

HOUSE OF REPRESENTATIVES—Tuesday, June 6, 1989

The House met at 12 noon.

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

With our words of praise, O gracious God, we offer this our prayer of thanksgiving and petition.

We are grateful for the traditions of this institution that provide opportunity for people to be nurtured in freedom and to experience the good liberties that we cherish as a society.

We give thanks, O God, for those individuals who have dedicated themselves and their abilities to do the things that make for justice in our land and in our world, who have used the means of government to encourage people to practice the blessed gift of reconciliation, so all people can learn to respect each other in the bonds of peace.

We place before You, loving God, the sincere petitions of our own hearts. May Your benediction be upon all who serve in this place that their sense of duty and spirit of honor in serving You and their country ever enable them to take pride in their calling and make them faithful in Your service.

Encourage each of us, O God, to use all the occasions of life to do justice, love mercy, and ever walk humbly with You, so that the good works done for the least among us will be blessings to the needy and pleasing in Your sight. This we pray. Amen.

THE JOURNAL

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

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

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

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

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 298, nays 107, not voting 28, as follows:

[Roll No. 72]

YEAS—298

Ackerman	Feighan	Lowey (NY)
Akaka	Fish	Luken, Thomas
Alexander	Flake	Manton
Anderson	Flipppo	Markley
Andrews	Foglietta	Martin (NY)
Annunzio	Foley	Martinez
Anthony	Ford (MI)	Matsui
Applegate	Ford (TN)	Mavroules
Archer	Frank	Mazzoli
Aspin	Frost	McCurdy
Atkins	Garcia	McDade
Barnard	Gaydos	McDermott
Bartlett	Geddeson	McEwen
Bateman	Gephardt	McHugh
Bates	Gillmor	McMillen (MD)
Bennett	Gilman	McNulty
Bereuter	Gingrich	Meyers
Berman	Glickman	Mfume
Bevill	Gonzalez	Miller (CA)
Bilbray	Gordon	Miller (WA)
Boggs	Gradison	Mineta
Bonior	Grant	Moakley
Borski	Gray	Mollohan
Bosco	Green	Montgomery
Boucher	Guarini	Moody
Boxer	Gunderson	Morella
Brennan	Hall (OH)	Morrison (CT)
Brooks	Hall (TX)	Morrison (WA)
Broomfield	Hamilton	Mrazek
Brown (CA)	Hammerschmidt	Murtha
Bruce	Harris	Myers
Bryant	Hatcher	Nagle
Bustamante	Hawkins	Natcher
Byron	Hayes (IL)	Neal (MA)
Callahan	Hayes (LA)	Neal (NC)
Campbell (CA)	Hefner	Nelson
Campbell (CO)	Henry	Nowak
Cardin	Hertel	Oakar
Carper	Hoagland	Oberstar
Carr	Hochbrueckner	Obey
Chapman	Horton	Olin
Clarke	Houghton	Ortiz
Clement	Hoyer	Owens (NY)
Coelho	Hubbard	Owens (UT)
Coleman (TX)	Huckaby	Packard
Combust	Hughes	Pallone
Conte	Hutto	Panetta
Conyers	Johnson (CT)	Parker
Cooper	Johnson (SD)	Patterson
Costello	Johnston	Payne (NJ)
Coyne	Jones (GA)	Payne (VA)
Crockett	Jones (NC)	Pease
Darden	Jontz	Pelosi
de la Garza	Kanjorski	Penny
DeFazio	Kaptur	Perkins
Dellums	Kasich	Petri
Derrick	Kastenmeier	Pickett
Dicks	Kennedy	Pickle
Dingell	Kennelly	Poshard
Dixon	Kildee	Price
Donnelly	Klecza	Quillen
Dorgan (ND)	Kolter	Rahall
Downey	Kostmayer	Rangel
Dreier	LaFalce	Ravenel
Duncan	Lancaster	Ray
Durbin	Lantos	Regula
Dwyer	Laughlin	Richardson
Dymally	Leath (TX)	Rinaldo
Dyson	Lehman (CA)	Robinson
Early	Lehman (FL)	Roe
Eckart	Lent	Rohrabacher
Edwards (CA)	Levin (MI)	Rose
Engel	Lewine (CA)	Rostenkowski
English	Lewis (GA)	Roth
Erdreich	Lipinski	Rowland (CT)
Evans	Livingston	Rowland (GA)
Fascell	Lloyd	Roybal
Fazio	Long	Russo

Sabo
Saiki
Sangmeister
Sarpalius
Savage
Sawyer
Saxton
Scheuer
Schiff
Schneider
Schulze
Schumer
Shaw
Shumway
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Smith (FL)

Smith (IA)
Smith (NE)
Smith (NJ)
Smith (VT)
Snowe
Solarz
Spratt
Staggers
Stark
Stearns
Stenholm
Stokes
Studds
Swift
Synar
Tallon
Tanner
Tauzin
Thomas (GA)
Torres
Torricelli
Towns

Traficant
Traxler
Unsoeld
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Walgren
Watkins
Weiss
Whitten
Williams
Wilson
Wise
Wolpe
Wyden
Wylie
Yates
Yatron

NAYS—107

Armey
AuCoin
Baker
Ballenger
Barton
Bentley
Bilirakis
Bilely
Boehert
Brown (CO)
Bunning
Burton
Chandler
Clay
Clinger
Coble
Coleman (MO)
Coughlin
Cox
Craig
Crane
Dannemeyer
DeLay
DeWine
Dickinson
Douglas
Edwards (OK)
Emerson
Fawell
Fields
Frenzel
Gallegly
Gekas
Goodling
Goss
Grandy
Hancock

Hansen
Hastert
Hefley
Herger
Hiler
Holloway
Hopkins
Hunter
Hyde
Inhofe
Jacobs
James
Kolbe
Kyl
Lagomarsino
Leach (IA)
Lewis (CA)
Lewis (FL)
Lightfoot
Cox
Lukens, Donald
Machtley
Madigan
Marlenee
Martin (IL)
McCandless
McCollum
McCrery
McGrath
Michel
Miller (OH)
Molinari
Moorhead
Murphy
Nielsen
Oxley
Pashayan
Paxon

Porter
Pursell
Rhodes
Roberts
Rogers
Schaefer
Schroeder
Sensenbrenner
Shays
Sikorski
Slaughter (VA)
Smith (MS)
Smith (TX)
Smith, Denny
(OR)
Smith, Robert
(NH)
Smith, Robert
(OR)
Solomon
Spence
Stangeland
Stump
Sundquist
Tauke
Thomas (CA)
Upton
Walker
Walsh
Weber
Weldon
Wheat
Whittaker
Wolf
Young (AK)
Young (FL)

NOT VOTING—28

Beilenson
Browder
Buechner
Collins
Courter
Davis
Dornan (CA)
Espy
Florio
Gallo

Gibbons
Ireland
Jenkins
Leland
Lowery (CA)
McCloskey
McMillan (NC)
Parris
Ridge
Ritter

Roukema
Schuette
Sharp
Stallings
Thomas (WY)
Udall
Vucanovich
Waxman

□ 1220

Mr. BATES and Mr. SAVAGE changed their vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will all Members rise and permit the Chair to lead us in the Pledge of Allegiance to our flag.

The Speaker, Mr. WRIGHT, 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.

ELECTION OF SPEAKER

The SPEAKER. Pursuant to the Speaker's announcement of Wednesday, May 31, 1989, the Chair will receive nominations for the Office of Speaker.

The Chair recognizes the gentleman from Pennsylvania [Mr. GRAY].

Mr. GRAY. Mr. Speaker, as chairman of the Democratic Caucus, I am directed by the unanimous vote of that caucus to present for election to the Office of the Speaker of the House of Representatives the name of the Honorable THOMAS S. FOLEY, a Representative from the State of Washington.

The SPEAKER. The Chair now recognizes the gentleman from California [Mr. LEWIS].

(Mr. LEWIS of California asked and was given permission to revise and extend his remarks.)

Mr. LEWIS of California. Mr. Speaker, as chairman of the Republican Conference, I am directed by the unanimous vote of that conference to present for election to the Office of the Speaker of the House of Representatives the name of the Honorable ROBERT H. MICHEL, a Representative from the State of Illinois.

Mr. Speaker, it is a time of great tribulation and turbulence as this House celebrates its 200th anniversary. Radical changes in the structure of power are always that. But it is a credit to the strength of this institution that in the midst of this upheaval, we are all joined together in the common goal of determining who will lead us.

BOB MICHEL, the Republican leader, is such a man. This man from the land of Lincoln will open the doors and let sunshine enter these hallowed halls. He knows that conducting the affairs of the Nation in the dark leads to blindness and a failure of vision.

No person in the history of the House has tasted the bitterness of being in the minority as often as BOB MICHEL. He will be in the "Guinness World Book of Records" one more time as, today, he is nominated for the sixth time for the speakership, by the Republican Conference.

BOB MICHEL knows these are times of great historical significance in the House. It is the changing of the guard that follows the revolutionary downfall of kings and princes. But he knows as well that in these events we have changed everything—and we have changed nothing. As Speaker he will fight for a more permanent change—reform of the House as an institution.

We as Republicans want reform, not revenge. We will help expunge corruption from the House wherever it exists—on either side of the aisle. We hold out this collective stance to our Democratic majority, the news media, and to the families and voters of America, as a model for responsible government.

BOB MICHEL is our choice for Speaker. He has earned the enthusiastic vote of every Representative in this House. By virtue of friendship and philosophy, he is entitled to the votes of dozens of our Democratic colleagues—and they know it.

If our system were somewhat different, he would be Prime Minister—and then the entire world would know his wonderful mix of common sense and decency that many of us take for granted.

Many see this time of upheaval as a time of great danger. BOB MICHEL sees it as a time of great opportunity—an opportunity to turn this House back to the people; to institute ethical and political accountability; to end the practice of spending taxpayer money on bills and programs in the dark; and to elevate campaign and ethics reform to the top of this body's agenda.

As Speaker, he would fight for a Republican agenda, of course. But he would also protect the rights of the Democratic Party. And he would allow any idea—liberal or conservative—to come before this body for a vote if it had merit. For that is part of his vision, as well.

Mr. Speaker, as chairman of the House Republican Conference, I am pleased to say that I have been directed by the unanimous vote of that conference to present for election to the Office of Speaker of the House of Representatives, the name of the Honorable ROBERT H. MICHEL, of Illinois.

The SPEAKER. The Honorable THOMAS S. FOLEY, a Representative from the State of Washington, and the Honorable ROBERT H. MICHEL, a Representative from the State of Illinois, have been placed in nomination.

Are there any further nominations?

There being no further nominations, the Chair will appoint tellers.

The Chair appoints the gentleman from Illinois [Mr. ANNUNZIO]; the gentleman from California [Mr. THOMAS]; the gentlewoman from Colorado [Mrs. SCHROEDER]; and the gentlewoman from Nebraska [Mrs. SMITH].

The tellers will come forward and take their seats at the desk in front of the Speaker's rostrum.

The roll will now be called, and those responding to their names will indicate by surname the nominee of their choice.

The reading clerk will now call the roll.

The tellers having taken their places, the House proceeded to vote for the Speaker.

The following is the result of the vote:

[Roll No. 73]

FOLEY—251

Ackerman
Akaka

Alexander
Anderson

Andrews
Annunzio

Anthony
Applegate
Aspin
Atkins
AuCoin
Barnard
Bates
Bennett
Berman
Bevill
Bilbray
Boggs
Bonior
Borski
Bosco
Boucher
Boxer
Brennan
Brooks
Browder
Brown (CA)
Bruce
Bryant
Bustamante
Byron
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clarke
Clay
Clement
Coelho
Coleman (TX)
Conyers
Cooper
Costello
Coyne
Crockett
Darden
de la Garza
DeFazio
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
Engel
English
Erdreich
Evans
Fascell
Fazio
Feighan
Flake
Flippo
Foglietta
Ford (MI)
Ford (TN)
Frank
Frost
Garcia
Gaydos
Gejdenson
Gephardt
Glickman
Gonzalez
Gordon
Gray
Hall (TX)
Hamilton

Harris
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefner
Hertel
Hoagland
Hochbrueckner
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Jacobs
Jenkins
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kostmayer
LaFalce
Lancaster
Lantos
Laughlin
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey (NY)
Luken, Thomas
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDermott
McHugh
McMillen (MD)
McNulty
Mfume
Miller (CA)
Mineta
Moakley
Mollohan
Montgomery
Moody
Morrison (CT)
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal (MA)
Neal (NC)
Nelson
Nowak
Oaker
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)

MICHEL—164

Boehlert
Broomfield
Brown (CO)
Bunning
Burton
Callahan
Campbell (CA)
Chandler
Clinger
Coble
Coleman (MO)
Combest
Conte
Coughlin
Cox
Craig
Crane
Dannemeyer
DeLay
DeWine
Dickinson
Douglas

Archer
Armey
Baker
Ballenger
Bartlett
Barton
Bateman
Bentley
Bereuter
Billirakis
Bliley

Dreier	Lewis (FL)	Saxton
Duncan	Lightfoot	Schaefer
Edwards (OK)	Livingston	Schiff
Emerson	Lowery (CA)	Schneider
Fawell	Lukens, Donald	Schulze
Fields	Machtley	Sensenbrenner
Fish	Madigan	Shaw
Frenzel	Marlenee	Shays
Galleghy	Martin (IL)	Shumway
Gekas	Martin (NY)	Shuster
Gillmor	McCandless	Skeen
Gilman	McCollum	Slaughter (VA)
Gingrich	McCrery	Smith (MS)
Goodling	McDade	Smith (NE)
Goss	McEwen	Smith (NJ)
Gradison	McGrath	Smith (TX)
Grandy	McMillan (NC)	Smith (VT)
Grant	Meyers	Smith, Denny
Green	Miller (OH)	(OR)
Gunderson	Miller (WA)	Smith, Robert
Hammerschmidt	Molinari	(NH)
Hancock	Moorhead	Smith, Robert
Hansen	Morella	(OR)
Hastert	Morrison (WA)	Snowe
Hefley	Myers	Solomon
Henry	Nielson	Spence
Herger	Oxley	Stangeland
Hiler	Packard	Stearns
Holloway	Pashayan	Stump
Hopkins	Paxon	Sundquist
Horton	Petri	Tauke
Houghton	Porter	Thomas (CA)
Hunter	Pursell	Thomas (WY)
Hyde	Quillen	Upton
Inhofe	Ravenel	Vander Jagt
Ireland	Regula	Walker
James	Rhodes	Walsh
Johnson (CT)	Rinaldo	Weber
Kasich	Ritter	Weldon
Kolbe	Roberts	Whittaker
Kyl	Rogers	Wolf
Lagomarsino	Rohrabacher	Wylie
Leach (IA)	Roth	Young (AK)
Lent	Rowland (CT)	Young (FL)
Lewis (CA)	Saiki	

ANSWERED "PRESENT"—2

Foley Michel

NOT VOTING—17

Beilenson	Espy	Parris
Buechner	Florio	Ridge
Collins	Gallo	Roukema
Courter	Gibbons	Schuette
Davis	Guarini	Vucanovich
Dornan (CA)	Hall (OH)	

□ 1300

The **SPEAKER**. The tellers agree in their tallies that the total number of votes cast is 417, of which the Honorable **THOMAS S. FOLEY**, of Washington, has received 251 and the Honorable **ROBERT H. MICHEL**, of Illinois, has received 164, with 2 voting "present."

Therefore, the Honorable **THOMAS S. FOLEY**, of Washington, is duly elected Speaker of the House of Representatives, having received a majority of the votes cast.

The Chair appoints the following committee to escort the Speaker-elect to the chair: The gentleman from Illinois [Mr. MICHEL], the gentleman from Pennsylvania [Mr. GRAY], the gentleman from California [Mr. LEWIS], the gentleman from Washington [Mr. DICKS], the gentleman from Washington [Mr. SWIFT], the gentleman from Washington [Mr. MORRISON], the gentleman from Washington [Mr. CHANDLER], the gentleman from Washington [Mr. MILLER], the gentleman from Washington [Mr. McDERMOTT], and the gentlewoman from Washington [Mrs. UNSOELD].

The committee will retire from the Chamber to escort the Speaker-elect to the chair.

□ 1310

The Doorkeeper announced the Speaker-elect of the House of Representatives of the 101st Congress, who was escorted to the chair by the committee of escort.

Mr. MICHEL. Mr. Speaker-elect, my colleagues, guests of the House.

Once again, I hold in my hand—temporarily, alas—a symbol of the authority of the Speaker of the House.

We are taught it is better to give than receive. I believe that. When it comes to Speaker's gavels, I have become distressingly expert at it, having now gone down to defeat for the sixth time on a straight party-line vote.

I look forward to the day when someone on the other side of the aisle learns the joys of such selfless behavior.

My colleagues, I know you are anxious to hear from the Speaker, but before formally presenting him to you, I would ask your forbearance that I might make a few comments of my own.

During the recent past we have taken part in a number of ceremonies commemorating the bicentennial of the House of Representatives.

We had a marvelous celebration on this floor in which many of us got the chance to say what we believe about this great institution.

But in a curious irony of history—some might say a tragedy of history—the very year in which we celebrated the great traditions and the glories of the House, it has been blighted by unprecedented crises, personal and institutional.

Today we have that rare, most precious and improbable of gifts—a second chance for comprehensive, bipartisan institutional reform that will set the course for a new century.

Let me turn to my friends on the other side of the aisle for a moment—and I hope that you will take what I have to say in the spirit in which it is intended.

First, no political party—no man or woman in the House, no faction, no ideology—has a monopoly on virtue. Human folly is an equal-opportunity employer.

No, there is no monopoly on virtue, but for over 35 years there has been a monopoly of power in the House.

Thirty-five years of uninterrupted power can act like a corrosive acid upon the restraints of civility and comity.

Those who have been kings of the Hill for so long may forget that majority status is not a divine right—and minority status is not a permanent condition.

At the heart of our crises are not personal faults of individual Members. After 32 years as a Member and over 40 years on the Hill, it is my belief that the personal integrity of the overwhelming number of Members of this institution is and has been as good or better than that of any group in our society—especially those who criticize the most. [Applause.]

I believe that the processes of the House, as established to deal with ethics cases, have to proceed.

The former Speaker said in his farewell address to the House that "this mindless cannibalism has got to stop."

Now, it is a catchy phrase, but the distinguished members of the committee on ethics, equally divided from both parties, are neither mindless nor cannibals. [Applause.]

In fact, it is their reasoned judgment, under extraordinary pressure, that stands between us and the cannibalism which the Speaker referred to.

I am all for putting an end to bitterness.

I am all in favor of putting our House in order—but we do not do so by sweeping things under the rug.

This House is in a convulsive state. We have experienced some really dark days, but I take heart in the strengths that are built into this institution to cope with the times.

I also take heart from the fact that **TOM FOLEY**, for whom I have the greatest admiration, will be the new Speaker and, yes, we are going to have our marked differences. That is the nature of this place, but that need not intrude upon the mutual respect and the trust that we have for one another as leaders.

TOM FOLEY, coming from the great Pacific Northwest, reminds me of the line of poetry that says:

"But westward, look, the land is bright."

Congratulations, Mr. Speaker-elect. Let me hand over to you this symbol of the great power and the great responsibilities you have just been given by the House.

Ladies and gentlemen of the House, what a privilege for me to present to you the new Speaker-elect of the House of Representatives.

[Applause, Members rising.]

□ 1320

The **SPEAKER**. Mr. Speaker, **BOB MICHEL**, my fellow Members, friends, guests, ladies and gentlemen, article I, section 2 of the Constitution of the United States states simply that the House of Representatives shall choose their Speaker and other officers. Those are simple words, but there are no simple words that can convey my deep gratitude to you for having chosen me to be the Speaker of this House.

It is also a great honor to be presented by the distinguished Republican leader and my good friend, Bob MICHEL. We have two great political parties that have nourished our political tradition and served it so well throughout our history. The Republican Party could not choose a more able or talented or distinguished a leader than the gentleman from Illinois [Mr. MICHEL]. [Applause.]

He would make a great Speaker himself, but I prefer him as the Republican leader.

Although I know and expect that BOB MICHEL will, as he has been in the past, be an outspoken leader and champion for his party, for its programs and its philosophy, I am confident that whatever disagreements arise between us over policy will never interfere with our friendship or with the deep and abiding respect I have for you, Bob. I look forward to working with you in a spirit of cooperation and increased consultation as we address the problems facing this House and the Nation.

It has been the proudest accomplishment of my life to represent the people of the Fifth Congressional District of Washington, and I must say a word of gratitude and thankfulness to them for having allowed me to serve for so many years in their behalf.

There are so many people to whom I am grateful, but first and foremost is my wife and my loving companion for 24 years, 21 years, will be 24. [Applause.]

No words can express my love and gratitude to you.

To my surviving mother and sister and love of my family, to the staff of all of the offices I have held here in the Congress for so many years who have been a part of everything that I have tried to do in public life, to my teachers, to my friends, to those who first inspired me to public service, most of all my father who convinced me that public service was a great trust and the highest possible calling; to those who gave me an opportunity for public service, to people like Henry M. Jackson and Warren G. Magnuson, who taught me that the public office can contribute so much to the public good. To the Speakers with whom I have served, John McCormack and Carl Albert and Tip O'Neill, who served longer than any Speaker of this House in continuous service, and to you, Mr. Speaker, because I believe that the great accomplishments of the last Congress will go down in history as a tribute to your leadership and dedication. [Applause.]

And to the great Republican leaders, Gerald R. Ford, who left this place to assume the Presidency of the United States as a healing President at a difficult time in our country's history. I was in the Democratic Cloakroom when Gerald Ford took the oath of

office as President of the United States. You may remember he asked the country to pray for him, and in the silence of the Democratic Cloakroom, a single voice said, "We will, Jerry. God bless you."

To John Rhodes, who I had the pleasure of seeing this last week, and to BOB MICHEL, with whom I look forward to the closest cooperation, and to all of you, all of my colleagues, who though you have different visions for the future of this country, share a common commitment to public service, a common concern for the public good, and a love of this House.

We are proud to call this the People's House, the fundamental institution of American democracy. Although it is not the oldest parliament in the world, it has existed longer as an independent, popularly elected legislature than any other in the history of mankind.

And as we watch the remarkable struggles of the Chinese people, as we see the growing aspirations of those in the Soviet Union and in Poland and elsewhere, we can take pride that the values that gave this institution its birth and have sustained it for 200 years now sweep round the world.

This body reflects most closely the Nation at large. It is not, as many have suggested, a fixed, unchangeable body. We have even been called the House of Lords. The fact of the matter is that there is constantly a refreshment from every part of the country as new Members come from all quarters, from every background, of every race and creed and color and commitment to serve here.

Since 1965, when I first came, 93 percent of this body have changed. Since 1974, 81 percent have changed, and in the years since 1980, fully 55 percent of the House has changed its membership.

We benefit by this infusion of new ideas, new personalities, new principles. But it remains ultimately the choice of the American electorate.

We need to strengthen this House. I do not share the views of some that we should attempt to tear it down. On the contrary, I think we must strengthen and build it. [Applause.]

And in that task I pledge to all of you, Democrats and Republicans, Members from every part of the country, that I understand the responsibility of the Speaker of the House, as other Speakers have understood it and practiced it, to be a responsibility to the whole House and to each and every individual Member, undivided by that center aisle. [Applause.]

