next Meeting of the SENATE

10 a.m., Tuesday, March 18

Senate Chamber

Program for Tuesday: After the recognition of three Senators for speeches and the transaction of routine morning business (not to extend beyond 11:30 a.m.), Senate will resume consideration of S.J. Res. 18, proposed Constitutional amendment allowing Congress and the States to regulate contributions and expenditures in elections, with a vote to occur thereon at 2:45 p.m., following which Senate will resume consideration of S.J. Res. 22, relating to the appointment of an independent counsel.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Tuesday, March 18

House Chamber

Program for Tuesday: Consideration of 5 Suspensions:

1. H.R. 924, Victim Allocution Clarification Act of 1997;
2. H.R. 927, U.S. Marshals Improvement Act;
3. H.R. 672, Technical Amendments to Copyright Laws;
4. H.R. 514, District of Columbia Inspector General Improvement Act of 1997; and

Consideration of H.R. 412, Oroville-Tonasket Claim Settlement Act (open rule, 1 hour of debate).

NOTE: No votes are expected before 5 p.m.

Extensions of Remarks, as inserted in this issue

HOUSE

Bonior, David E., Mich., E484, E485
Combest, Larry, Tex., E487
Hyde, Henry J., Ill., E486, E487
Kanjorski, Paul E., Pa., E484, E486
Lantos, Tom, Calif., E486, E488
Lewis, Jerry, Calif., E483, E485, E486
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Ros-Lehtinen, Ileana, Fla., E487
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Towns, Edolphus, N.Y., E487
Walsh, James T., N.Y., E484, E485

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