I take great pride, as all of you do, in our public service. I have spent 25 years in the Congress, and it has been for me the great and abiding pride of my life. I believe that public service is a free gift of a free people, and a challenge for all of us in public life to do

what we can to make that service useful for those who have sent us here.

□ 1330

I am confident, as is BOB MICHEL, in the fundamental honesty and integrity of the Members who serve here. I believe the standard of public conduct is higher and the performance of that standard is better in this House today than at any other time in the history of our Nation. But questions must be discussed and answered.

I have asked BOB MICHEL to join with me in asking the bipartisan task force on ethics reform to report at an early date their recommendations to us and to the House so that the House may consider what recommendations they may make and other recommendations and proposals in this session of Congress this year.

I am a proud Democrat, but I appeal specifically to our friends on the Republican side that we should come together and put away bitterness and division and hostility. We need to debate public issues vigorously sometimes, even passionately sometimes, and decide for the country what should be done; but we need to debate and decide with reason and without rancor. I will do what I can, and every day that I serve in this office, to insure that the rights and privileges of each Member of the House are respected and to insure that the procedure is fair for all.

I applaud the desire of the President of the United States to work with the Congress and with both parties, and we extend, warmly, our offer of cooperation with him.

We have elections every 4 years, but we have one President at a time, and he who does not wish the President of the United States, President Bush, well is no friend of the Republic. We wish him well. We wish to work with him. We wish to serve the common interests of this country and its interests abroad.

A dozen years ago my great friend and yours, Thomas P. O'Neill, stood here to take the oath of office as Speaker for the first time. In his speech he reminded us in a paraphrased way of the words of Henry Clay, a great and former Speaker of the House. In promising to be prompt and impartial in deciding parliamentary questions, he pledged to be patient, good-tempered, and courteous toward individual Members. He pledged his best to employ the talent, the great talent of this House for full and fair consideration of those issues that come before it. He pledged in those moments of agitation from which no assembly is entirely exempt to remain cool and unshaken, gathering the permanent laws and rules of the House and guarding them from being sacri-

ficed to temporary passions, prejudices, or interests. I repeat that pledge.

You have bestowed upon me a great honor and a great responsibility. I will devote every ability I have to justify and maintain your confidence and the integrity of this House of Representatives and protect the rights and welfare of all Members so that we can fulfill our high responsibility in representing the people of this Nation.

With God's help, with your understanding and support, I am now prepared to take the oath of office.

[Applause, the Members rising.]

The SPEAKER-ELECT. Will the gentleman from Mississippi [Mr. WHITTEN] please come forward to administer the oath of office?

Mr. WHITTEN then administered the oath of office to Mr. FOLEY of Washington.

[Applause, the Members rising.]

NOTIFICATION TO SENATE OF ELECTION OF SPEAKER OF THE HOUSE OF REPRESENTATIVES

Mr. GRAY. Mr. Speaker, I offer a privileged resolution (H. Res. 166) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 166

Resolved, That a message be sent to the Senate to inform that body that Thomas S. Foley, a Representative from the State of Washington, has been elected Speaker of the House of Representatives.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO INFORM THE PRESIDENT OF THE UNITED STATES OF THE ELECTION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

Mr. GRAY. Mr. Speaker, I offer a privileged resolution (H. Res. 167) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 167

Resolved, That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected Thomas S. Foley, a Representative from the State of Washington, Speaker of the House of Representatives.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will receive 1-minute speeches at this time.

ENOUGH IS ENOUGH

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

Mr. KANJORSKI. Mr. Speaker, I rise today to call my colleagues' attention to an article that appeared in the Washington Post this morning and to express my feeling that enough is enough.

I rise as a Democrat, but I am rising in defense of a colleague on the other side of the aisle, the gentleman from Tennessee, Mr. JAMES QUILLEN.

The Washington Post today saw fit to attack this Member of the House of some 25 years of innuendo and inference, which is outrageous in tone and intimidation at its least.

I think that this House has to stand and take note that the media today is attempting to impede the actions of this Congress by insinuating that a reasonable act or a personal act by any Member to raise an amendment before this House and before the Committee on Rules, should be challenged as something of a conflict of interest.

□ 1340

I do not know the gentleman from Tennessee [Mr. QUILLEN] personally, but I have had the opportunity to serve with him for more than 4 years. It incenses me that we should allow any Member of this House to be intimidated by a press that is out to destroy this institution.

Mr. Speaker, I now realize what the Washington Post is after. It does not desire to improve this institution or this Government. It strives to have a place on the checkout counters of America's supermarkets.

PERSONAL EXPLANATION

Mr. GUARINI. Mr. Speaker, during Rollcall Vote No. 73 on election of the Speaker I was unavoidably detained on the Senate side. Had I been present I would have voted for the Honorable THOMAS S. FOLEY to be Speaker.

INTRODUCTION OF LEGISLATION TO COMPLETE BUFFALO BILL DAM PROJECT

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

Mr. THOMAS of Wyoming. Mr. Speaker, I am today introducing legislation to authorize appropriations for the completion of the construction of the Buffalo Bill Dam modification project which is underway near Cody, WY. The legislation would increase the Federal share of project costs from \$68.7 to \$80 million. The State of Wyoming is a cost-sharing sponsor for the modification project. The State is providing 50 percent of the funding

for construction of recreational facilities associated with the project.

The Buffalo Bill modification project is more than 60 percent complete. If the required increase in project cost ceiling is not approved, completion would be delayed.

An increase in appropriations will enable the citizens of the State of Wyoming and the Nation to realize the maximum benefits from the project, benefits which were not anticipated when project cost estimates were prepared in 1972.

We should not let this important project fall behind schedule, and that is precisely what will happen if we do not increase the Federal cost ceiling of this project by October 1, 1989. The State of Wyoming has already taken legislative action to increase its share from \$47 million to \$52 million. I urge that we take the action necessary to assure timely completion of this important project.

REPRESSION OF THE CHINESE PEOPLE

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

Mr. PRICE. Madam Speaker, I rise to protect in the strongest possible terms the senseless violence and brutality used by the Chinese government to repress the massive and peaceful prodemocracy demonstrations in that country.

It is deeply disappointing that the progress toward opening up Chinese society—in which that country's people, and all Americans, as friends of the Chinese people, have taken so much hope in recent years—has now been brutally reversed.

President Bush's public reaction, I regret to say, did not begin to express the outrage and horror that most of us feel. In particular, our Ambassador should have immediately been called home. I applaud the President's decision to cut off all military sales to China; it is unthinkable to continue such sales to a government engaged in the slaughter of its own people. I urge the consideration of broader economic sanctions, particularly in high-technology areas with national security implications.

It is also important to give every consideration to Chinese students in this country who may need to extend their visas. Many of these students have spoken out and demonstrated courageously in support of their compatriots back home, and they are entitled to our Government's understanding and help. I am privileged to have hundreds of such students studying in my district, and meeting with a group of these students yesterday brought

home fully the enormity of this tragedy to me.

LET US GET SERIOUS IN COMBATING FRAUD, WASTE, AND MISMANAGEMENT

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

Mr. LANCASTER. Madame Speaker, our national defense is under attack. The enemy operates behind the lines and is as destructive as any we have encountered. That enemy is fraud, waste, and abuse. Its perpetrators appear harmless enough. They are patriotic contractors who have stepped over the edge of greed. They are loyal civil servants who provide favors for a gratuity. Even our military become involved by confusing symbols of their authority with the trappings of royalty.

The damage is ruinous. The lives of our young men and women who honorably serve the Nation have been imperiled by shoddy equipment substituted for fit gear. Our freedom is at risk by weapons that simply do not perform. The will of our citizens to support their Government in providing for the common defense is crippled by story after story of waste and abuse of their hard earned tax dollars.

Mr. Speaker, I urge my colleagues to get behind an offensive against this enemy. Our declaration of war against defense fraud, waste, and abuse is H.R. 2361 and H.R. 2362, which strengthens the independence of the Department of Defense inspector general by providing a 10-year term of office; provides the inspector general with auditors and investigators to review defense contractors; and bolsters the auditors, investigators, and inspectors in each military department.

ELECTION PROCESS IN POLAND

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

Mr. COX. Madam Speaker, it was my privilege to witness over the last several days the elections in Poland. I returned at 4 o'clock this morning. It was a spectacular occurrence and I am convinced, as a result of this experience, that Poland is presently at the leading edge of change toward democracy within the Communist world.

I traveled to Warsaw, Krakow, and to Stalowa Wola, which is 100 kilometers from the Soviet border. I watched, literally, tens of thousands, ultimately millions of people turn out to vote for the first time in 40 years in an election that was by far the most free and the most fair that they have had the privilege of participating in. I want to reserve this judgment and this caution.

We ought to be sure that we focus on what this exercise was and what it was not. It was a first step. It was a tentative and cautious step toward democracy; however, it was not ultimately democracy. It was not ultimately free.

First, the Communists reserved 65 percent of the seats for themselves in the Sejm, the lower house of the parliament. As a result of this, Solidarity was not even able to compete. Second, Solidarity does not have access to the media. They were given only 7 minutes a day on radio and television in Krakow. Third, there was a great deal of violence that I witnessed as troops of the Polish government attacked demonstrators, most recently on the 16th, 17th, and 18th of May in front of the Soviet consulate. I would like to conclude by saying that members of Solidarity, when asked what ought to be the United States' foreign policy towards Poland, urged, that we not grant U.S. aid directly to the Communist government, but that we encourage our Government to pay attention to human rights in Poland, and that we encourage people-to-people contacts so that they can develop their own free enterprise system, creating new jobs, new opportunity, and ultimately, a new democracy for their country.

CHINESE GOVERNMENT'S DISGRACE

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

Mr. AUCCOIN. Madame Speaker, I watched the weekend's slaughter in Beijing with horror and anger. I condemn the Chinese Government for this unspeakable atrocity.

No one can say I haven't taken a constructive approach to China. I was the first Congressman to lead a trade mission to China. I worked against a two-China policy. I still believe there's only one China.

But today let me mince no words: that one China has disgraced itself.

I cannot believe the murderous brutality Chinese leaders inflicted on their own young people.

The Army's orders were to maximize the bloodshed. Automatic rifles just showed up in the dark and mowed people down. Tanks and bulldozers crushed human beings like insects.

The students came to Tiananmen Square armed with ideas, not weapons. By their numbers, they showed broad support for new freedoms, less official corruption. They did not challenge one-party Communist rule. They only wanted reform from within. And they wanted their rulers to talk to them.

This was too much for the party. So they gunned the people down.

Timid voices in the U.S. administration say that America must be cau-

tious. That one weekend in Beijing should not upset our relations. That the United States has strategic and economic interests in China.

We do have such interests.

But there are times when you just do what's right and worry about what's next—next. This is such a time.

Let us bring home our Ambassador. Let us let visiting Chinese students stay in the United States—China's loss will be America's gain. And let us eliminate military aid and cooperation with this regime immediately.

□ 1350

THE PERPETUATION OF DEMOCRATIC REFORM FROM POLAND TO CHINA

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

Mr. DREIER of California. Madam Speaker, I, too, would like to express my horror at the developments over the weekend in Tiananmen Square in Beijing. I have to tell the Members that I, too, come to this point with a rather unique perspective, as I had the great opportunity on Sunday to observe the first semblance of a democratic election in Poland in 40 years.

It was on their election day that the people of Poland heard of the tragedy that was taking place in Tiananmen Square, and it provided them with an even greater commitment of the necessity of the right to vote.

We have seen throughout this decade tremendous opportunities to exercise the right to vote throughout the globe, and on Sunday I had the opportunity to talk with an 80-year-old woman who looked to me when I was visiting one of their voting booths and said, "I'm voting for every member of my family." She said, "they had been either killed in World War II or sent off to Siberia."

It was a tremendous burden she carried, but it was also a tremendous opportunity, and we hope and pray, Madam Speaker, that we will see the perpetuation of democratic reform from Poland all the way to Tiananmen Square.

THE PART-TIME AND TEMPORARY WORKERS PROTECTION ACT OF 1989

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

Mrs. SCHROEDER. Madam Speaker, today I am reintroducing the Part-time and Temporary Workers Protection Act, a bill I first introduced in 1987. This bill would provide pro rata health and pension benefits to employees working less than full-time if

the employer offers health and pension plan coverage to employees working full-time.

The contingent work force is growing. Between 1980 and 1986 it grew twice as fast as the total work force. Most of these workers are women, many of whom are single heads of families. They earn lower hourly wages than full-time workers, and usually are exempted from health and pension benefit plans offered by employers. Only about one-third of part-time workers and one-fourth of temporary workers receive medical benefits, compared to three-fourths of full-time employees.

Part-time, temporary, seasonal, and contract workers do not work any less hard than full-time workers; they simply work fewer hours. We should not continue to treat them as though their work doesn't count as real employment. We should provide them the same basic protections and benefits we provide full-time workers.

THE TURMOIL IN CHINA

Mrs. SCHROEDER. Madam Speaker, I also want to say something about China. As I look at this incredible Chinese situation, one of the world leaders who could do a lot would be Margaret Thatcher. I would hope that Margaret Thatcher will convey to the Chinese Government that the British Government is going to have to think twice about turning Hong Kong over if the Chinese Government does not get its act together. They had hoped very much that in 10 years they could turn Hong Kong back over to the People's Republic of China. If this kind of behavior continues, I would certainly hope that the British would say, "No way."

THE REALISM OF COMMUNISM IN CHINA AND THE SOVIET UNION

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

Mr. McCURDY. Madam Speaker, I rise today to join my colleagues, the administration, and the rest of the free world to condemn the tragic events that have occurred in China over the last few days. The murder of hundreds of nonviolent demonstrators, many of them college students advocating democracy, is an affront to civilized people everywhere, and it is incumbent on the free world to demonstrate our solidarity with those in China who are seeking freedom.

The brutality that the Chinese Government has inflicted on its own people represents an act of desperation by tyrants out of touch with reality. In Tiananmen Square we are witnessing the death throes of an ideology that has visited misery on civilization for over 70 years.

But the chaos that is reigning in China should give us pause for thought as we watch the unraveling of communism elsewhere in the world, particularly in the Soviet Union. It was but a few short years ago that Deng Xiaoping was hailed in the West as a great reformer intent on opening up his country to the world, permitting freedom of expression, and moving his economy down the capitalist road. And, to an extent, this was true. But our enthusiasm for Deng now seems to have been premature.

If this all sounds vaguely familiar, it should. Many in the West now seem eager to view Mikhail Gorbachev with a similar amount of zeal. Gorbachev has been elevated by some to the level of a Jeffersonian Democrat. But does anyone think that, if communist control was truly threatened in Moscow, that the Soviet Government would respond any differently?

Madam Speaker, these are indeed historic times. Poland has just rendered its verdict on the Communist system at the ballot box; Hungary seems poised to follow; and a generous amount of real debate has been heard in the new Congress of People's Deputies in the Soviet Union. But the massacre in Tiananmen Square, and now the threat of civil war in China, should cause us to approach the changes in the Communist world, especially those in the Soviet Union, with prudence and a heavy dose of realism.

THE HISTORIC ELECTIONS IN POLAND

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

Mr. RITTER. Madam Speaker, it was a great honor and a privilege to be in Poland over this weekend and to share with the Polish people the re-emergence of democracy, the rebirth of the Polish nation.

This is a nation with a wonderful history, with a wonderful culture, with unique traditions, and all of the above have been on hold for the last 40 years. Being there with them as Solidarity, in some concert with the Government of Poland as it conducted the first step toward democracy since the late 1940's, was an historic event for me that I will remember for the rest of my life.

When I listened to Julia, 75 years old, who had served 6 years in a Siberian labor camp and lost two sons in that camp, I heard her talk with tears of joy in her eyes about being able to vote. When I listened to an 82-year-old Capuchin monk who voted for the first time since his return after being detained in the Soviet Union for 16 years, when I looked at the candidates' enthusiasm and the enthusiasm of

their volunteers and looked at their opposition candidates and compared them with those opposition candidates who never even took to the streets, it really made me think that the power of ideas, the power of freedom, is so strong not only in Poland but also in the Soviet Union, and I am as sure as I am standing here that in China these ideas and these ideals will emerge victorious.

Madam Speaker, government by law and not government by tank is the order of the day.

CHINA—A LESSON IN HISTORY

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

Madam Speaker, the world is stunned by the events in China. The Chinese Government's massacre of thousands of civilians is an offense against humanity. It is very important that we join with other nations in categorically condemning this act of genocide.

President Bush was correct to suspend all American military aid to China, but the American people have a responsibility to speak out much more forcefully against those who oppose freedom. We must send a clear message of outrage that should the controlling faction of government persist in killing its citizens, the United States will take further action to show its firm support for those in China fighting for democracy.

The tragedy is that the lessons of history are being ignored. This is a revolution of the people. It will not be suppressed by bloodshed or bullets or tanks. Once the torch of freedom is lit, whether in the American colonies or France or Hungary or Poland or South Africa, there is no changing the course of history. Sooner or later the people will prevail.

Madam Speaker, just governments do not derive their power from the gun but from the ballot box, and rightful governments need not fire on those from whom they derive their power. That is the lesson of history, and it cannot be forgotten in the folly of violence that is now occurring in China.

□ 1400

DEMAND SANCTIONS AGAINST CHINA—NOW

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

Mr. LEHMAN of California. Madam Speaker, I rise today to condemn the Chinese Government and military for the slaughtering of hundreds and per-

haps thousands of unarmed protesters for democracy.

Madam Speaker, this action is despicable, and the Chinese Government must be held accountable for it.

Last Sunday troops of the People's Liberation Army opened fire with automatic weapons on huge crowds of unarmed protesters for democracy killing hundreds of them and perhaps thousands. Apparently the Government led by Deng Xiaoping has made a decision to overcome the students and other demonstrators regardless of the cost of human life or their image to the rest of the world. With this act they have forfeited any claim to be on friendly relations with the United States.

China recently made great progress in social and economic development and liberalization. These unduly harsh, uncivilized actions undermine this progress.

We are currently witnessing one of the most tumultuous and significant events of the 20th century. The brutal attacks led by the Government demand severe reaction in the form of sanctions from the United States.

History will record everyone's deeds at this juncture. We should take the strongest possible actions now. We should commend the students and other protesters for taking the initiative to attempt to achieve democracy without resorting to violence.

Madam Speaker, let us as a government now reject any ties to this barbarous regime.

CHINA, COME BACK TO THE CIVILIZED WORLD

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

Mrs. BOXER. Madam Speaker, today I am very proud to be in the party of the gentleman from Washington [Mr. FOLEY], and I wish him well. However, Madam Speaker, I must also comment on what is happening in China.

On behalf of the thousands of Chinese-Americans of all political persuasions that I represent and on behalf of my entire congressional district I wish to express our anguish at the tragedy now unfolding in China.

I thought the People's Republic of China wanted to be part of the civilized world. Killing citizens in a wanton fashion is uncivilized. It is antithetical to a civilized nation.

Madam Speaker, young people are our brightest hope. If the flame of youth is extinguished, if their dreams are suppressed, their aspirations and their ideals, we are going to reap a very dismal future.

My colleagues, I thought back to the days of the Vietnam war when we saw the body of one student at Kent State

bloodied on a college campus, and the anguish and the cries in this country were to never let that happen again. Now here are hundreds, maybe thousands, of students lying next to their mangled bicycles fighting for justice, and fighting for freedom and fighting for democracy.

Madam Speaker, I call on the leaders of China to immediately cease their violent actions, and to follow a policy of moderation and come back to the civilized world.

A FITTING TRIBUTE TO CLAUDE PEPPER

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

Mr. SANGMEISTER. Madam Speaker, after doing some research I rise today with what I think are some rather startling statistics about the number of seniors who will have to pay the surtax for the Medicare Catastrophic Coverage Act. Congressional Budget Office statistics indicated that only 40 percent of our Nation's Medicare enrollees will have to pay this premium. In fact however, the Internal Revenue Service, who ought to have a more realistic idea of who this tax will affect, reports up to 72 percent of seniors over 65 in the State of Illinois had a tax liability over \$150 and would therefore be subject to the premium.

Madam Speaker, after having heard and spoken to hundreds of Medicare enrollees in my district, I am now more convinced than ever that we must take action. We must start listening to our Nation's seniors who best understand and appreciate their own needs. My elderly constituents want benefits which address long-term care, not catastrophic coverage, especially if they are expected to bear the costs. Today, approximately 1.3 million elderly people are residents of nursing homes and over 2.5 million who are living in the community require various kinds of care. Since the average annual nursing home costs range from \$22,000 to \$25,000 per year, the majority of elderly people just can't afford it. If we're going to make them pay for quality health care let's give them what they want. Let's not pass another law, with additional premiums. We should substitute long-term care for catastrophic coverage, and do it now. Truly, this would be a fitting tribute to our friend and colleague, the distinguished Claude Pepper, who worked so diligently to answer the needs of our senior citizens.

IT IS TIME TO ADDRESS THE HUMAN MISERY IN THIS COUNTRY

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

Mr. DELLUMS. Madam Speaker, over the last several weeks there has been a great deal of discussions about ethics and morality. This gentleman believes that it is immoral that we live in a nation where there are 13 million children living in poverty, that it is immoral and unethical that we rank eighth in the world in terms of our willingness to address the poverty and human misery of our children. I believe, Madam Speaker and Members of this body, that it is unethical that 37 million American human beings do not have access to health care, that there are 22 million Americans who are functionally illiterate, that there are millions of people living in poverty, and destitution, and hopelessness and homelessness in America.

Madam Speaker and Members of this body, if we choose to be ethical and moral, it is my belief that we ought to address the human misery in this country. The time has come. We have wasted several months in the 101st Congress playing games with each other.

OUR NEW SPEAKER

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

Mr. DE LUGO. Madam Speaker, I have been honored to know and admire our new Speaker, for a quarter of a century.

I first met TOM FOLEY in the early 1960's, when he was chief aide on the Senate committee that had jurisdiction over the insular areas, and I was a young legislator from the U.S. Virgin Islands who came to lobby before Congress.

In 1972 when I came to Congress as Delegate, he was a hard-working member of the Interior Subcommittee that had jurisdiction over the U.S. insular areas, and which I chair today. TOM FOLEY got to know the insular areas very well. He visited the Virgin Islands and many Pacific island groups like Palau, which is now the subject of important pending legislation.

TOM FOLEY was one of those special Members who took time to get to know myself and other new Members back in 1972. Even as he climbed in the House leadership, he maintained the rare ability to listen to others with his full attention, and then draw people together to find solutions to the most difficult problems. Over the years, I have come to stand in awe of his abilities as a Congressman.

In 1983, I served on the House delegation, led by TOM FOLEY, that went to Grenada after the invasion. Our new Speaker handled that delicate task with great sensitivity and I recall telling him at that time he would make a great Secretary of State. Since then, I have come to believe he is capable of filling any top leadership job our country has to offer.

We are indeed fortunate in this House, in this country, and in the U.S. insular areas to have a man of TOM FOLEY's caliber ready to become Speaker at this critical moment.

WE MUST LET THE CHINESE PEOPLE KNOW WE ARE ON THEIR SIDE

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

Mr. SCHUMER. Madam Speaker, the image of lone, brave individuals throwing themselves in front of tanks has galvanized America and the American people. What is happening in China right now is historic. It is revolutionary, and it demands action on the part of our Government.

Madam Speaker, we cannot stand idly by and play geopolitics while the human drama in China is unfolding before us. We must, if we are to be the beacon of democracy, as we truly are, take strong, concerted action to make sure the Chinese people know we are on their side so that the Chinese Government knows we will not tolerate such brutal activity.

Democracy is on the rise in China. As the world's greatest democracy it behooves us not to do on the one hand, on the other hand, either or, but to stand firmly, strongly and forcefully with the Chinese people. We cannot, we should not, turn our backs on these heroes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. (Mrs. Boggs). Pursuant to the provisions of clause 5 of rule 1, the Chair announces that she will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule 15.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules.

□ 1410

VETERANS' HOME LOAN MORTGAGE INDEMNITY ACT OF 1989

Mr. MONTGOMERY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1415) to amend chapter 37 of title 38, United States Code, with

respect to the veterans' home loan program carried out under such chapter, as amended.

The Clerk read as follows:

H.R. 1415

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 "Veterans' Home Loan Mortgage Indemnity Act of 1989".

SEC. 2. ESTABLISHMENT OF SPECIAL INDEMNITY FUND AND LOAN FEE.

(a) SPECIAL INDEMNITY FUND.—(1) Chapter 37 of title 38, United States Code, is amended by adding the following new section after section 1824:

"§ 1824A. Mortgage indemnity fund

"(a) There is hereby established in the Treasury of the United States a revolving fund known as the Veterans' Mortgage Indemnity Fund (hereinafter referred to as the 'Indemnity Fund').

"(b) The Indemnity Fund shall be available to the Secretary for all operations (other than administrative expenses) carried out with respect to housing loans guaranteed or insured under this chapter which are made on or after the effective date of the Veterans' Home Loan Mortgage Indemnity Act of 1989, other than loans to which section 1814 of this title applies and which were originally guaranteed or insured before such effective date.

"(c)(1) All fees collected under section 1829 of this title on or after such effective date shall be credited to the Indemnity Fund, other than fees collected with respect to loans to which section 1814 of this title applies and which were originally guaranteed or insured before such effective date.

"(2) There shall also be credited to the Indemnity Fund—

"(A) for each housing loan guaranteed or insured under this chapter on or after October 1, 1989, an amount equal to 0.25 percent of the original amount of such loan for each of the three fiscal years beginning with the fiscal year in which such loan is guaranteed or insured;

"(B) all collections of principal and interest and the proceeds from the use of property held, or from the sale of property disposed of, with respect to loans to which subsection (b) of this section applies; and

"(C) all income from the investments described in subsection (d) of this section.

"(d)(1) The Secretary of the Treasury shall invest the portion of the Indemnity Fund that is not required to meet current payments made from the Indemnity Fund, as determined by the Secretary of Veterans' Affairs, in obligations of the United States or in obligations guaranteed as to principal and interest by the United States.

"(2) Such obligations shall have maturities suitable to the needs of the Indemnity Fund, as determined by the Secretary of Veterans' Affairs, and shall bear interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturities."

(2) The table of sections of subchapter III of chapter 37 of such title is amended by inserting after the item for section 1824 the following new item:

"1824A. Mortgage indemnity fund."

(b) LOAN FEE.—Section 1829 of such title is amended to read as follows:

"§ 1829. Loan fee

"(a)(1) Except as provided in subsection (c), a fee shall be collected from each veteran obtaining a housing loan guaranteed or insured under this chapter, and from each person obtaining a loan under section 1833(a), and no such loan may be guaranteed, made, or insured under this chapter until the fee payable under this section has been remitted to the Secretary.

"(2) The amount of such fee shall be 1.25 percent of the total loan amount, except that—

"(A) in the case of a loan made under section 1833(a), the amount of such fee shall be one percent of the total loan amount; and

"(B) in the case of a guaranteed or insured loan for a purchase or construction with respect to which the veteran has made a downpayment of not less than 5 percent of the total purchase price or construction cost, the amount of such fee shall be 0.75 percent of the total loan amount.

"(3) The amount of the fee may be included in the loan and paid from the proceeds thereof.

"(b) Except as provided in subsection (c), a fee shall be collected from a person assuming a loan to which section 1814 of this title applies. The amount of the fee shall be equal to one-half of 1 percent of the balance of the loan on the date of the transfer of the property.

"(c) A fee may not be collected under this section from a veteran who is receiving compensation (or who but for the receipt of retirement pay would be entitled to receive compensation) or from a surviving spouse of any veteran (including a person who died in the active military, naval, or air service) who died from a service-connected disability."

(c) LIABILITY.—Section 1803 of such title is amended by adding at the end the following:

"(e) Any veteran who pays a fee under section 1829 of this title, or is exempted under section 1829(c) from paying such fee, on or after the effective date of the Veterans' Home Loan Mortgage Indemnity Act of 1989 with respect to a housing loan (other than a loan made under section 1833(a) or a loan for which a fee is collected under section 1829(b)) shall have no liability to the Secretary with respect to the loan for any loss resulting from any default of the veteran except in the case of fraud, misrepresentation, or bad faith by the veteran in obtaining the loan or in connection with the loan default."

(d) CONFORMING AMENDMENTS.—(1) Section 1824 of such title is amended—

(A) in subsection (b), by inserting the following before the period at the end of the first sentence: "and the operations carried out with the Indemnity Fund established by section 1824A"; and

(B) in subsection (c)—

(i) by inserting after "title" in clause (2) the following: "before the effective date of the Veterans' Home Loan Mortgage Indemnity Act of 1989, except that fees collected under subsection (b) of such section 1829 on or after such effective date with respect to loans which were originally guaranteed, made, or insured before such effective date shall also be deposited in the Fund"; and

(ii) by inserting after "chapter" in clause (3) the following: "with respect to housing loans guaranteed or insured under this chapter before the effective date of the Veterans' Home Loan Mortgage Indemnity Act of 1989".

(2) Section 1832(a)(1) of such title is amended by striking out "If" in the last sentence and inserting in lieu thereof "Except as provided in section 1803(e), if".

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to any loan closed on or after October 1, 1989.

SEC. 3. SALE OF VENDEE LOANS.

(a) **IN GENERAL.**—Section 1833(a)(3) of title 38, United States Code, is amended to read as follows:

"(3)(A) The Secretary may sell any note evidencing such a loan with or without recourse, but only if the cash proceeds received at the time of such sale is equal to an amount which is not less than 90 percent of the unpaid balance of such loan.

"(B) All amounts received from the sale of such loans shall be credited, without any reduction and for the fiscal year in which the amount is received, as offsetting collections of the Fund, established by section 1824 or by section 1824A, for which a fee was collected (or from which a fee was exempted from being collected) at the time the loan was originally guaranteed. The total credited to such Fund for a fiscal year shall offset outlays attributed to such Fund during such fiscal year."

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on October 1, 1989.

SEC. 4. COMPUTATION OF ENTITLEMENT AMOUNT.

Section 1802(b) of title 38, United States Code, is amended—

(1) by striking out "or" at the end of clause (1)(B);

(2) by striking out the period at the end of clause (2) and inserting in lieu thereof "; or"; and

(3) by inserting after clause (2) the following new clause:

"(3) the loan has been repaid in full."

SEC. 5. WAIVER.

Subsection (c) of section 3102 of title 38, United States Code, is amended—

(1) by striking out "misrepresentation, material fault, or lack of good faith"; and

(2) by adding at the end the following new sentence: "The Secretary may not make a determination with respect to equity and good conscience under subsection (b) solely on the basis of a balancing of fault or on whether the veteran might be able to repay the indebtedness."

SEC. 6. COMPUTATION OF COSTS; EXTENSION.

(a) **COSTS.**—Section 1832(c)(1)(C)(ii) of title 38, United States Code, is amended by inserting before the period the following: "excluding any estimated imputed interest costs of funds to the Government".

(b) **EXTENSION.**—Section 1832(c)(11) of such title is amended by striking out "October 1, 1989" and inserting in lieu thereof "October 1, 1991".

SEC. 7. NOTIFICATION REQUIREMENT.

Section 1832(a) of title 38, United States Code, is amended by adding at the end the following:

"(5) In the event of default in the payment of any loan made, guaranteed, or insured under this chapter in which a partial payment has been tendered by the veteran concerned and refused by the holder, the holder of the obligation shall notify the Secretary as soon as such payment has been refused. Such notification shall include a statement of the circumstances of the default and the reasons for the holder's refusal."

The **SPEAKER pro tempore** (Mr. MURTHA). Pursuant to the rule, a second is not required on this motion.

The gentleman from Mississippi [Mr. MONTGOMERY] will be recognized for 20 minutes, and the gentleman from Arizona [Mr. STUMP] will be recognized for 20 minutes.

GENERAL LEAVE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous material, on H.R. 1415, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 1415 would make major reforms in the financing of the Department of Veterans' Affairs [DVA] Home Loan Guaranty Program for veterans. The bill also makes needed improvements in the program which will be explained in detail by the distinguished chairman of our Subcommittee on Housing and Memorial Affairs, Mr. STAGGERS of West Virginia.

Since the beginning of the program in 1944, more than 13 million veterans have been able to purchase homes through loans secured by the Federal Government. Without the Federal guarantee many of these veterans would not have been able to buy a home following their service in World War II, Korea, and Vietnam. In addition to the benefit provided to veterans, over the years the program has proven to be a powerful stimulus to the Nation's housing economy. Although the program has proven to be highly successful, over the years efforts have been made by the Office of Management and Budget [OMB] to ease the Federal Government out of housing programs and many of the policy changes imposed on the agency have tended to weaken the program's potential for serving veterans effectively. In addition, such efforts have adversely affected the long-term solvency of the loan guaranty revolving fund [LGRF].

From 1944 to 1961, the loan guaranty revolving fund was funded by the readjustment benefits appropriation account. All program costs due to foreclosure of GI loans were paid from that account, which received annual appropriations. The direct loan revolving fund [DLRF] was established in 1950 authorizing the Administrator of Veterans' Affairs to make direct loans to veterans living in rural areas who could not obtain guaranteed loan financing. Principal and interest collections on direct loans far exceeded new lending requirements, and provided a source of funds for the guaranteed loan program in lieu of direct appropriations.

In 1961, the Congress established the loan guaranty revolving fund in order to make the financial operation of the program manageable. Operationally, the program would be no different. However, receipts from the program operations would be deposited into the fund and be available immediately for ongoing expenditures. Congress authorized transfers from the direct loan revolving fund to the loan guaranty revolving fund as needed to offset shortfalls previously funded by appropriations. During the first 6 fiscal years of the LGRF's existence—1962 through 1967—\$633.9 million was transferred from the direct fund. Profits from accumulated principal and interest in the direct loan fund were being used to offset losses in the guaranty loan fund. Unfortunately, in the mid-1960's and in subsequent years, the Office of Management and Budget forced the agency to sell much of its loan portfolio assets. The policy continues to this day and Congress must now attempt to find a way to solve the financial problems that have resulted.

To compound the problem, interest rates during the late 1970's skyrocketed. In 1980, the interest rate on GI home loans was almost 12 percent. Of all loans guaranteed that year, 11.6 percent have gone to foreclosure compared with 3.5 percent for 1977 loans. GI home loan interest rates peaked at 17.5 percent in 1982. Although the national economy has rebounded strongly, economic problems continue to contribute to the high foreclosure rate in some areas of the country. Most of the foreclosures in the last 5 years have occurred in the oil and gas producing States. Texas, Colorado, Louisiana, Oklahoma and a few others in the southwest and western regions of the country have experienced a severe downturn in their economies due to the loss of gas and oil revenues.

The committee has been working to find a better way to respond to the current financial problems in the veterans home loan program. I firmly believe this bill is a step in the right direction. I believe the enactment of this legislation will lead to a more financially secure loan guaranty revolving fund. Only time will tell.

Before yielding to the distinguished gentleman from West Virginia for a brief explanation of the bill, Mr. Speaker, let me briefly explain why the committee acted to report section 3 of the bill, which deals with how the Federal Government should account for receipts from loan sales. Approximately 2 years ago, the committee learned that the Congressional Budget Office [CBO] and the Office of Management and Budget had agreed to change the treatment of receipts from loan asset sales. CBO and OMB ordered this scorekeeping change with-

out seeking our committee's views or those of other committees with jurisdiction over loan asset sales. Essentially, what they decided was to treat receipts from loan sales without recourse as offsetting collections, and to ignore all but a small percentage of the receipts from loan sales with recourse.

Mr. Speaker, this is not the first time this issue has been brought before this body. The 1987 summit agreement took credit for over \$1 billion in savings by requiring legislation to permit loan sales without recourse. At that time, our committee predicted that this would be a disastrous policy, and every review since then has supported that view.

Both CBO and DVA's financial advisers have compared the results of loan sales without recourse versus the results that could be expected from selling without recourse. As one would expect, cash proceeds from the sales without recourse were only 55 to 60 percent of the face value of the loans. But the long-term losses which the Government will suffer were estimated to be \$37 million annually. Thus, by pursuing a policy of loan sales without recourse, the Treasury loses around \$300 million in cash proceeds in an average fiscal year, and will only recover about \$260 million of that loss over time.

Mr. Speaker, veterans are taxpayers too, and speaking for them, I can honestly say that there is no legitimate reason to continue a policy which discourages the government from getting the best price for its assets. According to CBO, if the Department of Veterans' Affairs sells its loans with recourse in 1990, it will realize almost \$800 million in cold, hard cash. If it sells its loans without recourse, it will realize some \$300 million less. You don't need a calculator to figure out which one makes sense for the taxpayer. If we save \$500 million through loan sales without recourse, we can save even more by insisting that the receipts from loan sales be accounted for in a consistent manner. That is all this legislation does.

I want to thank several Members for the work they have done on this particular bill. I'm most grateful to the very able ranking minority member of the full committee, the distinguished gentleman from Arizona [BOB STUMP]. Since assuming his leadership position earlier this year, the gentleman has cooperated fully with the leadership of all our subcommittees in moving legislation to the floor. I appreciate his leadership and his good work.

Mr. Speaker, I want to pay special tribute to the new chairman of our Subcommittee on Housing and Memorial Affairs, the gentleman from West Virginia [MR. STAGGERS]. He has devoted a lot of time in working with the veterans organizations, lending institu-

tions, homebuilders, and realtors in putting this bill together. It has not been an easy task and I commend him for his patience and good work.

Mr. Speaker, I thank the ranking minority member of the subcommittee, Mr. BURTON of Indiana, for his continued cooperation and hard work on this bill. The gentleman from West Virginia and the gentleman from Indiana are working well together to help our veterans and I'm grateful for what they have already accomplished this session.

Finally, I also want to thank the gentlewoman from Ohio [MARCY KAPTUR], who chaired the subcommittee in the last Congress, for the leadership she provided and for the many hours she spent in helping to develop this legislation. The gentlewoman from Ohio and Mr. BURTON were instrumental in putting the original bill together, and her interest in the work of the subcommittee has continued even though she is on temporary leave while serving on the Budget Committee. I am very grateful to the gentlewoman for her devotion to this bill.

Mr. Speaker, this is a good bill. It is unique in that not only will it provide real benefits to our Nation's veterans, but it will save millions of dollars in Federal funds over the next several years. According to CBO, the bill will save \$197 million in outlays during the next fiscal year. Over the next 5 fiscal years, CBO estimates the bill will save more than \$1 billion.

I urge my colleagues to support H.R. 1415, as amended.

Mr. Speaker, I yield such time as he may consume to the gentleman from West Virginia [MR. STAGGERS].

Mr. STAGGERS. Mr. Speaker, I would like first to thank and commend the gentleman from Mississippi [MR. MONTGOMERY], the chairman of the full committee, for his leadership and hard work on this bill. He has been very much a leader in this. He is very well appreciated by this Congressman.

Also, I would like to thank the gentleman from Arizona [MR. STUMP] and the gentleman from Indiana [MR. BURTON] for the hard work they have put in.

I would like to echo the commendation of the chairman of the gentlewoman from Ohio [MS. KAPTUR]. She is really what got the ball started.

I would also like to thank two members of the subcommittee, the gentleman from Mississippi [MR. PARKER], and the gentleman from Georgia [MR. JONES], who are new to this Congress, for the hard work they put into this, which reflects their concern for veterans also.

Mr. Speaker, in essence, the mortgage indemnity bill offers a better approach to financing the veterans home loan guaranty program. This is accomplished by creating a new fund, authorizing the investment of excess

moneys, establishing a new fee structure, and requiring an upfront Government contribution, thereby precluding, we hope the need for the increased annual and supplemental appropriations required in recent years to pay claims.

The fact that the Home Loan Guaranty Program has guaranteed 13.1 million loans since its inception in 1944 is a tribute to the program's success. However, with the economic downturns attributed to the energy and oil industry, foreclosure levels have risen dramatically and the solvency of the program has been the subject of several hearings.

Since 1983, nearly \$2.3 billion in external financing has been needed for the loan guaranty revolving fund to pay losses incurred by the Federal Government as a result of foreclosures. Out of that total, nearly \$1 billion was needed in fiscal year 1988 alone. The fund is experiencing a similar trend in fiscal year 1989. \$658 million has already been appropriated for fiscal year 1989 and another \$120 million supplemental is awaiting congressional action. If we do nothing, the Congressional Budget Office estimates substantial deficiencies in the existing loan guaranty revolving fund with no break even point.

The mortgage indemnity concept contained in H.R. 1415 has been over a year in the making. According to the Congressional Budget Office the proposed new mortgage indemnity program would be more fiscally sound than the current loan guaranty program because of its fee structure and Government contribution. It would replace the 1-percent user's fee paid by veterans who obtain guaranteed home loans with a 1½ percent mortgage indemnity fee. The Government would contribute ¼ of 1 percent of the value of the loan over a 3-year period—an overall ¾ percent contribution. Service-connected disabled veterans rated 10 percent or more and surviving spouses of veterans whose deaths are service connected would be exempt from paying this fee. Veterans who make a downpayment of 5 percent or more would be charged a ¾-percent fee.

In exchange for the payment of a higher fee, veterans would be released from liability to the Department of Veterans' Affairs in the event of foreclosure unless there are indications of fraud, misrepresentation or bad faith on the part of the veteran in connection with either the loan origination or the foreclosure. The veteran would continue to be liable for the debt to the lender. This change in policy is consistent with the practices of commercial lenders and other Federal housing programs.

The bill's fee structure was based upon the Federal Housing Administra-

tion's [FHA] experience in formulating its mortgage insurance fee. FHA computer models were used to calculate a one-time fee based on the Department of Veterans' Affairs past and projected foreclosure statistics. Projections were formulated to calculate the present value of expected income equal to the sum of projected expenses associated with these new loans.

The new fee structure, according to the FHA model, should be approximately 2 percent for the new indemnity program based on the following assumptions:

First. The term of the loan is 30 years;

Second. The contract interest rate is 10 percent compounded monthly;

Third. The discount rate is 6.5 percent compounded semiannually;

Fourth. The loss ratio is 30 percent of the original mortgage amount;

Fifth. The ultimate claim rate is 8.03 percent.

The committee bill would continue the current 1 percent fee for vendee loans and the one-half percent fee for assumed loans. Purchasers would remain liable to the Federal Government in the event of default.

The committee bill would establish a new account to receive these collections as well as to pay obligations incurred in connection with loans closed after the date of enactment, and would give the Department of Veterans' Affairs the authority to invest excess money in government securities. FHA currently has authority to invest its excess funds. According to the Congressional Budget Office, if fund balances are invested in 90-day Treasury bills, interest collections would be approximately \$195 million over the next 5 years.

Even though the committee bill would replace the Home Loan Guaranty Program with a mortgage indemnity program, the effect on the program's operations would be relatively minor. The committee bill is essentially a financing measure, designed to ensure that sufficient capital is placed in the revolving fund at the time new loans are guaranteed or insured to cover the anticipated cost of defaults to those loans. The Congressional Budget Office estimates that the mortgage indemnity fund should carry a significant unobligated balance through the 1990's.

In addition, since the Department of Veterans' Affairs collects only 7 percent of outstanding debts today, the Congressional Budget Office estimates that the provision in the bill which would eliminate debts on loans made after the effective date would have no impact on the fund.

The committee bill would not affect the current features of no-downpayment loans up to \$144,000, and the Department of Veterans' Affairs will continue to set interest rates, which his-

torically have been somewhat less than conventional rates. In addition, the nature of the guaranty to the lending community is not being changed.

The committee hopes that this long-range plan toward solvency will deter any efforts to undermine this program in the future, including back door approaches to terminating this program. Unfortunately, many of the Department's administrative decisions over the last several years have been made on the basis of the impact on outlays from the Loan Guaranty Revolving Fund in 1 fiscal year, rather than a concern for long-term prudent management. The committee believes that by virtue of this restructuring, the Department will be in a position to cope much more effectively with the program's basic operation. It is believed that a resulting factor will be a much clearer picture of actual program costs.

Mr. Speaker, the bill would also require that loan asset sales be scored as offsetting collections whether loans are sold with or without recourse and would specify that 90 percent or more of the unpaid balance be received at time of sale.

Because of the high foreclosure rate over the past several years, and conformance with administration efforts to reduce short-term outlays, the Department of Veterans' Affairs has been pressured by the Office of Management and Budget to accelerate its loan portfolio sales. Prior to 1988, the Department of Veterans' Affairs routinely offered loans for sale with recourse agreements, under which the Department guaranteed to repurchase—or exchange for a loan of comparable value—any loan that was delinquent for 3 months or more. Prior to fiscal year 1988, proceeds of vendee loan sales were scored as offsetting collections of the Loan Guaranty Revolving Fund. Beginning in 1988, however, the proceeds of recourse sales have been redefined as a means of financing rather than a collection and, as such, do not offset outlays.

This new policy was implemented despite criticism from the General Accounting Office [GAO] which issued two reports on the subject of loan asset sales—"Loan Asset Sales, OMB Policies Will Result in Program Objectives Not Being Fully Achieved," September 1986 and "Loan Asset Sales, An Assessment of Selected Sales," February 1988. These reports and subsequent testimony before both the Veterans' Affairs and Government Operations Committees pointed out that OMB's guidelines on nonrecourse sales would have an adverse effect on the Federal Government's ability to both market loans and maximize net sales proceeds.

The General Accounting Office's February 1988 study stated that loan

asset sales over the long term will also increase the structural Federal budget deficit. GAO further stated that loan asset sales do not effectively measure subsidy costs and that the administration's plan to define the subsidy cost of Federal credit programs as the monetary benefit—interest cost savings—to a borrower would overstate both government cash costs and the related cost to operate credit programs. Public Law 100-136 prohibited the Veterans' Administration from selling vendee loans unless such assets could be sold for par. However, the effect of this provision was suspended until fiscal year 1990, as part of the Omnibus Budget Reconciliation Act of 1987, Public Law 100-203.

Since the enactment of this law, the Department has managed four loan asset sales without offering repurchase agreements. Three of these sales have been accomplished with a two-tier approach. This technique requires that the agency's assets be sold to an investor in exchange for senior and subordinated certificates. The senior certificates, which achieve a high investment grade rating because they have first call on the cashflows from the pool of loans, are widely marketable. The subordinated pool of loans is set aside to cover any losses due to delinquencies or foreclosures attributable to loans securing the senior certificates. In the first sale, closed on June 29, 1988, of the \$309 million principal balance of the loans sold, the Government realized \$179 million at the time of the sale, or 58 percent of the face value of the loans sold. In the second sale, held on September 23, the Department realized 55 percent of the face value of the loans sold or \$125 million in cash at the time of sale.

Public Law 100-203 required the Department of Veterans' Affairs to provide the committee with an estimate of the amount the Government would have realized on a loan asset sales had the loan been sold with repurchase agreements. An analysis of the first two loan sales was performed by the Department's financial advisor, Kidder, Peabody & Co. According to Kidder, Peabody & Co., the Department would have realized 92 and 91 percent respectively of the face value of the loans at the time of sale if they had been sold with repurchase agreements. Thus, the OMB policy resulted in a loss of cash proceeds to the U.S. Treasury of over \$180 million on the first two sales. As a result of this policy and the need for higher appropriations to meet program requirements, the deficit was increased by almost this same amount. The Department of Veterans Affairs loan sale on February 23, 1989, resulted in its receiving 59 percent of the value of the loans sold or \$165.5 million in cash at the time of sale. It should be noted

that in addition to the substantial subordination, the Department also was required to the substantial subordination, the Department also was required to secure certificate insurance to obtain higher ratings from rating agencies. Coupled with other related sales costs—that is, financial advisor, legal representation, underwriting fees, and so forth—up front proceeds were further diminished by approximately \$20 million for three of the four sales. The fourth sale on March 23, 1989, encompassed older loans with an average interest rate of 5.87 percent. Since these loans were considered good risks, the two-tier approach was not adopted. The Department received approximately 85 percent of the face value after deducting \$4.5 million in expenses.

At a time when the Home Loan Guaranty Program is experiencing severe financial difficulty—the Congress has had to appropriate nearly \$1 billion in fiscal year 1988, and it is anticipated that almost \$800 million will be needed in fiscal year 1989—this type of sale makes little sense, especially since the Department of Veterans' Affairs has retained all of the inherent risk, as in previous recourse loan sales, while receiving considerably less in upfront money. Nevertheless, the OMB policy was recently agreed to by the House and Senate with the adoption of the fiscal year 1990 budget resolution.

The provisions affecting the Department of Veterans' Affairs loan asset sales contained in the Omnibus Reconciliation Act of 1987, are scheduled to change on October 1, 1989. The Department will be authorized to sell loans without recourse only if the amount received is not less than the unpaid balance of the loan. However, because of the current scorekeeping methods, a continuation of nonrecourse loan sales would save \$496 million even though it is acknowledged that the Department would receive substantially more money at the time of sale with recourse loan sales.

The committee believes that if loan asset sales are to continue, they should be conducted in such a way as to maximize cash proceeds to the program. Therefore, the committee bill would require that regardless of sales methods—with or without recourse—proceeds should be accounted for as offsetting collections of the Fund. The committee bill also specifies that loans cannot be sold unless 90 percent or better of the unpaid balance is received at the time of sale.

Should this particular provision be enacted into law, the Congressional Budget Office [CBO] estimates that the Department of Veterans Affairs would receive \$794 million in loan asset proceeds. By adopting what is essentially a change in scorekeeping rules, this provision results in savings

that are approximately \$300 million higher than the reconciliation instruction to the committee required by the fiscal year 1990 budget resolution. It is the committee's intent in recommending this provision to reverse a policy which was adopted without consultation by budget scorekeepers at OMB and CBO. This reversal of the policy treating loan sales with recourse as a form of financing and refusing to recognize the receipts as offsetting collections would be effective on the date of enactment. It would require OMB and CBO to treat such receipts as offsetting collections for all budgetary purposes, including reports required to be made under the Gramm-Rudman-Hollings deficit reduction provisions, Public Law 99-177, as amended by the Balanced Budget and Emergency Deficit Control Act of 1987, Public Law 100-119.

Mr. Speaker, the bill would also modify the existing refinancing loan provisions to allow for easier refinancing of certain conventional loans.

Under current law and implementing regulations, certain veterans may have their loan guaranty entitlement restored. A veteran may qualify for restored entitlement if he or she has been relieved of liability on a GI loan, which normally is accomplished when the loan is paid in full and the property has been disposed of; or if a veteran-buyer agrees to substitute his or her entitlement for that of the original veteran-borrower and meets all other requirements for substitution of entitlement.

However, it has come to the committee's attention that once a veteran has refinanced a GI loan conventionally, he or she may no longer refinance that same home through a Department of Veterans Affairs guaranty, even though it remains his primary residence. On the other hand, if the veteran had purchased the home initially with conventional financing, such veteran would be eligible for a Department-backed home loan guarantee. This seems inconsistent with the beneficial intent of the law, and H.R. 1415 would remedy this inequity.

Mr. Speaker, the bill would clarify the equity and good conscience provisions contained in section 3102 of title 38.

The Home Loan Guaranty Program is designed to afford veterans whose credit and resources might otherwise be inadequate the opportunity to purchase a house without downpayment by using the Government's credit to supplement their own. Implicit in such a benefit is the risk that there will be failures and defaults. Where the veteran has done his or her very best to keep the loan current, the loss of the home can be the most traumatic financial loss in the veteran's life. The waiver statute was designed to afford deserving veterans relief from the

double penalty of home loss and substantial debt.

It has always been the Congress' intent to afford waiver relief when equitable considerations warrant it. Recently, however, many cases have been brought to the committee's attention documenting the Department's reluctance to grant a waiver request if there is even a remote possibility of collecting some part of the indebtedness.

Although the law permits waiver whenever collection of the indebtedness would violate equity and good conscience, the Department relies heavily on two additional criteria—balancing of fault and the veteran's ability to repay. The committee disagrees with the Department's undue emphasis on these two criteria. By disagreeing, the committee does not imply that it condones fraud, waste, or gross neglect on the veteran's part. The committee believes that if the veteran is not at fault in creating an indebtedness due to improper action or lack of action by the Department, relief should be granted to the veteran in such cases.

Similarly, the committee agrees that ability to repay is a factor which should be examined by the Department, but that consideration should be limited to the veteran's current prospect of repayment and not be based on remote possibilities.

The bill would also extend the Department's foreclosed property acquisition formula for 2 years, specifically exempting imputed interest from net value determinations.

When a guaranteed loan goes into default and servicing efforts by the holder and the Department of Veterans Affairs fail, the holder proceeds with termination of the loan. The rights and duties of the holder and the Department in connection with termination of the loan and disposition of the property are governed by 38 CFR 36.4320. In most cases, the Department establishes a maximum price which the holder may bid at the loan foreclosure sale. Establishment of such a price, known as the specified amount, occurs when it is determined that the net value of the real property to the Department exceeds the unguaranteed portion of the indebtedness, so that the Department can reduce its maximum claim liability by acquiring and reselling the property. If the property is sold to the holder at the foreclosure sale for a price no higher than the amount specified by the Department, the holder may convey the property to the Department in return for payment of the specified amount. The Department also pays the holder's claim for the difference between the price paid for the property—which must be credited to the loan indebtedness by the

holder—and any balance remaining on the loan, but not to exceed the maximum amount of loan guaranty. In this manner, the Department may acquire the loan security—the home—and reduce its claim liability.

The formula—commonly known as the no-bid formula—for determining whether the Department of Veterans Affairs will offer the lender an election to convey the foreclosed property to the Department is set forth at 38 CFR 36.4320 which is based on the provisions of 38 U.S.C. 1832. A key component of this formula is the net value of the property. Essentially, net value is the fair market value of the property minus the total costs the Secretary estimates would be incurred by the Department resulting from the acquisition and disposition of the property for property taxes, assessments, liens, property maintenance, property improvement, administration, and resale.

On March 31, 1989, the Department of Veterans Affairs published a proposed regulation that would, effective October 1, 1989, take into account the Government's cost of borrowing when calculating the net value of a property. On April 5, the Department proposed to make the effective date August 1, 1989.

By taking this action to implement the net value definition for fiscal year 1989, the Department has ignored the procedure set forth by Congress in the language of the conference report accompanying Public Law 98-369, the "Deficit Reduction Act of 1984," which contained the no-bid formula. In that report, the conferees stated:

In connection with the VA's calculation of costs of acquiring and disposing of properties, the conferees do not intend to change the VA's current policy of not considering interest costs that the United States would incur if it were necessary for the Government to borrow the funds for a particular acquisition. If the Administrator determines that change of this policy is warranted, notwithstanding the conferees' position as stated above, the Administrator shall, not later than February 1 preceding the fiscal year in which a proposed change would take effect, provide the Veterans' Affairs Committees with notice of the change.

The Department's proposed regulation disregards the procedure and intent set forth by the Congress. Because the Secretary is not charged any interest costs for funds used in acquiring a foreclosed property, the cost of Government borrowing is not a cost incurred by the Secretary and should not be permitted under the statute to be included in the definition of net value.

The committee bill would extend the no-bid formula for two years, from October 1, 1989, to October 1, 1991, and would prohibit the Secretary from considering any estimated imputed interest cost of funds to the Government in establishing net value.

Last, the bill would require lenders to notify the Department of Veterans Affairs if a lender refuses to accept a partial payment from a veteran.

Section 36.4315 of title 38 of the Code of Federal Regulations requires that lenders notify the Department of Veterans Affairs within 90 to 105 days of pending home loan defaults. Following the receipt of such a notice, the Department of Veterans Affairs is required by law to service the loan by providing the veteran with information and, to the extent feasible, counseling regarding alternatives to foreclosure, as appropriate in light of the veteran's particular circumstances, including possible methods of curing the default. However, overall loan guaranty employment has decreased by 370 people, from 2,470 to 2,100, during the 10-year period from 1978 to 1988. During the same period of time, the number of claims filed rose from 14,399 to 50,285 and properties on hand have also increased 11,291 to 21,161. This reduction in personnel and increase in workload has resulted in servicing efforts which are usually inadequate or nonexistent.

High foreclosure levels continue to be a major challenge. The General Accounting Office has repeatedly testified before the committee that intensive and timely servicing of defaults reduces ultimate foreclosures and subsequent claims and property management expenses. On May 11, 1989, at a hearing before the Subcommittee on Housing and Memorial Affairs, the loan guaranty officer from Denver indicated that the default caseload was 1,800 per employee. Such a ratio would make it impossible to ascertain which loans had the potential to be cured.

It recently came to the committee's attention that although the Department's regulations require mortgage lenders to accept partial payments, if certain conditions are met, from veterans facing temporary financial difficulties, returns of such payments by mortgage companies occur on a regular basis. By the time the lender notifies the Department of the delinquency, the veteran is already 3 or 4 months in arrears and may be in a position of never being able to bring the loan current. The committee bill would therefore require early notification to the Department by lenders in those instances where partial payments have been tendered by the veteran but refused by the holder. Such notification must include a statement of the circumstances of the default and the reasons for the holder's refusal.

The committee believes that this early notification to the Department will target these particular cases as potentially curable since the veteran has demonstrated a desire to avoid foreclosure. The committee anticipates that special consideration will be given to

these veterans by loan guaranty employees in their servicing efforts and that this will result in fewer foreclosures. The Government will save money and veterans will not lose their homes.

Mr. Speaker, this measure would save \$2 billion over 10 years by simply changing the financial structure of the Loan Guaranty Program. As an example, by granting the Department the authority to invest the fees paid by the veteran and the Government, the Congressional Budget Office estimates receipts of approximately \$195 million in the next 5 years.

I wish to commend the chairman of the Veterans' Affairs Committee, SONNY MONTGOMERY, for his great leadership and strong support of this measure as well as BOB STUMP and DAN BURTON, ranking minority members of the full committee and subcommittee.

Mr. Speaker, this bill preserves the beneficial entitlement nature of the program and enjoys the strong support of the national veterans' service organizations. This is a good bill and I strongly urge its favorable consideration by the House.

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

Mr. STUMP. Mr. Speaker, as ranking minority member of the Veterans' Affairs Committee, I rise in strong support of H.R. 1415, a bill designed to return the Home Loan Guaranty Program of the Department of Veterans Affairs to sound financial operation.

The Veterans' Home Loan Mortgage Indemnity Act of 1989 is similar to H.R. 5221, which this body passed last session. However, H.R. 5221 was not acted upon by the other body. Since the last session, marginal improvements have been seen in the Home Loan Guaranty Program situation, but it continues to need an intolerable level of appropriations, close to a billion dollars per fiscal year.

Every member of our committee on both sides of the aisle is committed to keeping this very popular veterans' benefit. There is no reason why the financial difficulties it faces cannot be overcome. Our committee has carefully studied and considered many options, and we have concluded that mortgage indemnity is the way to go. Obviously, a program this deep in red ink cannot be turned around immediately. According to the Congressional Budget Office's estimate, after 3 years on its new financial footing the program will no longer operate at a deficit. And that's our goal.

This Nation's veterans deserve to keep the Home Loan Guaranty Program. It is the only veterans' benefit many veterans ever use, and it has stimulated business for real estate development and sales, construction, construction suppliers and mortgage

banking, as well as expanded local tax bases.

Veterans' service organizations support this legislation because they want the program to continue with as little change as possible.

Mr. Speaker, H.R. 1415 would not have been possible without the hard work of **SONNY MONTGOMERY**, our distinguished chairman; **HARLEY STAGGERS**, our chairman of the Subcommittee on Housing and Memorial Affairs; **DAN BURTON**, the subcommittee's ranking minority member; and **MARCY KAPTUR**, the subcommittee's former chairperson.

They are committed to saving this program because they are committed to veterans, and they deserve our commendation.

I urge each of my colleagues to give H.R. 1415 favorable consideration.

□ 1420

Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. **GILMAN**].

Mr. **GILMAN**. Mr. President, I am pleased to rise in support of this bill, and I want to commend both the distinguished chairman and the ranking minority Member for bringing the measure to the floor and for helping to make our Veterans' Home Loan Mortgage Indemnity Act even more effective than it has been in the past.

Mr. Speaker, I rise today in support of H.R. 1415, the Veterans' Home Mortgage Indemnity Act. I would like to commend the gentleman from West Virginia [Mr. **STAGGERS**] and the chairman [Mr. **MONTGOMERY**] and the ranking Republican of the committee [Mr. **STUMP**] for their work on this fine bill.

H.R. 1415 addresses the rising number of foreclosures of the Department of Veterans' Affairs [DVA] home loans, approaching 100,000 in fiscal years 1989 and 1990, and the resulting solvency problems for the Veterans' Home Loan Guaranty Program.

Under the bill, the current 1-percent user's fee paid by veterans who obtain DVA-guaranteed loans would be replaced by a 1¼-percent mortgage indemnity fee. The fee would be supplemented by a three-quarters percent payment from the Federal Government and the funds would be placed in the U.S. Treasury to draw interest and to pay off foreclosures. In the first 5 years following enactment of the fee, \$195 million in interest would be generated.

In return, veterans who purchase homes financially backed by the DVA will not be held accountable for expenses should they default on their loans. In the event of foreclosure, veteran homeowners who pay a mortgage indemnity fee would be relieved from liability. The fee is waived for veterans with service-related liabilities.

Mr. Speaker, H.R. 1415 is a much needed bill. Accordingly, I ask my colleagues to join in support of the Veterans' Home Mortgage Indemnity Act.

Mr. **STUMP**. Mr. Speaker, I yield such time as he may consume to the

gentleman from Minnesota [Mr. **FRENZEL**].

Mr. **FRENZEL**. Mr. Speaker, I think the committee has done an admirable job in trying to strengthen this program which was in some difficulty. As the distinguished ranking Republican on the committee has suggested, this program cannot be repaired immediately, but the strengthening of the mortgage indemnity fund is important.

There is a problem, however, with this bill from a budget standpoint. The bipartisan budget agreement and the budget resolution for fiscal year 1990 explicitly assumed about \$500 million in savings from the sale without recourse of veterans' housing loans. The Committee on Veterans' Affairs was instructed in the budget resolution to report by July 15 reconciliation savings of \$496 million from nonrecourse sale of veterans' loans.

Under the established scorekeeping rules, loan sales are scored as savings only if the loans are sold without recourse and without repurchase agreements. Loans with recourse are treated as borrowing authority, because there is a continuing Federal guarantee.

Obviously, we are going to do better selling loans if we leave the Federal guarantee attached to them. That means, of course, that this bill, or the fruits of it, cannot be scored against reconciliation instructions for this particular committee. The Veterans' Committee is going to have to come up with additional savings. That is why I question the committee's decision to allow the sale of these loans with recourse.

If the Members will notice in the committee report, the Department of Veterans' Affairs, Secretary **Derwinski**, in addition to some other questions, raised the same problem with this bill.

The committee can do what it wants, and we assume it knows what it is doing. It should, however, know, and the House should know, that there is no way that we can score the apparent savings that most people would assume would come from this bill. Because the loans can be sold with recourse, there is a continuing obligation and, therefore, we cannot score the apparent saving until the obligation is completely removed.

I make this criticism not to slow down the bill, but only to look for ways to ensure that the Veterans' Committee receive reconciliation credit for the fees. I hope as this bill progresses the recourse question will be settled so that the committee will get credit for the \$496 million.

Mr. **MONTGOMERY**. Mr. Speaker, I yield 2 minutes to the distinguished chairman of the Committee on the Budget, the gentleman from California [Mr. **PANETTA**].

Mr. **PANETTA**. Mr. Speaker, I join in the concerns reflected by my ranking member on the Committee on the Budget, and want to just point out to the Members the concerns that the committee has with regard to H.R. 1415. We have discussed this with the Committee on Veterans' Affairs and, indeed, sought to see whether scorekeeping rules could provide for the amount of savings contained here to be counted toward reconciliation. Unfortunately, there is an agreement on scorekeeping between the Office of Management and Budget, the Congressional Budget Office, as well as the Senate and House committees on the budget that, with regard to the sale of loans, unless those loans are without recourse, those savings cannot be counted.

Under the budget resolution for fiscal year 1990, it instructs the Veterans' Affairs Committee to achieve savings of \$496 million in budget authority and \$666 million in outlays in fiscal year 1990. One option for the Veterans' Affairs Committee savings is from the sale of veterans' vendee housing loans. This legislation includes vendee loan sales, but they cannot be scored by CBO under current scorekeeping rules. Therefore, the Veterans' Affairs Committee will not meet its reconciliation target with this legislation, falling short of the target by approximately \$500 million in fiscal year 1990. As you know, the budget resolution makes certain assumptions about total reconciliation savings by committee, but it is entirely within the discretion of the authorizing committees to reach the savings goal through other changes in law. The Budget Committee looks forward to the Veterans' Affairs Committee complying with its total reconciliation instructions by the July 15 deadline.

SCOREKEEPING

The bipartisan budget agreement and the conference agreement on the budget resolution for fiscal year 1990 explicitly assumed \$0.5 billion in savings from the sale without recourse of veterans' vendee housing loans. Under an institutional scorekeeping convention adopted in June 1986 by the Congressional Budget Office and the Office of Management and Budget, as well as both House and Senate Budget Committees, loan sales are scored as savings only if the loans are sold without recourse, or without repurchase agreements. Loans with recourse are treated as borrowing authority because there is a Federal guarantee, or future commitment, involved in the sales.

H.R. 1415 appears to permit loans with or without recourse by stating that the Secretary may sell loans with or without recourse but "only if the cash proceeds received at the time of such sale is equal to an amount which

is not less than 90 percent of the unpaid balance of such loan." This particular provision could be fulfilled only if the loans were sold with recourse. Therefore, following the normal scorekeeping convention, the Congressional Budget Office would not score vendee loan sales as savings, based on this language.

Furthermore, the legislation includes language that mandates that the savings be scored, notwithstanding that the loans would be made with recourse. In other words, it would legislate this one exception to the scorekeeping rules used by all other bills in the House. I strongly oppose this provision because it would set a precedent that would allow any committee to draft legislation to circumvent scorekeeping rules to that committee's advantage.

The Congressional Budget Office has stated clearly in its cost estimate of the bill that the loans will not be scored as offsetting collections, or savings. In fact, CBO's statement reads, and I quote: "If CBO were to score bills under the proposed practice rather than under existing scorekeeping rules, we would be changing the rules at the suggestion of one Member or committee rather than at the direction of the entire Congress." The cost estimate states that CBO will not alter existing accounting practices until after enactment of legislation which directs such changes. And it should not.

In addition, this legislation violates the bipartisan budget agreement scorekeeping guidelines which bar budget reclassifications. The agreement states that a law that alters the classification of spending and revenues—for example, from discretionary to mandatory—will not be scored as a reclassification for the purpose of enforcing the agreement. This bill does reclassify borrowing authority as an offsetting collection.

Mr. MONTGOMERY. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia [Mr. STAGGERS].

Mr. STAGGERS. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I think it should be pointed out that we are not saying these loans will be with or without recourse. What we are saying is that when we do it that we have to receive 90 percent or more of the unpaid balance, that it be received at that time.

With recourse, obviously, we are going to get more money. In fact, if we had this, we would not have an emergency supplemental for the veterans. In fact, if I can go back to the Committee on Appropriations report, the report states that lower revenue from the expected sale of portfolio loans is a contributing factor to the supplemental request for the fund.

Mr. Speaker, if we look at the facts of this, it is that with a nonrecourse loan we are going to get \$0.55 to \$0.65 on the dollar. If we do it with recourse, we get \$0.90 on the dollar.

As I have stated earlier, in my earlier statement, we could save \$300 million in cold cash, and not just funny money, by changing the scorekeeping.

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

Mr. Speaker, to follow up on the explanation of the gentleman from West Virginia, I regret that the summit agreement did include this assumption that we would continue loan sales without recourse. The reason we reported this scorekeeping change was to try to save the taxpayers some money. It could be as much as \$300 million in this next fiscal year, and all we are talking about is a way of scorekeeping. We tried to explain this in our report. We think we have a good bill, and I would certainly hope that the Members support the legislation.

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

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

The SPEAKER pro tempore (Mr. MURTHA). The question is on the motion offered by the gentleman from Mississippi [Mr. MONTGOMERY] that the House suspend the rules and pass the bill, H.R. 1415, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1430

ENFORCEMENT OF THE UNITED STATES-JAPAN SEMICONDUCTOR AGREEMENT

Mr. ROSTENKOWSKI. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 146) to call for the President to take action to enforce the semiconductor agreement, and prevent further unfair Japanese trade practices.

The Clerk read as follows:

H. RES. 146

Whereas in 1986 Japan entered into an agreement with the United States which included a provision to increase foreign access to the Japanese semiconductor market;

Whereas the agreement envisaged gradual and steady growth of foreign producers' share of the Japanese market from the 8.5 per centum level in 1986, until, by 1991 it was to exceed 20 per centum;

Whereas in 1987 the House found unanimously that the Government of Japan had failed to meet the commitment of the 1986 United States-Japan Semiconductor Agreement, and resolved that the President should immediately take all appropriate and feasible actions under section 301 of the

Trade Act of 1974 to remedy and prevent further violation of the agreement by Japan;

Whereas in early 1987 the President found that Japan's failure to abide by its commitments was "inconsistent with the provisions of, or otherwise denies benefits to the United States under, the (Agreement); and is unjustifiable and unreasonable, and constitutes a burden or restriction on U.S. commerce"; and in response, the President imposed market-access-related sanctions under section 301 of the Trade Act of 1974 in the amount of \$165,000,000 annually;

Whereas it is now the midpoint of the agreement which should place foreign market share at above 14 per centum, although it is currently only 10.5 per centum, approximately the level it has averaged for the last two decades, including the period when imports into Japan were formally controlled;

Whereas Japan's failure to live up to its market access commitments has serious adverse effect on the United States semiconductor industry, costing United States producers an estimated \$490,000,000 in lost sales in 1988, an amount projected to grow to \$1,600,000,000 annually by 1991;

Whereas these lost sales figures substantially understate the effects on employment, investment in research and development, technological leadership, competitiveness, and national security that results from lack of full access to Japan, the world's largest semiconductor market;

Whereas semiconductors are the heart of computer technology and numerous related fields, such as defense equipment, work stations, supercomputers, high-definition television, robotics, and automotive technology;

Whereas the actions which were the object of the 1985 section 301 petition have not changed, and Japan is currently still in violation of the agreement it entered into;

Whereas former President Reagan stated, and United States Trade Representative Hills recently reaffirmed, that the sanctions would be maintained until there was "firm and continuing evidence . . . that access to the Japanese market has improved";

Whereas resolution of the semiconductor case has important implications for solving the trade problems facing numerous other United States industries in Japan, including work stations, fiber optics, supercomputers, and telecommunications;

Whereas the policy of resolving trade disputes through negotiations is not credible if, after successful negotiation of an agreement, the other party fails to abide by it; and

Whereas Japan has a strong interest in maintaining access to the United States market for both those current products which include semiconductors, such as automobiles and consumer electronic goods, and in emerging technologies, such as high-definition television: Now, therefore, be it

Resolved, That it is the sense of the House—

(1) that Japan has not lived up to the terms of its agreement with the United States in an area of vital importance to our Nation's economic health and national security;

(2) that the administration convey to the Government of Japan that its continuing violation of the agreement is unacceptable;

(3) that the President, the United States Trade Representative, the Secretary of State, and the Secretary of Commerce seek a prompt remedy for the violation, placing the highest priority on obtaining full access

to the Japanese market for semiconductors in accordance with the United States-Japan Semiconductor Agreement; and

(4) that the President and the United States Trade Representative, pursuant to statute, take all measures necessary to achieve compliance with the agreement.

The SPEAKER pro tempore (Mr. MURTHA) pursuant to the rule, a second is not required on this motion.

The gentleman from Illinois [Mr. ROSTENKOWSKI] will be recognized for 20 minutes, and the gentleman from Illinois [Mr. CRANE] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Illinois [Mr. ROSTENKOWSKI].

GENERAL LEAVE

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of the House Resolution 146, a resolution calling on the President to enforce the United States-Japan semiconductor agreement and prevent further unfair Japanese trade practices.

This resolution is an extremely important measure. In 1986, the United States and Japan entered into an agreement to prevent Japanese dumping of computer chips and to provide substantially increased access by foreign firms in the Japanese market. In 1987, the President retaliated against Japan for its failure to live up to the terms of the agreement. Some of that retaliation, in the form of high tariffs, remains in place due to Japan's continued failure to provide greater market access for United States and other foreign firms.

Mr. Speaker, in return for this comprehensive agreement, the United States suspended several unfair trade practices cases against Japanese semiconductor producers. For this reason, it is essential that we send a strong message to the administration and Japan—namely, that Japan should honor the commitments made in this semiconductor agreement or the administration should take action to bring about compliance. That is the message contained in House Resolution 146 and I urge my colleagues to support it.

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

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

Mr. Speaker, I would like to join my colleague, the distinguished chairman of our Ways and Means Committee and to commend the author, the gen-

tleman from California, in supporting House Resolution 146, which expresses the sense of the House that Japan had failed to live up to its commitments under the 1986 United States-Japan Semiconductor Agreement. This resolution, which was reported unanimously from the Committee on Ways and Means, calls upon the administration to convey to the Japanese that continued disregard of the agreement is unacceptable. The resolution specifies that the highest priority should be given to increased market access.

Mr. Speaker, Japan, of course, is not the only trading partner with which we have trade difficulties. My colleagues know my strong view that we must get our budget deficit under control to restore our trade position with Japan and our other major trading partners. But at a time when there is acute concern in this body over the size of our bilateral trade deficit with Japan, it is unacceptable for Japan to disregard market access commitments of a trade agreement.

The United States signed the semiconductor agreement with Japan in September 1986. In exchange for waiving penalties under United States trade statutes, we expected Japan to end its unfair trade practices. USTR has determined that, while the dumping by Japanese chip companies in the United States and foreign markets has abated, United States chip manufacturers still do not have fair market access in Japan. Many U.S. companies, such as Motorola in my district, have been successful in selling under difficult competitive conditions in other markets. Their sales in Japan, however, do not correspond to their excellent performance elsewhere.

Japan has not provided market access for competitive imports of semiconductors to the same degree that its exporters enjoy access in other markets. Such access can only be measured in increased sales of competitive products. At this halfway point in the life of the agreement, we are much less than halfway to the foreign market penetration levels anticipated by the pact.

This resolution is designed to indicate to the Japanese that the United States Government is united in its insistence that Japan live up to its trade agreements. I urge my colleagues to approve House Resolution 146.

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

Mr. ROSTENKOWSKI. Mr. Speaker, the gentleman from California [Mr. MATSUI], the principal sponsor of this resolution, had done an outstanding job working this resolution.

Mr. Speaker, I yield the balance of my time to the gentleman from California [Mr. MATSUI] and I ask unanimous consent that he be allowed to control the time on this side.

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

There was no objection.

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

Mr. Speaker, I rise in support of House Resolution 146, a resolution which I introduced to encourage the President and key members of the Cabinet to take steps to assure Japanese Government compliance with the United States-Japan Semiconductor Agreement.

That agreement was entered into in 1986 and resulted in the suspension of a number of unfair trade practices cases against Japanese firms. In 1987, the President found that Japan had violated the market access provisions of the agreement and ordered retaliation against Japanese imports into the United States market. Japan has yet to comply with that part of the agreement calling for a gradual, steady increase in the market share of foreign firms in the Japanese market. The United States Trade Representative recently estimated that full Japanese compliance could increase United States sales in Japan by as much as \$5 billion over the life of the agreement.

Mr. Speaker, agreements entered into by foreign governments with the United States Government should be taken seriously by those governments—particularly when the agreement is a substitute for the application of U.S. trade laws. This resolution calls on the President, the United States Trade Representative, and other Cabinet members to place the highest priority on obtaining full access to the Japanese market for semiconductors, and to take all measures necessary to achieve compliance with the agreement.

I urge my colleagues to join with me in sending a timely message to the administration and Japan on a matter of great importance to United States economic health and national security.

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

Mr. CRANE. Mr. Speaker, I yield 4 minutes to the gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Speaker, I thank the gentleman from Illinois for yielding this time to me.

Mr. Speaker, I rise in strong support of House Resolution 146 which calls for the President to take action to enforce the 1986 United States-Japan semiconductor agreement and to prevent further Japanese unfair trade practices.

Before I discuss the merits of the 1986 semiconductor accord, I'd like to review a little of the history of United States-Japanese semiconductor relations and I submit for the RECORD United States market shares in Japan from 1973 to the present.

If we take a look at these statistics we find that in 1973, the U.S. semiconductor market share in Japan was 9%. In the first quarter of 1989 that market share had risen by only 1.6% to 10.6%. Is this rather insignificant increase in the U.S. market share due to the U.S. production of an inferior product? We know the answer to that question is a resounding "No." The phenomenon occurred because of Japan's persistent efforts to keep the Japanese demand door tightly shut to foreign suppliers.

In 1983, the United States and Japan established a high technology working group whereby both countries agreed that "it is essential for the health of the world semiconductor market that free and open markets exist in both countries." Almost immediately following the initiation of this working group, Japanese demand for United States semiconductors rose. Because of that increase in demand, the United States percentage of the Japanese market grew from 10.8 percent in 1983 to 11.2 percent in 1984. When a recession occurred in late 1984, however, Japan protected its market share and the United States market share dropped to 8.5 percent in 1985. Because Japan violated the 1983 working group by closing its markets to foreigners when demand for semiconductors declined, the Semiconductor Industry Association, or SIA, was forced to file a 301 case with the United States Government in 1985. While then United States Trade Representative Clayton Yeutter was negotiating the SIA 301 case, separate antidumping suits were filed with the Commerce Department alleging Japanese dumping of D-RAMS and E-PROMS in the United States market. The two governments arrived at a settlement in the form of the semiconductor agreement which is before us today.

When the agreement was formally signed on September 2, 1986, it was accompanied by the suspension of the related D-RAM and E-PROM antidumping suits pending against Japan. The semiconductor agreement itself has three parts: It called for an increase in foreign market access in Japan, the cessation of semiconductor dumping in world markets and the suspension of the SIA 301 case.

At the time the semiconductor agreement was assigned, it was estimated that, absent Japanese unfair trade practices, the United States share of the Japanese market would have been in the 27- to 33-percent range. The agreement itself only calls for 20 percent by 1991.

Market access is critical to any industry and access to Japan's semiconductor market is crucial for our domestic semiconductor producers. The SIA estimates that if Japanese non-compliance continues until 1991, United States firms will have lost cumulative sales of more than \$4 billion. Perhaps more importantly, those fig-

ures translate to between 8,000 to 12,500 unemployed workers.

Japan is an ally. Japan is an economic superpower. Japan enjoys a \$55.4 billion trade surplus with the United States. By all accounts Japan has earned the title of a great nation. Mr. Speaker, let us send a strong signal to Japan that we expect allies, economic superpowers and all nations to keep their word. Let us support this resolution.

United States market shares in Japan

1973	9.0
1974	10.0
1975	10.2
1976	10.2
1977	9.0
1978	10.0
1979	14.0
1980	12.2
1981	9.3
1982	10.1
1983	10.8
1984	11.2
1985	8.5
1986	8.8
1987	10.6
1988	10.5
1989 ¹	10.6

¹ First quarter.

Source: Semiconductor Industry Association.

□ 1440

Mr. CRANE. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Pennsylvania [Mr. Gekas].

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

Mr. Speaker, I noted in the written material that we have on this resolution that the administration has no position on it. Yet the administration very recently did take some very strong positions with respect to the failings of some of our trading partners, including Japan. So that the sense and thrust of this resolution is in keeping with recent events from the White House and in the White House that mean to tell the Government of Japan that although we value them, as was said, as a strategic and political and military ally, we also are concerned about the overweening imbalance that occurs and keeps recurring in the trade situation.

The sense of this resolution and the thrust of this resolution then will go a long way to mesh with the President's already articulated pronouncements in this field and will allow Japan to know that the will of the Congress is to work with them but not to tolerate the unfair playing field which they have created in so many different arenas.

Mr. MINETA. Mr. Speaker, I rise in strong support of this resolution. I want to commend my good friend and colleague from California. Mr. MATSUI, for his sponsorship of this very important initiative, as well as commending the distinguished chairman of the Ways and Means Committee, the gentleman from Illinois, for his leadership on this issue.

House Resolution 146 addresses one of our country's most pressing trade problems—

namely the refusal of one of our most important allies and trading partners, Japan, to fulfill their part of a crucial trade agreement between our countries.

That unfulfilled trade pact is, of course, the United States-Japan Semiconductor Agreement.

The basic facts, as my esteemed colleague has already espoused, are simple. Under the United States-Japan Semiconductor Agreement, Japan agreed to open up their protected domestic semiconductor market, and increase the foreign market share in this area to 20 percent. Unfortunately, 3 years later, there has essentially been no progress in this direction.

This is a critical problem for the United States semiconductor industry, which is of vital importance to my home county of Santa Clara, to the State of California, and to our entire country.

Semiconductors are the building blocks of our modern electronics industry. In the United States, that electronics industry employs more than 2.5 million people—more than any other manufacturing industry in our country, more than the aerospace, automobile, and steel industries combined!

And looking beyond the electronics industry, those little bits of processed silicon known as microchips are everywhere—controlling the watches we wear and the cars we drive, running our factories, forming the basis of our computer and telecommunications systems, guiding the weapons that make up our national defenses, allowing our doctors to develop new medical technologies, and waiting to steer our astronauts into space at the next space shuttle launch.

In fact, it would be difficult to overestimate the importance of these clever devices that give my home county of Santa Clara in California its more famous nickname Silicon Valley.

Economically, more and more products—and, increasingly, our very means of production—are based upon chip technology. As we fast approach the 21st century, a strong economy will be increasingly measured by the ability to manufacture and market microchips.

Militarily, as we move toward increasingly sophisticated weapons, microchips will be ever more indispensable. In terms of sophistication and reliability, our basic military semiconductor needs must be met by our domestic industry if we are to remain both independent and a true superpower.

Simply put, a healthy semiconductor industry is vital to our country's economic strength and military security.

Yet today, the largest market for semiconductors internationally is in Japan. This means that if United States semiconductor makers are to thrive and grow, they must be able to export, and export to Japan. So far, this route has been blocked. United States semiconductor manufacturers have been and continue to be systematically excluded from Japan's domestic semiconductor market.

Of course, there are those who like to say that the problem isn't with Japan at all, that the problem is that the United States semiconductor industry just isn't competitive, or just isn't trying hard enough to sell in Japan. I

have one word for these red herring excuses: Hogwash!

Our semiconductor industry has the highest rate of R&D reinvestment of any industry in the United States, and initiatives like Sematech have put the U.S. semiconductor industry on the leading edge of efforts to improve U.S. manufacturing competitiveness.

At the same time, United States semiconductor makers have gone all out to penetrate the Japanese market. They have made more than \$5 billion dollars in capital investments in Japan, have opened numerous design centers, test facilities, and sales offices in Japan, and have increased dramatically the number of United States sales and support personnel in Japan.

And still, despite these competitive efforts, and despite the agreement between our countries, we are effectively locked out of the Japanese market.

Mr. Speaker, for too long, our trade partner on the other side of the Pacific has given us nothing but excuses and denials. Not only have the Japanese dragged their feet on any real market-opening measures, but they have gone so far as to deny that they ever made a commitment to freer trade and open markets in this area.

This has gone on long enough. It is time to turn up the heat. This Congress and our administration should put the enforcement of the Semiconductor Trade Agreement at the top of our trade agenda, and insist that the Japanese make real progress in opening up their market.

Mr. Speaker, I urge my colleagues to support a critical United States industry and pass this bill.

Mr. LEVINE of California. Mr. Speaker, I rise today in support of House Resolution 146. Congress and the administration must remain firm in its insistence that a dramatic increase in the United States' share of the Japanese semiconductor market be achieved, and achieved quickly.

Increasing United States access to the Japanese semiconductor market has been an ongoing struggle. In 1986, United States market share of semiconductor sales in Japan was at 8.5 percent. Today, it has barely increased, hovering between 10 and 11 percent. Unless a significant increase is witnessed in the next year, Japan will not have met its commitment to increase the United States share of the semiconductor business to 20 percent by 1991.

This commitment was made in a side letter to the 1986 United States-Japan Semiconductor Agreement. In recent months the Japanese Government has tried to deny the existence of this side agreement, although Reagan Administration officials attest to the contrary. We must cure them of their amnesia.

In recent months reports have shown an increase in revenues from United States sales of semiconductors to electronics firms in Japan. This statistic, however, masks the rapid overall growth of the Japanese market in recent years. We are still losing billions of dollars of sales in Japan, and until this is turned around, we must continue to pressure the Japanese Government into action.

Passage of this resolution will demonstrate the resolute support of the Congress for the

semiconductor agreement and our commitment to opening Japanese markets to American products. I urge my colleagues to join with me in support of House Resolution 146.

Mr. EDWARDS of California. Mr. Speaker, I rise today in strong support of the resolution expressing congressional concern about Japan's continuing refusal to open its market to United States-produced semiconductors.

As a representative from Silicon Valley, I know firsthand about the obstacles American semiconductor manufacturers face when trying to get their products into the Japanese market. Unfortunately, the existence of the semiconductor agreement, designed to improve United States access to the Japanese market, has resulted in little real progress in the 2 years since its adoption.

This poor performance is clearly not the result of an inferior American product. Although United States semiconductor producers enjoy only 10.5 percent of the Japanese market, they hold 53 percent of the rest of the world market. Certainly, if our semiconductor products are competitive in Europe and the rest of the world, they ought to be in Japan.

The future of our high-technology development is dependent on a healthy semiconductor industry. However, this industry cannot remain healthy if it is not permitted to compete fairly in Japan, which represents an overwhelming 42 percent of the world's total chip demand.

The semiconductor agreement calls for the United States share of the Japanese semiconductor market to reach 20 percent by 1991. This means that the United States market share must almost double over the next 2 years. To reach that goal after such a long period of stagnation will require an improved commitment to trade liberalization on the part of Japan.

I urge the administration to make Japanese compliance with the semiconductor agreement a priority in its trade policy. We must make it clear to Japan that continued access to our lucrative consumer electronics market is dependent on United States semiconductor manufacturers having full access to the Japanese market. With the ongoing trade deficit threatening our economic security, we must send the message that free trade is in fact a two-way street. Focusing attention on the semiconductor issue is one effective way of sending that message.

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

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

The SPEAKER pro tempore. (Mr. LaFALCE). The question is on the motion offered by the gentleman from Illinois [Mr. ROSTENKOWSKI] that the House suspend the rules and agree to the resolution, House Resolution 146.

The question was taken.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, and the Chair's prior announce-

ment, further proceedings on this motion will be postponed.

BUSINESS OPPORTUNITY DEVELOPMENT REFORM ACT TECHNICAL CORRECTIONS ACT

Mr. LaFALCE. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 767) to make technical corrections to the Business Opportunity Development Reform Act of 1988.

The Clerk read as follows:

S. 767

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 "Business Opportunity Development Reform Act Technical Corrections Act".

SEC. 2. TABLE OF CONTENTS.

The table of contents of the Business Opportunity Development Reform Act of 1988 (hereinafter referred to as "the Act") is amended—

- (1) in item 713, by striking "Procurements" and inserting "Procurement"; and
- (2) in item 722, by striking "participating" and inserting "participation".

SEC. 3. DEFINITIONS.

Section 2 of the Act is amended—

- (1) by redesignating paragraphs (3) through (7) as paragraphs (4) through (8), respectively;
- (2) by inserting after paragraph (2) the following new paragraph:

"(3) the term 'Business Opportunity Specialist' means the Administration employee responsible for providing business development assistance to Program Participants pursuant to sections 7(j) and 8(a) of the Small Business Act (15 U.S.C. 636(j), 637(a)); and
- (3) in paragraph (6), as redesignated—
 - (A) by striking "Small Business" and inserting "Minority Small Business", and
 - (B) by inserting before the semicolon the following: ", unless otherwise indicated".

SEC. 4. PROGRAM ELIGIBILITY.

Section 7(j)(11) of the Small Business Act (15 U.S.C. 636(j)(11)) is amended—

- (1) by striking subparagraph (B) and inserting the following:

"(B)(i) Except as provided in clause (iii), no individual who was determined pursuant to section 8(a) to be socially and economically disadvantaged before the effective date of this subparagraph shall be permitted to assert such disadvantage with respect to any other concern making application for certification after such effective date.

"(ii) Except as provided in clause (iii), any individual upon whom eligibility is based pursuant to section 8(a)(4) shall be permitted to assert such eligibility for only one small business concern.

"(iii) A socially and economically disadvantaged Indian tribe may own more than one small business concern eligible for assistance pursuant to section 7(j)(10) and section 8(a) if—

"(I) the Indian tribe does not own another firm in the same industry which has been determined to be eligible to receive contracts under this program, and

"(II) the individuals responsible for the management and daily operations of the concern do not manage more than two Program Participants.";

(2) in the first sentence of subparagraph (E), by striking "Office of the Associate Administrator for Minority Small Business" and inserting "Office of Minority Small Business";

(3) in the second sentence of subparagraph (E), by striking "such Associate Administrator" and inserting "the Associate Administrator for Minority Small Business and Capital Ownership Development";

(4) in subparagraph (F)(v), by striking "with the Associate Administrator" and inserting "to the Associate Administrator";

(5) in subparagraph (F), by striking clause (vi) and inserting:

"(vi) make recommendations to the Associate Administrator for Minority Small Business and Capital Ownership Development concerning protests from applicants that have been denied program admission";

(6) in subparagraph (F)(viii), by striking "subparagraph (H)" and inserting "subparagraph (I)";

(7) in subparagraph (G)(ii), by striking "participants" and inserting "Participants";

(8) by redesignating subparagraph (H) as subparagraph (I); and

(9) by inserting after subparagraph (G) the following:

"(H) Not later than 90 days after receipt of a completed application for Program certification, the Associate Administrator for Minority Small Business and Capital Ownership Development shall certify a small business concern as a Program Participant or shall deny such application."

SEC. 5. BUSINESS PLANS.

(a) IN GENERAL.—Section 7(j)(10)(A)(i) of the Small Business Act (15 U.S.C. 636(j)(10)(A)(i)) is amended by striking "which sets forth" and inserting "which set forth".

(b) CONTENTS OF PLAN.—Section 7(j)(10)(D) of the Small Business Act (15 U.S.C. 636(j)(10)(D)) is amended—

(1) in the first sentence of clause (i), by striking "business opportunity specialist" and inserting "Business Opportunity Specialist";

(2) in clause (ii)(II), by striking "small business concerns" and inserting "the small business concern";

(3) in clause (iii), by inserting before the end period the following: "relating to attaining business activity from sources other than contracts awarded pursuant to section 8(a)";

(4) in clause (iv), by striking "contract awards" and inserting "contract awards"; and

(5) in clause (iv)(I), by inserting before the second comma the following: "relating to attaining business activity from sources other than contracts awarded pursuant to section 8(a)".

SEC. 6. ELIGIBILITY REVIEWS AND ELIGIBILITY OF NATIVE HAWAIIANS.

(a) ELIGIBILITY REVIEW.—Section 7(j)(10)(J)(i) of the Small Business Act (15 U.S.C. 636(j)(10)(J)(i)) is amended by striking "suspended or terminated" and inserting "suspended".

(b) ELIGIBILITY OF NATIVE HAWAIIANS.—Section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)) is amended by striking "organizations" and inserting "Organization".

(c) Section 207(b) of the Act is amended by striking "(15 U.S.C. 631(e)(2)(C))" and inserting "(15 U.S.C. 631(e)(1)(C))".

(d) DEFINITION OF "SOCIOALLY AND ECONOMICALLY DISADVANTAGED SMALL BUSINESS CONCERN".—Section 8(a)(4)(A) of the Small

Business Act (15 U.S.C. 637(a)(4)(A)) is amended—

(1) in clause (i), by inserting "unconditionally" after "per centum"; and

(2) in clause (ii), by inserting "unconditionally" before "owned by".

SEC. 7. TERMINATION AND GRADUATION STANDARDS.

(a) IN GENERAL.—Section 7(j)(10) of the Small Business Act (15 U.S.C. 636(j)(10)) is amended—

(1) by striking subparagraph (E)(ii) and inserting:

"(ii) completes the period of Program participation as prescribed by paragraph (15);";

(2) by striking the first subparagraph (F); and

(3) in subparagraph (F), by striking the first sentence and inserting the following: "For purposes of this section and section 8(a), the term 'terminated' and the term 'termination' means the total denial or suspension of assistance under this paragraph or under section 8(a) prior to the graduation of the participating small business concern or prior to the expiration of the maximum program participation term."

(b) ECONOMIC DISADVANTAGE.—Section 8(a)(6)(C)(iii) of the Small Business Act (15 U.S.C. 637(a)(6)(C)(iii)) is amended by striking out "section 7(j)(10)(H)" and inserting "section 7(j)(10)(G)".

SEC. 8. STAGES OF PROGRAM PARTICIPATION.

(a) IN GENERAL.—Section 7(j)(12) of the Small Business Act (15 U.S.C. 636(j)(12)) is amended—

(1) in subparagraph (A), by striking "development" and inserting "developmental"; and

(2) in subparagraph (B), by inserting "in its effort" after "to assist the concern".

(b) DEVELOPMENTAL STAGE.—Section 7(j)(13)(E) of the Small Business Act (15 U.S.C. 636(j)(13)(E)) is amended by striking the second sentence and inserting the following: "Such assistance may be made without regard to section 18(a). Assistance may be made by direct payment to the training provider or by reimbursing the Program Participant or the Participant's employee, if such reimbursement is found to be reasonable and appropriate."

SEC. 9. LOANS.

Section 7(a)(20) of the Small Business Act (15 U.S.C. 636(a)(20)) is amended in subparagraph (C)(iv), by inserting "is" before "amortized".

SEC. 10. CONTRACTUAL ASSISTANCE.

(a) CITATION.—Section 303(a) of the Act is amended by striking "15 U.S.C. 363(j)(10)" and inserting "15 U.S.C. 636(j)(10)".

(b) COMPETITIVE BUSINESS MIX.—Section 7(j)(10) of the Small Business Act (15 U.S.C. 636(j)(10)) is amended by striking "(i) During the developmental stage" and inserting "(i) During the developmental stage".

(c) COMPETITIVE THRESHOLDS.—Section 8(a)(1)(D)(i) of the Small Business Act (15 U.S.C. 637(a)(1)(D)(i)) is amended by striking "program participants" and inserting "Program Participants".

(d) OPTIONS.—Section 303(f)(2) of the Act is amended by inserting "active" before "contracts previously awarded".

(e) NON-MANUFACTURER RULE.—Section 8(a)(17)(B) of the Small Business Act (15 U.S.C. 637(a)(17)(B)) is amended—

(1) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively; and

(2) by inserting after clause (i) the following:

"(ii) be a small business concern under the numerical size standard for the Standard Industrial Classification Code assigned to

the contract solicitation on which the offer is being made";

SEC. 11. STATUS OF THE ASSOCIATE ADMINISTRATOR FOR MINORITY SMALL BUSINESS AND CAPITAL OWNERSHIP DEVELOPMENT.

(a) IN GENERAL.—Section 401(a) of the Act is amended by striking "In Section" and inserting "Section".

(b) CAREER POSITION.—Section 401(b) of the Act is amended by striking "of the Act" and inserting "of the Small Business Act".

SEC. 12. PROHIBITED ACTIONS AND EMPLOYEE RESPONSIBILITIES.

Section 8(a)(18)(A) of the Small Business Act (15 U.S.C. 637(a)(18)(A)) is amended by striking "certified".

SEC. 13. POLITICALLY MOTIVATED ACTIVITIES.

Section 8(a)(19)(B) of the Small Business Act (15 U.S.C. 637(a)(19)(B)) is amended by striking "imposed by the Administrator".

SEC. 14. REPORTS BY PROGRAM PARTICIPANTS.

Section 8(a)(20)(A) of the Small Business Act (15 U.S.C. 637(a)(20)(A)) is amended by striking "business opportunity specialist" and inserting "Business Opportunity Specialist".

SEC. 15. CONGRESSIONALLY REQUESTED INVESTIGATIONS.

Section 10(e)(2) of the Small Business Act (15 U.S.C. 639(e)(2)) is amended by striking "of the disposition of the matter" and inserting "of the disposition of the request".

SEC. 16. CONTRACT PERFORMANCE.

Section 8(a)(21) of the Small Business Act (15 U.S.C. 637(a)(21)) is amended—

(1) in subparagraph (B), by striking "The Administrator may, as a matter of discretion and on a nondelegable basis, waive the requirements of subparagraph (A) if requested to do so prior to the actual relinquishment of ownership or control. In addition to the requirement of the preceding sentence, a waiver may be given only if any of the following conditions exist:" and inserting the following: "The Administrator may, on a nondelegable basis, waive the requirements of subparagraph (A) only if one of the following conditions exist:"; and

(2) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively, and by inserting after subparagraph (B) the following:

"(C) The Administrator may waive the requirements of subparagraph (A) if—

"(i) in the case of subparagraph (B) (i), (ii) and (iv), he is requested to do so prior to the actual relinquishment of ownership or control; and

"(ii) in the case of subparagraph (B)(iii), he is requested to do so as soon as possible after the incapacity or death occurs."

SEC. 17. DUE PROCESS RIGHTS.

Section 8(a)(9) of the Small Business Act (15 U.S.C. 637(a)(9)) is amended—

(1) in subparagraph (A), by striking "Administrator" and inserting "Administration";

(2) in subparagraph (B)(iii), by striking "section 7(j)(10)(H)" and inserting "section 7(j)(10)(G)"; and

(3) in subparagraph (C), by striking "Administrator's" and inserting "Administration's".

SEC. 18. EMPLOYEE TRAINING AND EVALUATION.

Section 410 of the Act is amended—

(1) in subsection (a), by striking "Training Requirements for Business Specialists" and inserting "Training Requirements for Business Opportunity Specialists"; and

(2) in subsection (c)(2), by striking "subsection (a)" and inserting "subsection (b)".

SEC. 19. PRESIDENTIAL REPORT ON CONTRACTING GOALS.

Section 15(h)(2)(A) of the Small Business Act (15 U.S.C. 644(h)(2)(A)) is amended by inserting "individuals" after "economically disadvantaged".

SEC. 20. COMMISSION ON MINORITY BUSINESS DEVELOPMENT.

Section 505 of the Act is amended—

(1) in subsection (b)(1)(B)(ii), by striking "program participants" each place it appears and inserting "Program Participants";

(2) in subsection (b)(1)(C), by striking "subparagraph (B)" and inserting "subparagraph (A)";

(3) in subsection (b)(2)(C), by striking "each such subparagraph" and inserting "paragraph (1)";

(4) in subsection (c)(3), by striking "such subparagraphs" and inserting "subparagraphs (B), (C), and (D)";

(5) in subsection (c)(6)(B), by striking "paragraph 2" and inserting "subsection (b)(2)";

(6) in subsection (d)(1)(B), by striking "531(b)" and inserting "531(b)";

(7) by adding at the end of subsection (d) the following:

"(C) To facilitate the expeditious initiation of the Commission's activities, the Administrator of the Small Business Administration shall designate an Executive Secretary and provide such additional interim staff and support services as the Administrator deems appropriate until the time of the Commission's organizational meeting and the designation of its Executive Director, or such longer time as may be agreed upon by the Administrator and the Chairperson of the Commission.";

(8) in subsection (f), by striking "cease to exist on" and inserting "cease to exist within 90 days after"; and

(9) in subsection (g), by striking "authorized in the section" and inserting "authorized in this section".

SEC. 21. RELATIONSHIP WITH OTHER PROCUREMENT PROGRAMS.

Section 15(m)(1)(A) of the Small Business Act (15 U.S.C. 644(m)(1)(A)) is amended by striking "procedure" and inserting "procedures".

SEC. 22. INDIAN TRIBE EXEMPTIONS.

Section 602 of the Act is amended—

(1) in subsection (a), by striking "Section 8(a)(16) of the Small Business Act" and inserting "Section 8(a)(1)(D) of the Small Business Act";

(2) in subsection (b)(2)(B), by inserting after "reservation" "or former reservation of such tribe as determined by the Secretary of the Interior";

(3) in subsection (b)(2)(C), by inserting ", or such former reservation" before the semicolon; and

(4) by striking subsection (d) and redesignating subsection (e) as subsection (d).

SEC. 23. SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM.

Section 711(a) of the Act is amended by inserting "in this title" after "referred to".

SEC. 24. ENHANCED SMALL BUSINESS PARTICIPATION GOALS.

Section 712(b)(1) of the Act is amended by striking "section 718" and inserting "section 717".

SEC. 25. PROCUREMENT PROCEDURES AND REPORTING.

(a) **PROCUREMENT PROCEDURES.**—Section 713(a) of the Act is amended by striking "\$25,000 or more" and inserting "more than \$25,000".

(b) **REPORTING.**—Section 714(c)(2) of the Act is amended by striking "section 712(d)" and inserting "section 712(c)".

SEC. 26. DESIGNATED INDUSTRY GROUPS.

Section 717(b)(2) of the Act is amended to read as follows:

"(2) Major Group 16 (Heavy Construction Other Than Building Construction—Contractors) (excluding dredging);".

SEC. 27. DEFINITION OF PARTICIPATING AGENCY.

Section 718(c) of the Act is amended—

(1) by redesignating paragraphs (5) through (9) as paragraphs (6) through (10), respectively, and by inserting after paragraph (4) the following new paragraph:

"(5) the Department of the Interior,"; and

(2) in paragraph (8), as redesignated, by inserting "with" before "the Public Building Service".

SEC. 28. ALTERNATIVE PROGRAM FOR CLOTHING AND TEXTILES.

Section 721 of the Act is amended—

(1) by inserting "(10 U.S.C. 2301 note)" after "Fiscal Year 1987" in subsection (a)(2)(B); and

(2) by adding at the end thereof the following:

"(c) **PROGRAM TERM.**—The Program shall commence on January 1, 1989, and terminate on September 30, 1992.

"(d) **REPORT.**—The Secretary of Defense shall issue reports to the Congress on the operations of the program established pursuant to this section. Such reports shall detail the effects of the program on the mobilization base and on small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals. Interim reports shall be submitted every 6 months during the term of the program to the Committees on Armed Services and Small Business of the House of Representatives and the Senate."

SEC. 29. EXPANDING SMALL BUSINESS PARTICIPATION IN DREDGING.

Section 722 of the Act is amended—

(1) in subsection (a), by adding before the end period the following: "solicited on or after January 1, 1989";

(2) in subsection (d)(1)(B), by inserting "foster" before "joint ventures";

(3) in subsection (d)(1)(C), by inserting "foster" before "subcontracting through"; and

(4) in subsection (f), by inserting ", regarding compliance with this section" at the end of paragraph (1), and by striking paragraph (3).

SEC. 30. REGULATIONS.

Section 801(3) of the Act is amended by striking "two hundred and ten days" and inserting "270 days".

SEC. 31. AMENDMENTS TO EFFECTIVE DATES.

Section 803 of the Act is amended—

(1) in subsection (b)(3)(B), by striking "Sections 302 and" and inserting "Section";

(2) in subsection (b), by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and by inserting after paragraph (1) the following new paragraph:

"(2) Section 302 shall take effect on June 1, 1989,"; and

(3) in paragraph (1) of subsection (b), by striking "June 1, 1989" and inserting "August 15, 1989".

SEC. 32. EFFECTIVE DATES OF THIS ACT.

The amendments made by this Act shall apply as if included in the Business Opportunity Development Reform Act of 1988.

The **SPEAKER** pro tempore. (Mr. MURTHA). Pursuant to the rule, a second is not required on this motion.

The gentleman from New York [Mr. LaFALCE] will be recognized for 20 minutes and the gentleman from Pennsylvania [Mr. McDADE] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New York [Mr. LaFALCE].

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

Mr. Speaker, I would like to share with my colleagues some background on this bill and then briefly summarize what it does.

In October 1988, Congress passed the Business Opportunity Development Reform Act of 1988, now Public Law 100-656. The purpose of that act is to ensure that the Capital Ownership Development Program and the section 8(a) authority be used exclusively for business development purposes to help small businesses owned and controlled by socially and economically disadvantaged individuals to compete on an equal basis in the mainstream of the American economy. In so doing, the Congress took action to clean up a program which frankly had become synonymous with fraud and abuse because of the Wedtech scandal. Although the majority of 8(a) firms are undoubtedly deserving of Government assistance, there is no doubt that much too often the sole source contracts provided by this program went to politically well-connected companies.

The purpose of the bill before us today is to make technical corrections to the Business Opportunity Development Reform Act. Unfortunately, in the crush of business at the end of the 100th Congress, some errors and omissions were made in the final conference version of the bill. This bill will correct these mistakes so that the reforms will be implemented completely in conformity with congressional intent.

On April 11, 1989, ranking minority member JOSEPH McDADE and I introduced H.R. 1764. The bill was referred to the Small Business Committee and was retained in full committee for its consideration. By voice vote H.R. 1764 was ordered favorably reported, as amended, at a committee markup held on April 12, 1989.

Shortly after the committee acted, the Senate passed its own Technical Corrections Act, S. 767, on April 19, 1989. I have placed the Senate-passed bill on suspension, rather than H.R. 1764 for several reasons. S. 767 is virtually identical to H.R. 1764. There are only three differences. First, S. 767 would extend until August 15, 1989, the time limit for SBA to publish final 8(a) regulations. I have received an urgent letter from Susan Engeleiter, Administrator of the SBA, requesting that we recede to the Senate on this issue to allow the agency more time to prepare the final product. I believe we

would all like to accommodate the new Administrator on this point.

Second, S. 767 contains technical amendments to titles VI and VII of the 8(a) Reform Act. When the committee reported H.R. 1764 at the April 12 meeting, H.R. 1764 did not contain these amendments because we had not yet obtained clearance from the Government Operations Committee which has joint jurisdiction over these titles. We have now obtained such clearance from Government Operations so there is no objection to taking these Senate provisions.

Third, S. 767 includes the Department of the Interior in the specific list of nine agencies participating in the demonstration program under title VII. The omission of Interior from the statutory list was inadvertent.

Finally, adopting S. 767 will avoid the necessity of having a conference. This will be of great assistance to the administration which is most anxious that the technical changes be in place as soon as possible.

Mr. Speaker, an outline of the major provisions of the bill follows:

OUTLINE OF THE MAJOR PROVISIONS OF THE BILL

SEC. 2 DEFINITIONS

This section adds a definition of Business Opportunity Specialist, a term which is used extensively in the Business Opportunity Development Reform Act.

SEC. 3 PROGRAM ELIGIBILITY

This section revises section 7(j)(11) of the Small Business Act to make clear that persons, who have been determined to be socially and economically disadvantaged under section 8(a) of the Small Business Act, may apply for 8(a) certification for *only one company*. An exception to this rule is made for economically disadvantaged Indian tribes.

Section 3 of the bill also requires that the Small Business Administration (SBA) must process 8(a) applications within 90 days. This provision was agreed upon in the Conference Committee on the Business Opportunity Development Reform Act but was inadvertently omitted in the final drafting of the bill.

SEC. 15 CONTRACT PERFORMANCE

This section clarifies section 8(a)(21) of the Small Business Act to waive a requirement of prior notice to SBA of asset transfers in the event of the death of an owner of an 8(a) company.

SEC. 19 COMMISSION ON MINORITY BUSINESS DEVELOPMENT

This section adds language to section 505 of the Business Opportunity Development Reform Act to make it clear that it was Congress' intent that the Commission on Minority Business Development be located in SBA "for housekeeping purposes."

SEC. 20 AMENDMENTS TO EFFECTIVE DATES

A direct loan program for socially and economically disadvantaged businesses is authorized by section 302 of the Business Opportunity Development Reform Act. That Act set the effective date of the loan program as October 1, 1989. That was an error. It should have been October 1, 1988. This section, therefore, partially remedies the

error by setting June 1, 1989 as the effective date of the program.

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

(Mr. McDADE asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. McDADE. Mr. Speaker, I rise in support of S. 767, the Business Opportunity Development Reform Act Technical Corrections Act. Chairman LaFALCE has already summarized the contents of the bill. This bill makes minor but necessary changes to the Business Opportunity Development Reform Act which was signed into law last year. S. 767 embodies changes requested by the administration which will strengthen the law by clarifying ambiguous provisions and congressional intent, correcting effective dates, extending the comment period to provide for more flexibility and greater opportunity for the development of implementing regulations and public comment on proposed changes.

Mr. Speaker, the administration supports the bill, and I would urge its adoption.

BUSINESS OPPORTUNITY DEVELOPMENT REFORM ACT, TECHNICAL CORRECTIONS ACT, S. 767

SUMMARY OF MAJOR PROVISIONS

Section 2. Definitions

This Section adds an additional definition of Business Opportunity Specialist. This term is used throughout the Business Opportunity Development Reform Act. Business Opportunity Specialist is a key term because the emphasis of the Act is on developing minority firms rather than on merely handing out federal contracts, as too often had been the case in the past.

Section 3. Program eligibility

This provision revises Section 7(j)(11) of the Small Business Act to make clear that persons who have been found to be socially and economically disadvantaged under Section 8(a) of the Small Business Act may apply for 8(a) certification for *only one company*. Economically disadvantaged Indian tribes are exempted from this requirement.

The purpose of this Section is to add a provision to the bill which was agreed to in the Conference Committee on the Business Opportunity Development Reform Act, but was inadvertently omitted in the final version of the legislation. This language requires that the Small Business process 8(a) applications within 90 days of filing.

Section 15. Contract performance

This section clarifies 8(a)(21) of the Small Business Act to waive a requirement of prior notice to SBA of asset transfers in the event of the death of the owner of an 8(a) company.

Section 19. Commission on Minority Business Development

This clarification adds language to Section 505 to make clear that it was the intent of Congress that the Commission on Minority Business Development be located in SBA "for housekeeping purposes."

Section 20. Amendments to effective dates

Section 302 of the Act authorizes a direct loan program for socially and economically disadvantaged businesses. The effective date

of the loan program was stated in the Act as being October 1, 1989. This is an error. The effective date was to have read October 1, 1988. This Section partially remedies this error by setting the effective date to June 1, 1989.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. LaFALCE] that the House suspend the rules and pass the Senate bill, S. 767.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

□ 1450

GENERAL LEAVE

Mr. LaFALCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material, on S. 767, the Senate bill just passed.

The SPEAKER pro tempore (Mr. MURTHA). Is there objection to the request of the gentleman from New York?

There was no objection.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Kalbaugh, one of his secretaries.

JAPAN RENEGES ON INTERNATIONAL FLIGHT AGREEMENT

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

Mr. BEREUTER. Mr. Speaker, recent events surrounding the FS-X deal with Japan have obscured another aviation-related trade issue in which the Japanese Government, in collaboration with its airlines, is blatantly discriminating against American commercial airlines.

Last December, it appeared the United States was about to reach an agreement with the Japanese to create several new international airline routes between the United States and Japan. At that time, United States negotiators had proposed 29 new routes for both Japanese and United States airlines, while the Japanese had proposed 16.

Last week, when United States trade negotiators met with their Japanese counterparts to work on a final agreement, they were surprised to discover that Japan was reneging on its previous offer, and instead, proposing only 8 routes.

It is not surprising to learn that a determining factor behind Japan's rescission is an unwillingness by two of their leading carriers (Japan Air Lines and All Nippon Airways) to compete with American carriers.

At the very time when the United States Trade Representative is about to announce its Super 301 list, and when Japan is still running extraordinary trade surpluses with the rest of the world (\$7.3 billion in April, \$500 million above April 1987), we would surely expect Japan to be more willing to create additional international flights for United States commercial airlines.

If that doesn't happen, and happen very shortly, the United States should pursue all trade remedies that are available to us under the new Super 301 procedures of the Omnibus Trade Act, and move quickly to impose sanctions against Japan.

WATER RESOURCES RESEARCH ACT OF 1984 AUTHORIZATION THROUGH FISCAL YEAR 1993

Mr. MILLER of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1101) to extend the authorization of the Water Resources Research Act of 1984 through the end of fiscal year 1993, as amended.

The Clerk read as follows:

H.R. 1101

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. AMENDMENT TO PURPOSES.

Section 103(5) of Public Law 98-242 (98 Stat. 98, 42 U.S.C. 10302) is amended by deleting "coordinate more effectively" and inserting in lieu thereof: "to promote more effective coordination of".

SEC. 2. AMENDMENTS TO THE INSTITUTE PROGRAM.

(a) Section 104(a) of Public Law 98-242 (98 Stat. 98, 42 U.S.C. 10303(a)) is amended by changing "Trust Territory of the Pacific Islands" to "Federated States of Micronesia".

(b) Section 104(b) of Public Law 98-242 (98 Stat. 98, 42 U.S.C. 10303(b)) is amended by inserting in the last sentence after the phrase "for the purpose of", the following: "promoting".

(c) Section 104(c) of Public Law 98-242 (98 Stat. 98, 42 U.S.C. 10303(c)) is amended by deleting everything after the phrase "no less than" and inserting in lieu thereof: "one non-Federal dollar for every Federal dollar during the fiscal years ending September 30, 1990, through September 30, 1994, such sums to be used only for the reimbursement of direct cost expenditures incurred for the conduct of the water resources research program".

(d) Section 104(e)(1) and section 104(e)(2) of Public Law 98-242 (98 Stat. 99, 42 U.S.C.

10303(e)(1)-(2)) is redesignated as subsection "(e)" and amended to read as follows:

"(e) The Secretary shall conduct a careful and detailed evaluation of each institute at least once every five years to determine that the quality and relevance of its water resources research and its effectiveness as an institution for planning, conducting and arranging for research warrants its continued support under this section in the national interest. If, as a result of any such evaluation, the Secretary determines that an institute does not qualify for further support under this section, then no further grants to the institute may be made until the institute's qualifications are reestablished to the satisfaction of the Secretary."

(e) Section 104(f)(1) of Public Law 98-242 (98 Stat. 99, 42 U.S.C. 10303(f)(1)) is amended by deleting "September 30, 1985, through September 30, 1989" and inserting in lieu thereof: "September 30, 1990, through September 30, 1994".

(f) Section 104(f)(2) of Public Law 98-242 (98 Stat. 99, 42 U.S.C. 10303(f)(2)) is amended by deleting the phrase "section 106 of this Act" and inserting in lieu thereof: "section 104(g) of this Act".

(g) Section 104 of Public Law 98-242 (98 Stat. 99) is amended by inserting the following new subsection:

"(g)(1) There is further authorized to be appropriated to the Secretary of the Interior the sum of \$5,000,000 for each of the fiscal years ending September 30, 1990, through September 30, 1994, only for reimbursement of the direct cost expenses of additional research or synthesis of the results of research by institutes which focuses on water problems and issues of a regional or interstate nature beyond those of concern only to a single state and which relate to specific program priorities identified jointly by the Secretary and the institutes. Such funds when appropriated shall be matched on a not less than dollar-for-dollar basis by funds made available to institutes or groups of institutes, by States or other non-Federal sources. Funds made available under this subsection shall remain available until expended.

"(2) Research funds made available under this subsection shall be made on a competitive basis subject to the merits of the proposal, the need for the information to be produced, and the opportunity such funds will provide for training of water resources scientists or professionals."

SEC. 3. AMENDMENT TO THE MATCHING GRANT PROGRAM.

Section 105(c) of Public Law 98-242 (98 Stat. 100, 42 U.S.C. 10304) is amended by deleting "September 30, 1986, through September 30, 1989" and inserting in lieu thereof: "September 30, 1990, through September 30, 1994".

SEC. 4. REVISION IN TECHNOLOGY GRANT PROGRAM.

Section 106 of Public Law 98-242 (98 Stat. 100, 42 U.S.C. 10304) is amended to read as follows:

"Sec. 106. (a)(1) The Secretary shall make grants in addition to those authorized under sections 104 and 105 for technology development concerning any aspect of water resources including water-related technology which the Secretary may deem to be of State, regional or national importance. Activities funded under this section may be carried out by educational institutions, private firms, foundations, individuals, and agencies of state or local government. Care shall be taken to protect proprietary infor-

mation of private individuals or firms associated with the technology.

"(2) The Secretary may establish any condition for the matching of funds by the recipient of any grant or contract under this section which the Secretary considers to be in the best interest of the Nation considering the information transfer and technology needs of the Nation. However, in the case of institutes established by Section 104 of this Act no match greater than that required under Section 104 may be required.

"(b) Each application for a grant under this section shall state the nature of the project to be undertaken, the qualifications of the personnel who will direct and conduct it, facilities of the organization performing any technology development, the importance of the project to the Nation, region and State concerned, and the potential benefit to be accrued.

"(c) There is authorized to be appropriated to the Secretary the sum of \$6,000,000 for the purpose of carrying out this section for each of the fiscal years ending September 30, 1990, through September 30, 1994, such sums to remain available until expended."

SEC. 5. REGULATIONS TO REMAIN IN EFFECT.

Section 110 of Public Law 98-242 (98 Stat. 101) is amended by deleting "Public Law 95-467" and inserting in lieu thereof: "Public Law 98-242, as amended."

SEC. 6. ADDITIONAL RESEARCH AUTHORIZATION.

At the end of section 106 of Public Law 98-242 (98 Stat. 101), insert the following new section, and renumber the subsequent sections accordingly:

"Sec. 107. (a) The Secretary, in consultation with the Secretary of Agriculture and the Administrator of the Environmental Protection Agency, is authorized to enter into such contracts or cooperative agreements as the Secretary deems appropriate with educational institutions, consortia of educational institutions, private firms, foundations, individuals, Federal agencies, agencies of State or local governments, or national laboratories (including Los Alamos National Laboratory) to carry out research, development and demonstrations projects relating to the following—

"(1) contamination of ground water aquifers (including its sources, causes, effects, extent, prevention, detection, remediation, monitoring and mitigation), and the development of cost-effective technologies for the prevention, detection, monitoring, remediation, and mitigation of aquifer contamination;

"(2) effects of potential climate changes on surface and ground water quality and quantity utilizing model development and application; and,

"(3) extent and effect of chemical contaminants in ground water, their toxicological significance, and strategies and recommendations for pollutant reduction and detoxification.

"(b) The water resources research work authorized by subsections (a)(1) and (a)(2) of this section shall be undertaken in the Reclamation States, as defined in section 1 of the Act of June 17, 1902 (32 Stat. 388, 43 U.S.C. 391), as amended, and under such rules and regulations as the Secretary deems appropriate.

"(c) There is authorized to be appropriated for each of the fiscal years ending September 30, 1990, through September 30, 1994, such sums as are necessary, such sums to remain available until expended."

The SPEAKER pro tempore. Is a second demanded?

Mr. DENNY SMITH. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from California [Mr. MILLER] will be recognized for 20 minutes and the gentleman from Oregon [Mr. DENNY SMITH] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. MILLER].

GENERAL LEAVE

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material, on H.R. 1101, the bill under consideration.

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

There was no objection.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to urge the support of my colleagues for H.R. 1101, a bill to reauthorize the Water Resources Research Act.

This legislation, which I originally introduced with former Congressman Cheney, currently has 40 cosponsors. The bill would extend the authorization of appropriations for the water research program through the end of fiscal year 1994.

Mr. Speaker, the water resources research program was first enacted in 1964 and has been reauthorized by the Congress ever since.

This is an important program which has supported research on a wide variety of water-related issues. It also provides assistance for training scientists and engineers to enter the fields of water resources research and management.

The current program is administered by the U.S. Geological Survey. Through the USGS, assistance is provided to 54 water resources research institutes located at land grant colleges and universities in every State and most territories.

These institutes carry out an assortment of research and training programs. Since 1964, close to 40,000 students have received support from this program. This has significantly increased the number of qualified people working in water-related professions.

This program also authorizes the Secretary to make grants to institutes and other entities for research on water-related issues. These grants are awarded on a competitive basis and have a requirement for non-Federal matching funds. A substantial amount of the published research in water re-

sources has been generated through this grant program.

H.R. 1101 makes several important changes in the water resources research program.

First, it would authorize the Secretary to make grants for research on water resources issues of an interstate or regional nature. A total of \$5 million would be authorized for this new program. These funds would be matched by non-Federal contributions on a dollar-for-dollar basis.

Second, the bill authorizes the Secretary to undertake comprehensive research and demonstration projects relating to ground water problems, the impacts of climate change on water resources and the extent of chemical contaminants in ground water. The Secretary is authorized to enter into contracts or cooperative agreements with various institutions, including national laboratories, to carry out these research and demonstration projects.

This new section was added by the Committee because of compelling testimony provided by Los Alamos National Laboratory concerning projects on aquifer decontamination and on the effects of climate change on surface and ground water. Los Alamos, and other national labs, have a tremendous research capability. It makes sense to me that the Interior Department should involve Los Alamos and other such institutions in integrated, multidisciplinary research on issues such as climate change and ground water. It makes sense that the Interior Department should be working with these institutions for solutions to our growing water resource problems—such as developing technologies for decontaminating aquifers or for better detecting polluted water supplies.

Similarly, an intense, integrated effort should be made toward learning more about the impacts of climate change on water resources. I have held several hearings on this subject and have learned that the potential impacts of climate warming on water resources could be very profound. It is also abundantly clear that a great deal of work needs to be done so that we can better predict and understand site-specific impacts climate change will have on water resources. We simply need more information in order to know what actions we should take now. Again, I was impressed by the presentation made by Los Alamos with regard to their research and demonstration proposals in this area.

By providing the Secretary with additional research authorities, we anticipate the Secretary will aggressively pursue comprehensive research in the ground water and climate change areas. It is also our hope that the Department will make efficient use of the resources and expertise that other institutions, such as the national labs, might offer. It is an effective way of

ensuring that we all get more for the funds spent on this program.

I would also note that H.R. 1101, as amended, would authorize the Secretary to undertake research on the extent and effect of chemical contaminants in ground water, including their toxicological significance, and strategies and recommendations for pollutant reduction and detoxification.

This authority was included in the bill as a result of testimony received from the Midwestern Universities Alliance. This unique alliance between business, government and academia pointed out the need for a comprehensive ground water research effort focusing on chemical contaminants in the Midwest. The Committee supports proposals such as this and has provided necessary authority. We would hope the Secretary could work with the alliance, or similar organizations, to fund worthy projects on chemical contamination of ground water.

To date, the water resources program has been an effective partnership between the universities, government agencies, and private industry. We hope this cooperative spirit will continue.

The additional authority provided to the Secretary in H.R. 1101 will not displace the ongoing program. Rather, it gives the Secretary clear authority to build upon past research efforts in several specific areas. It is our intention that the Secretary would tap into entities, such as the national laboratories and research alliances, for their considerable expertise.

Mr. Speaker, the water resources research program has been a real success story for this country. It deserves our continued support. I would urge my colleagues to vote for this important program.

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

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

Mr. Speaker, I rise in support of H.R. 1101, a bill to extend the authorization of the Water Resources Research Program and for other purposes.

The House and Senate passed respective bills in the closing days of the last Congress. However, there was insufficient time to conference them.

The Water Institutes Research Program is a very popular and productive program. An institute is established in each State.

The current authorization expires in September 1989. H.R. 1101 continues the levels authorized in current law and grants the Secretary limited authority to contract with other entities for water related research.

The administration expressed concern about the added authorities. There is some duplication, however

the new authorities are purely discretionary. This is a good bill that we should move expeditiously. I urge my colleagues to support this bill.

Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. WALKER].

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

I would say that in this body most Members are for water resources, and certainly for reauthorization of this very worthwhile program. However, there are several questions that have been raised with regard to this particular bill as a reauthorization vehicle.

I would like to raise my concerns and then maybe ask a couple of questions. First of all, it is my understanding that we have a \$41 million authorization here as compared to a \$5.3 million 1990 budget request. That is about nine times the amount that has been requested for the program that is being authorized in this bill.

It is a little hard to understand how we are going to maintain fiscal responsibility around here if we increase some program nine times over what the budget has in mind for them. I guess my first concern is we are a little heavy on the money side in this bill. Second, one of the ways in which we are going to try to maintain costs containment, based upon some decision made by this Congress in the past, was to have a 2-for-1 State versus Federal matching grant when it came to these water programs. In other words, for every Federal dollar we put up there would be two State dollars. I understand in this bill we backtrack from that and go back to a 1-to-1 ratio. We only, in 1989, went to the 2 for 1. So all of a sudden, as we move toward 1990, having had one year in fiscal year 1989 at the 2-for-1 match, now we will go back for 1 for 1 which means that that cost containment device is being abandoned in this particular bill.

□ 1500

Third, it is my understanding that we have a new reclamation State research program that is being created in this bill, and that it is fairly site-specific.

Mr. DENNY SMITH. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Oregon.

Mr. DENNY SMITH. Mr. Speaker, that is not correct. It is not being created in this bill. There is some duplication of effort in this area, but if I am informed correctly, there is no authorization for additional reclamation research.

Mr. WALKER. Well, the information I had was—and the gentleman can correct me if I am wrong—that there are at least some aspects of this State reclamation program that in fact will direct the money toward Los Alamos

largely for a global warming process, and that this is going to take money away from existing programs and will be contrary to the cost-sharing requirement of other activities performed under the act. That sounds to me as though it is a fairly new direction, and one that we might want to be concerned about since we are individualizing the program.

Fourth, there has been concern expressed about the fact that the Federated States of Micronesia under this particular program are going to be considered a State, which they are not, for purposes of receiving the money, and that this is in violation of the Compact of Free Association which we passed just in the last Congress that was supposed to give Micronesia its money under general assistance grants rather than through specific Federal programs.

So in a number of instances here, things we just enacted in the last Congress are being abandoned as we go to this authorization, an authorization that is nine times more than what the administration requested. I must say that that gives this gentleman some pause, that this is a little bit more than just a simple reauthorization bill.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I am glad to yield to the gentleman from California.

Mr. MILLER of California. Mr. Speaker, I thank the gentleman for raising these points. Let me see if I can respond to them.

It is the obligation of an authorizing committee such as ours to authorize and to seek an authorization for these programs that we think is commensurate with the problem, as I am sure the gentleman is aware. We are now confronted with the notion of a serious water resources problem, both with regard to quality and quantity, and now we are more and more confronted with these issues. After rather extensive hearings, it is our belief that this authorization is commensurate with what we would need to do a first-class job with regard to this program.

I expect fully that the Appropriations Committee, with limited funds, will not authorize or appropriate the authorized amount, but I think I have an obligation to indicate what it is we think it will take to do it properly.

With respect to discretionary programs, I would say what really was new is that there was some rather exciting testimony from the National Laboratories about some of the work that they think they are able to do with respect to the decontamination of underground aquifers. This is one of the most difficult problems we have. What do we do after these aquifers are contaminated? How do we get that resource back? These are important issues because such a significant part of the population relies on

those aquifers for domestic and industrial use of that water.

If there is sufficient authorization, it is the discretion of the Secretary to seek funding for those rather innovative research programs that, as the testimony suggests, holds out promise with regard to a problem that we thought we could not deal with, and that problem is that once we contaminate one of these deep aquifers, there is really no ability to reclaim it.

On the Micronesia issue, when Congress debated the Compact of Free Association, Congress decided that a number of Federal programs were appropriate under free association and added these programs to the compact. The administration has taken the position that almost no Federal programs should apply under free association. Congress disagreed. The change of definition in this bill clarifies that the Federated States of Micronesia would be eligible to participate in the water resources research program. This language is necessary because of the differing views of Congress and the administration on this issue.

The administration, as the gentleman points out, clearly has a difference of opinion with us, and if that holds, we will have to address that as we go to conference.

Mr. WALKER. Mr. Speaker, I thank the gentleman for making his points, and let me reclaim my time.

To go back to the gentleman's first point, it is fine for authorization committees to say that we ought to look at the program and to see how much we need to spend as a nation and then come to the floor with that kind of spending regardless of what the budget may require. I am a little chagrined at that as an authorizing concept. That would mean that on the Committee on Science, Space, and Technology, I could make a case for hundreds of millions of dollars in spending.

Mr. DENNY SMITH. Mr. Speaker, if the gentleman will yield, I thought those members on the Science, Space, and Technology Committee did that.

Mr. WALKER. Precisely. But when it comes to actually bringing authorization bills to the floor, we have always attempted to live within the budget, and if the Members will take a look at the bills we have brought to the floor, I have in many cases offered the amendments where we have not done that in order to bring them back in as an attempt to play a responsible fiscal role in all of this.

But when we are talking about a program that all of a sudden is nine times greater than the budget request, that is a significant increase. We are not talking about doubling here and suggesting that we now need twice as much money; we are talking about a program here where we are suggesting

that we need nine times more than what the budget calls for. That gives me some cause to question it.

Then the next point, the one which the gentleman did not address, is the whole point of the matching. We made a real determination here a year ago to go for a 2-for-1 match in order to try to preserve Federal dollars and make certain that local areas knew this was something that was important to them. Now, all of a sudden, after having had that match for only 1 year, we are backtracking and going to a 1-for-1 match again so that the amounts of money that ultimately get appropriated are going to be undermined in terms of their effectiveness by the fact that we are backtracking on the match.

Mr. MILLER of California. Mr. Speaker, if the gentleman will yield further, it is not a question of undermining; it is just a question that we made a determination on cost sharing. We listened to testimony and to a very real concern that some of the poorer States are simply not going to be able to participate, and that really has little or nothing to do with the problems in their areas. I do not know what the situation is in the gentleman's area, but this whole issue of the contamination of water resources and the ability to use them in the future is one that is just accelerating. We are trying to keep as diverse a group involved in the issue as we can.

Mr. WALKER. I understand what the gentleman is saying.

Mr. MILLER of California. And the fact is that it requires no greater commitment of Federal dollars.

Mr. WALKER. Mr. Speaker, if I may reclaim my time, I started this off by saying the program the gentleman is bringing us here is a valuable program, but the point is that we cannot simply as a Congress take every valuable program. Again, I say I can name a dozen valuable programs that come out of my committee, but they are absolutely essential to the economic health of this country and the future that we are underfunding, drastically underfunding, at the present time.

Mr. DENNY SMITH. Mr. Speaker, if the gentleman will yield further, I think the gentleman brings up some good points. Serving on the Budget Committee, I certainly agree that we get sloppy in some of these programs. But what is in this right now is \$5.3 million. There are 54 so-called State programs, with the trusts in other areas, so for \$5.3 million we are not doing an awful lot of research. Granted that the authorization is much higher, it is a good program.

Mr. WALKER. Fifty-four States are now participating?

Mr. DENNY SMITH. Fifty-four units, that is correct.

Mr. WALKER. Fifty-four units are participating?

Mr. DENNY SMITH. Yes.

Mr. WALKER. And they are participating right now on a 2-for-1 match?

Mr. DENNY SMITH. I cannot answer that.

Mr. WALKER. Is this for fiscal year 1989, as they are required to do?

Mr. DENNY SMITH. Yes. They are participating right now.

Mr. WALKER. So all of a sudden now we are going to reduce the level at which they have to perform in order to do that research under this bill?

Mr. DENNY SMITH. Except that it is at the direction of the Secretary, so if he says they are only going to get \$5.3 million, they are obviously not going to have as big a program if they only have a 1-for-1 match.

I think the gentleman makes some good points, and I understand that is not a really controversial bill. We do need to go forward with it.

Mr. Speaker, I do have a request for time from the gentleman from Nebraska [Mr. BEREUTER].

Mr. WALKER. Mr. Speaker, I thank the gentleman from Oregon [Mr. DENNY SMITH] for having yielded me this time.

Mr. DENNY SMITH. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Speaker, I want to commend the chairman of the Interior Subcommittee, the gentleman from California [Mr. MILLER], the gentleman from Oregon [Mr. DENNY SMITH], and the other members of that committee for their leadership in bringing us what is an authorization bill, after all, not an appropriation bill, extending the authorization of the Water Resources and Research Act of 1984, and I wish also to commend our former colleague, the gentleman from Wyoming, Mr. Cheney, for his part in this effort, along with all the original cosponsors.

□ 1510

This legislation has proved extremely helpful in many parts of the country. I know in my own home State the research programs in the area of ground water and surface water at the University of Nebraska have made major contributions to that State, and to interstate water problems and the solution thereto. It is important that we continue the research to look at the conjunctive use of surface and ground water. It is very important that we take a look at interstate and regional problems that ground water problems almost always are when they are in a very large scale. A variety of new techniques are being pioneered by the High Plains Groundwater Recharge Act. To some extent they are already using the research products that are previously authorized by this legislation.

Beyond that, Mr. Speaker, I would have to point out the Superfund; cleaning up ground water contamination is moving in areas where this kind of research is vital. As in my own home State, we consider how to eliminate major problems of carbon tetrachloride ground water pollution which are the results of Federal action, results of ASCS sites around the State, the kind of research that has been conducted and prepared by institutions and State governments around the country through this authorization have been vital in that EPA clean-up activity.

So, Mr. Speaker, I want to say to my colleagues that I appreciate their hard work, their initiative. This kind of program and its reauthorization is very important to the country, and I urge my colleagues to support it.

Mr. DENNY SMITH. Mr. Speaker, I have no further requests for time.

Mr. MILLER of California. Mr. Speaker, if I could just take 1 minute to close and to say to the Members of the House I hope that they will support this legislation. While this legislation is essentially noncontroversial, it is terribly, terribly important to the security of our water resources in this country, to our ability to clean up those which have been contaminated, and to better understand those resources that migrate from State to State, from region to region, so that actions in one State will not contaminate the water resources of another State. I think that this bill is clearly in compliance with the budget procedure.

I do stand by my earlier statement that I think we have an obligation to tell this House what is needed, what it costs, and what in fact should be authorized based upon our hearings. Then the actual funding of the programs will be decided later by the House and the Committee on Appropriations. That is historically what we have done in this Congress, whether it is education to the handicapped, or to the homeless, or what have you, and that is what makes the difficult job of being a member of the Committee on Appropriations.

I would just say we have an obligation, after we conduct the hearings, after we take the evidence, after we listen to the witnesses, to then put forth a truthful picture of what the policy in this country should be. The Congress, the administration and others will buy into that or they will not, but that is the role of the policy committees. That is not necessarily the role of the Committee on Appropriations which then has to deal with a finite number of dollars. They have to pick and choose how to allocate among our national needs, but I would just say to all my colleagues that I think this is a terribly important bill

with respect to the future use of this country's water resources.

Mr. Speaker, I hope my colleagues will support this bill. I thank the gentleman from Pennsylvania [Mr. WALKER] for his questions. We will obviously take those into consideration as we go into conference with the Senate on this legislation. In addition I want to thank the gentleman from Oregon [Mr. DENNY SMITH] for his help on this matter.

Mr. Speaker, I yield back the balance of my time.

Mr. DENNY SMITH. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MURTHA). The question is on the motion offered by the gentleman from California [Mr. MILLER] that the House suspend the rules and pass the bill, H.R. 1101, as amended.

The question was taken.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

URGING FIRST ASYLUM COUNTRIES OF ASEAN TO REAFFIRM PRACTICE OF PROVIDING REFUGE TO VIETNAM ASYLUM-SEEKERS

Mr. SOLARZ. Mr. Speaker, I move to suspend the rules and concur in the Senate concurrent resolution (S. Con. Res. 26) urging first asylum countries of the Association of Southeast Asia Nations (ASEAN) to reinstate the practice of providing refuge to all asylum-seekers from Vietnam, and for other purposes, as amended.

The Clerk read as follows:

S. CON. RES. 26

Whereas the refugee crisis in Southeast Asia remains unresolved and large numbers of refugees continue to flee from Vietnam, Laos, and Cambodia;

Whereas, although Hong Kong and ASEAN first asylum countries are to be commended for their past actions on behalf of refugees in the region, specifically for providing, beginning in 1975, temporary refuge for hundreds of thousands of Indochinese asylum-seekers, concerns remain that all asylum-seekers arriving in Hong Kong and in ASEAN member countries be provided refuge;

Whereas, June 1989, the United Nations will convene the International Conference on Indochinese Refugees in Geneva, Switzerland;

Whereas representatives of the ASEAN member countries, the United States, Canada, Australia, Hong Kong, the European Community, Japan, Vietnam, Laos, and other interested and affected countries gathered on March 7-9, 1989, in Kuala Lumpur, Malaysia, for the Preparatory Meeting for the International Conference on Indochinese Refugees;

Whereas the countries represented at the Preparatory Meeting unanimously adopted a draft declaration and comprehensive plan

of action to be presented for ratification at the June United Nations Conference in Geneva;

Whereas the draft declaration agreed to by all countries present at the meeting in Kuala Lumpur includes provisions for region-wide screening of asylum-seekers and for the encouragement of voluntary repatriation under the auspices and monitoring of the United Nations High Commissioner for Refugees (UNHCR) of persons determined not to be refugees;

Whereas the ongoing program in Thailand for the screening of Lao asylum-seekers has had major and continuing problems;

Whereas the ASEAN member countries have announced that all asylum-seekers from Vietnam arriving in ASEAN countries on or after March 14, 1989, will be screened to determine their refugee status; and

Whereas the Socialist Republic of Vietnam has demonstrated its hostility to those leaving Vietnam illegally and, in particular, to those refusing to return to Vietnam voluntarily: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That (a) it is the sense of the Congress that—

(1) ASEAN First asylum countries should reaffirm the practice of providing adequate refuge for all Vietnamese asylum-seekers, while carrying out the screening of such individuals;

(2) early access should be given to the United Nations High Commissioner for Refugees (UNHCR) to provide humane care and protection to such asylum-seekers;

(3) no repatriation of Vietnamese asylum-seekers should occur until a strong and effective internationally approved mechanism is in place to guarantee that such asylum-seekers will be returned in conditions of safety and dignity and will not be subjected to persecution in any form;

(4) given Vietnamese attitudes toward illegal departure, forced repatriation of refugees to Vietnam should not be considered a viable option;

(5) continuing efforts should be made to improve the screening program of Lao asylum-seekers in Thailand;

(6) the United States should remain committed to a generous and humane Southeast Asian refugee resettlement policy; and

(7) the United States should urge its Western allies to implement or continue generous and humane Southeast Asia refugee resettlement policies.

(b) For purposes of this resolution—

(1) the term "ASEAN" means the Association of Southeast Asian Nations; and

(2) the term "ASEAN first asylum countries" includes any country which is a member of the ASEAN group of countries and which is the first to receive an individual seeking asylum.

The SPEAKER pro tempore. Is a second demanded?

Mr. BROOMFIELD. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from New York [Mr. SOLARZ] will be recognized for 20 minutes, and the gentleman from Michigan [Mr. BROOMFIELD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New York [Mr. SOLARZ].

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

Mr. SOLARZ. Mr. Speaker, this resolution, which has already been adopted by the Senate, has been introduced in the House by a number of our colleagues, chief of whom is the gentleman from Massachusetts [Mr. ATKINS], my very good friend and distinguished Member whom I know will want to address himself to this issue very shortly.

Mr. Speaker, the resolution, as the title indicates, deals with the current and continuing refugee crisis in Southeast Asia. Almost 15 years after the end of the war in Vietnam, refugees continue to pour out of that country seeking refuge and asylum in other countries of Southeast Asia. At a time when many of the countries in the region are beginning to grow tired of their responsibility as nations of first asylum, the fate of these desperate men, women, and children who are fleeing from Vietnam in search of freedom abroad very much hangs in the balance. As a result of this very sad situation the countries of the world have agreed to hold a refugee conference in Geneva next week in order to deal in a collective fashion with this crisis.

Mr. Speaker, this resolution which we have before us today expresses the very strong sense of the Congress that the nations of Southeast Asia should continue to maintain the principle of first asylum, thereby permitting those people who are able to escape from Vietnam to at least find safe haven on their shores. This is no small matter.

The truth of the matter is that thousands of the refugees fleeing from Vietnam have been killed on the high seas, some, the victims of natural causes such as typhoons, but many others, the victims of human malice. The work of the pirates operating in the Gulf of Thailand and other waters in the region who have murdered, kidnapped, and raped literally thousands and thousands of refugees constitutes one of the saddest chapters in the tragic history of refugees throughout the course of our times. It is, therefore, Mr. Speaker, essential, if nothing else, that the principle of first asylum be maintained.

However, this resolution does more. It also calls upon the resettlement countries of the world in Asia and in Europe, including the United States, to maintain their generous commitment to the principle of resettlement.

Speaking just for myself, but I suspect also for many of my colleagues in the House, I can say that the hundreds of thousands of Vietnamese, Lao, and Cambodians who have come to our country over the course of the last 15 years have helped in significant ways to revitalize the cultural and economic life of our country, and I cer-

tainly think we should continue to permit them to come here, if they choose to do so and if they qualify for admission under our refugee criteria.

□ 1520

Finally, and perhaps most importantly, this resolution expresses the very strong sense of the Congress that the forthcoming Refugee Conference in Geneva should reject any efforts to legitimize the principle and practice of forced repatriation. I can sympathize with the difficulties which the influx of refugees may be posing for the countries of first asylum in Southeast Asia, but I cannot sympathize with the effort to take these wretched people who have risked their lives in the search for freedom and to force them against their will to go back to a Communist country in which reeducation camps still exist and where their future is likely to be imperiled by virtue of the fact that they tried to escape in the first place.

So, Mr. Speaker, I want to pay tribute to the gentleman from Massachusetts for forcefully raising this issue, for introducing this legislation, for speaking up as he has consistently done ever since he first arrived in Washington on behalf of the refugees from Southeast Asia. His has been an eloquent voice on their behalf. He has reminded us of some very fundamental American values and he has asked us not to fall victim to the disease of compassion fatigue, but instead to reaffirm our commitment to the cause of refugees, which in the final analysis is what America is all about.

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

Mr. Speaker, I also join in complimenting the gentleman from Massachusetts [Mr. ATKINS] for sponsoring this bill.

I would also be remiss if I did not pay tribute to my good friend, the gentleman from New York [Mr. SOLARZ] for again explaining the purpose of this bill very well.

Mr. Speaker, I would like to express my strong support for this measure.

It is a sad fact of our times that the flood of refugees from Indochina continues. Last year, over 50,000 Vietnamese took to the seas to join the 1½ million Indochinese who have already fled. These people are fleeing the repression and lack of opportunity at home, and are willing to risk their lives in the hope of obtaining a better life elsewhere.

Most of those fleeing Indochina have sought refuge in Thailand, Hong Kong, Malaysia, and a few other countries. These countries have shown great generosity in providing a safe haven for refugees. Unfortunately, their patience and resources are being stretched considerably.

I hope that these countries will continue to recognize that they have a responsibility to the victims of communism. I urge them to continue to provide adequate refuge, including proper care and protection. I also urge them to reject any form of forced repatriation.

The United States also has an obligation to continue a generous and humane refugee resettlement policy. This resolution reflects the Congress' support of such a policy. We are doing all that we can, and I urge our friends in Southeast Asia to continue the humanitarian efforts.

Finally, I hope that Vietnam will end the long years of repression, and grant to its citizens the rights and opportunities they deserve. Only then can this terrible tragedy come to an end.

I strongly urge my colleagues to support this resolution.

Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I am pleased to rise in strong support of this measure.

I want to commend the gentleman from New York [Mr. SOLARZ] and the gentleman from Massachusetts [Mr. ATKINS] for their sponsorship of this bill, and the ranking minority member, the gentleman from Michigan [Mr. BROOMFIELD] for his strong support.

Last year over 50,000 Vietnamese left to join the 1½ million Indochinese who have already fled. These people are fleeing from repression, the poverty, the lack of a future and the misery of their homes to search for a better life for their families. Most of those fleeing Indochina have sought refuge in Thailand, in Hong Kong and other Asian nations. Unfortunately, the resources of those nations are being stretched to the limit.

I hope those countries continue to fulfill their responsibility toward the victims of communism in that region of the world and I urge them to continue to provide adequate refuge, including proper care and protection.

They must also continue to reject any forced repatriation. In turn, our own Government must continue its generous refugee resettlement policy.

This resolution reflects congressional support for that policy.

Accordingly, Mr. Speaker, we hope and pray that Vietnam will end its repression, and I urge my colleagues to support this resolution.

Mr. BROOMFIELD. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Speaker, I thank the gentleman very much for yielding this time.

Mr. Speaker, I want to commend the gentleman from Massachusetts [Mr. ATKINS] for his persistence and his ini-

tiative in offering this measure. I am the ranking member of the Subcommittee on Human Rights and we were pleased to expedite it.

The gentleman from Pennsylvania [Mr. YATRON], the chairman, and I and all the members of the committee add our endorsement to this legislation.

I want to compliment our colleagues, the gentleman from New York [Mr. SOLARZ], and the gentleman from New York [Mr. GILMAN], and the ranking member of the full committee, the gentleman from Michigan [Mr. BROOMFIELD] who has already spoken.

We urge our colleagues to take this action and we hope that it will be a unanimous vote, and we expect that it will be.

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Pennsylvania [Mr. YATRON].

Mr. YATRON. Mr. Speaker, I support Senate Concurrent Resolution 26 which urges first asylum countries of the Association of Southeast Asia Nations to reaffirm their policy of offering asylum to Vietnamese refugees without bias. The ASEAN countries and Hong Kong continue to be overwhelmed by Vietnamese refugees who are leaving their country by the thousands. An estimated 44,000 left Vietnam last year. This resolution reaffirms recommendations that were endorsed by 30 countries last March in a preparatory meeting on how to deal with the flow of people from Vietnam.

Soon after the preparatory meeting for the International Conference on Indochinese Refugees, the six ASEAN countries announced that as of March 14 Vietnamese seeking asylum would no longer automatically be regarded as refugees eligible for resettlement unless they could prove their refugee status through a screening out process. Under Hong Kong's screening program, all boat people who arrived after June 15, 1988 are assumed to be illegal immigrants. And those who are screened out because they could not prove they were politically persecuted are held in detention camps pending repatriation to Vietnam.

The International Conference on Indochinese Refugees will meet in Geneva June 13 and 14. The conference will address long term goals concerning the safety, repatriation, and resettlement of Vietnamese asylum-seekers, as well as timely UNHCR access to refugee camps and the development of uniform screening procedures for the region, among other issues.

Mr. Speaker, we should demonstrate before the Geneva Conference convenes that the United States Congress is committed to finding lasting solutions to the refugee situation as it now exists in Southeast Asia.

I would like to thank Congressman ATKINS for his version of this resolution in the House and his continuing efforts on the part of Indochinese refugees.

Mr. SOLARZ. Mr. Speaker, the gentleman from Massachusetts had asked for 3 minutes, but as a measure of my

esteem and affection for him as the author of this resolution, I yield 4 minutes to the gentleman from Massachusetts [Mr. ATKINS].

Mr. ATKINS. Mr. Speaker, I rise in support of Senate Concurrent Resolution 26.

Mr. Speaker, let me begin by thanking the gentleman from New York [Mr. SOLARZ] for his eloquence and energy for the last 15 years in pursuing the cause of Southeast Asian refugees and assuring that administration after administration fulfilled America's responsibility to the people, many of whom put their lives on the line for our country during the war in Vietnam. His voice indeed has often been a lonely voice on this issue, but for 15 years he has been unwavering in his support for the cause of Southeast Asian refugees and his support for a humane refugee policy in this country, and I thank the gentleman for that.

Mr. Speaker, since 1975 over 2 million refugees have fled Vietnam, Laos, and Cambodia. Today about 600,000 refugees remain in camps subject to the continued generosity and good will of Thailand, Malaysia, Hong Kong, the Philippines, and Indonesia. The rest, for the most part, through the largesse of western countries, have been resettled. The continued stream of refugees is taxing the first asylum nations, and they are justly desiring of a solution that addresses circumstances that have changed 15 years after the Vietnam War's end. Those nations involved in this issue will be meeting in Geneva next week under the auspices of the United Nations' Secretary General to craft a more durable approach to the existing very fragile refugee situation in Southeast Asia.

It has been 10 years since present policies were agreed to in a similar conference in Geneva and the consensus reached there is now threadbare and outmoded, except that what we believed in then 10 years ago we hold no less dear today, that all who are fleeing persecution in their homelands must be given refuge free of fear or want of safety.

□ 1530

On this there is no compromising and, indeed, this resolution calls on the U.S. delegation to that conference to make that point very clear.

For so many years, first-asylum countries of the region took in those fleeing persecution throughout Indochina, but in their despair of ever seeing a diminution of those numbers crossing their borders, some ugly things have happened. Boatloads of fleeing Vietnamese have been pushed out to sea to meet their death from starvation, exposure, and drowning. At gunpoint, Lao have been pushed back across the Mekong to meet their death

or imprisonment at the hands of the Pathet Lao soldiers.

Some of those dying or returning to imprisonment in their homelands have been the very same individuals being persecuted for their allegiance to the United States while we were fighting on their soil. We have a responsibility to ensure that generous resettlement programs continue. Orderly migration programs eliminating dangerous, uncontrolled outflows are the best policy, but, sadly, resettlement alone is not a satisfactory policy. We also have to ensure now that there are other regional solutions including valid screening procedures and safe voluntary repatriations.

The gentleman from New York [Mr. SOLARZ] indicated earlier that perhaps the principal responsibility of the American delegation to the Geneva conference will be to assure that we do not allow involuntary repatriation. I hope that this resolution serves a purpose in giving a direction to that American participation in Geneva.

Mr. SOLARZ. Mr. Speaker, I yield 2 minutes to my very distinguished colleague, the gentleman from New York [Mr. MRAZEK], who has traveled to Vietnam and other countries in the region.

Mr. MRAZEK. Mr. Speaker, I also want to thank my colleague, the gentleman from New York [Mr. SOLARZ], as well as my colleague on the Committee on Appropriations, the gentleman from Massachusetts [Mr. ATKINS], for introducing this amendment.

As important as it is and as important as the upcoming conference in Geneva will be, there are two very disquieting signs on the horizon that I would like to bring to the attention of my colleagues as well as to the attention of the State Department. Program managers in the Office of Refugee Administration within the State Department offered a plan, a proposal, that at the conference the number of ODP interviews would be increased from 1,500 to 3,000 per month, to double those reunification interviews, and that proposal was rejected by senior officials in the State Department. At the same time, there has been a new and very restrictive policy when it comes to interviewing those people seeking refugee admission to the United States, and that is to only interview those people with letters of introduction, in other words, those people who already had immigrant visas.

Mr. Speaker, I must submit to the Members that many of the people applying do not have immigrant visas, and in fact, of the total universe of about 700,000 people, including many Vietnamese people who served in re-education camps for almost a decade, this would reduce the total number in

the universe who could apply under ODP to a little over 100,000.

As important as that conference is, it is my hope we can bring to the attention of the State Department that it is a mistake to move into this conference with a more restrictive policy at a time when we should be setting an example for other nations in the free world that we are willing to take more of the responsibility for a problem that, in great part, we helped to make.

Mr. FASCELL. Mr. Speaker, I rise in support of Senate Concurrent Resolution 26 as reported by the Committee on Foreign Affairs last week.

Mr. Speaker, this is an important resolution for the House to consider as the United Nations is about to convene the International Conference on Indochinese Refugees on June 13. We have watched for many years as over 2 million persons have fled their homelands in Southeast Asia in search of asylum. Nations of first asylum have responded by providing reception and assistance. Others have provided resettlement opportunities. But the flow of people has not abated and the conditions under which these asylum seekers flee have not improved. It is time for the international community to provide a new commitment to the well-being of Indochinese refugees.

We face many challenges at this conference:

The protection of refugees who continue to flee their countries of origin under dangerous conditions and who face an uncertain reception;

The encouragement of safe and orderly departure procedures and migration programs from Vietnam;

The institution of fair and consistent screening programs by nations receiving refugees;

The timely resettlement of refugees in third countries; and

The assurance that any repatriation efforts will be voluntary and supervised by international bodies.

The challenge is the humane treatment of refugees by the international community, both by nations of asylum, nations of origin, and nations which have traditionally opened their doors for resettlement, including the United States. I urge the House to adopt this resolution.

Ms. PELOSI. Mr. Speaker, I rise today in support of Senate Concurrent Resolution 26 which urges all countries in the Association of Southeast Asia Nations [ASEAN] to reinstate the practice of providing refuge for asylum seekers from Vietnam. I commend Chairman SOLARZ for bringing it to the floor at a most propitious time. The International Refugee Conference will convene in Geneva in less than 2 weeks and it is important that Congress provide guidance for delegates to that important meeting.

Thousands of boat people continue to flee Vietnam despite their certain knowledge that the chances of resettlement, or even survival, are desperately slim. This has placed an onerous burden on surrounding countries, which have begun to react by turning refugees away.

I recognize that the solution to this problem lies in an improvement in the political and

economic situation within Vietnam. We must continue to pressure the Government of Vietnam to abolish its system of reeducation camps and to guarantee basic freedoms to its people.

As we encourage these changes within Vietnam, however, we must not close the door to Vietnamese refugees who are currently seeking refuge. We must offer encouragement as well as financial support for efforts by Southeast Asian governments and United Nations refugee services to handle this immediate concern.

We must not shut the door on people who have nothing left but hope for a better life outside Vietnam. I urge my colleagues to support the resolution. Thank you.

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

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

The SPEAKER pro tempore. (Mr. MURTHA). The question is on the motion offered by the gentleman from New York [Mr. SOLARZ] that the House suspend the rules and concur in the Senate concurrent resolution, S. Con. Res. 26, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the Senate concurrent resolution, as amended, was concurred in.

The title was amended so as to read: "Concurrent resolution urging first asylum countries of the Association of Southeast Asia Nations [ASEAN] to reaffirm the practice of providing refuge to all asylum-seekers from Vietnam, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SOLARZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate concurrent resolution just concurred in.

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

There was no objection.

EXPRESSING SENSE OF CONGRESS THAT BUFFALO, NY, SHOULD HOST THE 1993 WORLD UNIVERSITY GAMES

Mr. SOLARZ. Mr. Speaker, I move to suspend the rules and concur in the Senate concurrent resolution, S. Con. Res. 31, expressing the sense of the Congress that Buffalo, NY, should host the 1993 summer World University Games.

The Clerk read as follows:

S. CON. RES. 31

Whereas the city of Buffalo has been endorsed by the United States Collegiate Sports Council to be the United States host

city for the 1993 summer World University Games;

Whereas Buffalo is competing with Shanghai, People's Republic of China, to host the Games;

Whereas Buffalo, through the Greater Buffalo Athletic Corporation, is applying to the International University Sports Federation to be the host city for the 1993 summer World University Games;

Whereas since 1923, the International University Sports Federation, which organizes, promotes, and administers the World University Games, has been recognized throughout the world as an outstanding organization dedicated to international collegiate amateur sports competition;

Whereas the World University Games have a long and demonstrated record as a premier international amateur sports event, second only to the Olympic games;

Whereas the World University Games exemplify the heritage of peace and good will associated with amateur sports competition;

Whereas the World University Games would be an exceptional opportunity for the athletes from the different nations of the world to share their cultures with each other and the citizens of the United States and New York;

Whereas the summer World University Games have never been held in the United States;

Whereas the 1993 summer World University Games would bring over 7,000 amateur athletes and several hundred thousand visitors to the United States: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress—

(1) supports the application of the Greater Buffalo Athletic Corporation to have Buffalo, New York, host the 1993 summer World University Games;

(2) urges the Secretary of State to provide assistance, if the 1993 summer World University Games are held in Buffalo, to the organizers of the Games by implementing special ease-of-entry procedures for the foreign athletes competing in the Games;

(3) supports the efforts of New York, the Greater Buffalo Athletes Corporation, and community leaders to ensure that the highest caliber athletic facilities are made available for the 1993 summer World University Games if they are held in Buffalo.

The SPEAKER pro tempore. Is a second demanded?

Mr. GILMAN. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from New York [Mr. SOLARZ] will be recognized for 20 minutes, and the gentleman from New York [Mr. GILMAN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New York [Mr. SOLARZ].

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

Mr. Speaker, the Committee on Foreign Affairs has already approved a companion resolution to the one we are now taking up that has come over here from the other body which was offered by my own very good friend

and classmate from 1974 and my fellow member of the New York delegation, the gentleman from New York [Mr. NOWAK], who yields to no one as a great champion of the cause of Buffalo, NY.

Mr. Speaker, this resolution which he introduced, which I strongly support, expresses congressional backing for the application of the Greater Buffalo Athletic Corporation to make Buffalo, NY, the site of the 1993 World University Games.

Mr. Speaker, for the purpose of further explicating this most meritorious resolution, which I am sure all men and women of good will in this House will support, I yield such time as he may consume to the gentleman from New York [Mr. NOWAK].

Mr. NOWAK. Mr. Speaker, I rise in strong support of the Senate concurrent resolution 31.

On April 18, my colleagues, the gentleman from New York [Mr. LAFALCE] and the gentleman from New York [Mr. PAXON], joined me in introducing a sense-of-Congress resolution supporting the bid of Buffalo, NY, to be designated host city for the 1993 Summer World University Games.

Last summer, Buffalo was designated by the U.S. Collegiate Sports Council to represent the United States in the world competition to host these games. The Greater Buffalo Athletic Corporation must not take its proposal before the International University Sports Federation, which make the final decision on which city and which country will host the games.

Mr. Speaker, in order to be competitive, it is essential to have demonstrated Federal support for the games being held in the United States. This resolution will be a fine example of that fine support, and I urge the House to unanimously support it.

Mr. Speaker, I would like to thank the chairman, the gentleman from Florida [Mr. FASCELL], for his efforts in bringing this legislation out of committee last week. I would also like to thank the gentleman from California [Mr. DYMALLY], chairman of the International Operations Subcommittee, and the gentlewoman from Maine [Ms. SNOWE], the ranking minority member, and the gentleman from Pennsylvania [Mr. YATRON], chairman of the Subcommittee on Human Rights, and the gentleman from Nebraska [Mr. BEREUTER], the ranking minority Republican.

Mr. Speaker, once again, I urge the full support of the House on this resolution.

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

I am pleased to rise in strong support of Senate Concurrent Resolution 31, expressing the sense of Congress that Buffalo, NY should host the 1993 World University Games, which was

offered in the House by the gentleman from New York [Mr. NOWAK] and co-sponsored by the gentleman from New York [Mr. PAXON].

The World University Games are one of the world's premier athletic events. Second only to the Olympic Games, the World University Games are renowned for bringing people together from many lands to participate in the character-building realm of international athletic competition. There is no milieu as fine as an international sporting event to solidify bonds of friendship and to give people of different national origins the opportunity to learn about one another.

This is the first time that the United States has the opportunity to host the Universiad. The ideals of friendly competition and tolerance that is exemplified by the World University Games are ideals we must support and promote.

The beautiful city of Buffalo is ready and willing to share its hospitality. It is well known for its cultural attractions as well as for its beautiful natural resources.

Accordingly, Mr. Speaker, I urge my colleagues to adopt this resolution.

□ 1340

Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Michigan [Mr. BROOMFIELD], the distinguished ranking minority member of the Committee on Foreign Affairs.

Mr. BROOMFIELD. Mr. Speaker, I thank the gentleman from New York for yielding time to me. I would like to compliment the gentlemen from New York, Mr. NOWAK, Mr. PAXON, and Mr. LAFALCE for sponsoring this resolution.

Mr. Speaker, I support Senate Concurrent Resolution 31 along with the New York delegation including my friends, BEN GILMAN and AMO HOUGHTON, who sit with me on the House Foreign Affairs Committee.

The World University Games are a major athletic event, one of the world's premier amateur sports competitions, second only to the Olympic Games in prominence.

Sporting events such as the World University Games play an important role in bringing people together from many lands to participate in the character-building and honorable realm of sport. This gives people from different cultures a chance to learn more about one another, and to form bonds of friendship.

The United States has never had the opportunity to host the World University Games. We deserve this opportunity. This Nation believes in the great ideals that the World University Games represent. The spirit of freedom, tolerance, and friendship is a part of this country.

I feel that the city of Buffalo, NY, would be an ideal host for these games.

The city of Buffalo has many of the positive characteristics that make our country great. The citizens of Buffalo have a strong work ethic, and a deep sense of pride in themselves, their city, and their country. Buffalo is also well known for its cultural attractions, and the great natural beauty of nearby Niagara Falls. Buffalo is ready and able to share its hospitality with the rest of the world, and to represent the best our Nation has to offer.

I urge my colleagues to support this resolution.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from New York [Mr. PAXON], another of the cosponsors of this measure.

Mr. PAXON. Mr. Speaker, today I rise to offer my strong support for Senate Concurrent Resolution 31 expressing the sense of the Congress that Buffalo, NY, should host the 1993 summer World University Games.

The World University Games, also known as the Universiad, is a worldwide sports competition for students between the ages of 17 and 28. Competitors must have attended a postsecondary school within a year of the date the games are held.

The World University Games originated in Paris in 1923 and have since been held in various parts of the world every other year. In terms of size, the World University Games are larger than the Pan American Games, the Commonwealth Games, and the Asian Games—in fact, they are second only in size to the summer Olympics.

Many world famous athletes were student participants in the World University Games including Larry Bird, BILL BRADLEY, Nadia Comaneci, Greg Louganis, Olga Korbut, and many, many others.

Organizers of the 1993 games anticipate having over 120 countries competing in 10 different sports—not including optional events—with more than 7,000 athletes, trainers, and officials participating in the games.

If Buffalo is selected as the location for the summer 1993 games, it will be the first time the games will have been held in the United States and the city of Buffalo will undoubtedly experience a tremendous surge in economic activity as a result. In fact, the total economic impact to the western New York region has been conservatively estimated to be in the area of \$150 million.

A nonprofit corporation called the greater Buffalo Athletic Corp. has been created by a local group of business and civic leaders in an effort to bring the games to western New York. Over 100 individual leaders from the area's business, political, educational, and athletic sectors have joined to-

gether to form a local organizing committee to successfully achieve this goal.

Originally, 12 cities vied for the U.S. designation—a designation which Buffalo eventually won—after a fierce but friendly competition with the city of Raleigh/Durham, NC, last December 2.

This International University Sports Federation will meet in Duisberg, Germany, later this month to select the final site for the 1993 summer games. The site competition has narrowed and Buffalo will compete against a city in the People's Republic of China and a city in Japan for the final designation for the 1993 summer games.

It is essential, Mr. Speaker, that this body give its full support to the efforts of the local organizing committee in Buffalo to obtain the international designation for the World University Games.

I would like to take this opportunity therefore, to urge my colleagues to join with Congressman NOWAK, Congressman LAFALCE, and the entire New York delegation—in this bipartisan effort of support—for international athletic competition—and urge unanimous approval of Senate Concurrent Resolution 31 to boost the efforts of Buffalo and our Nation to become the site of the 1993 summer World University Games.

Mr. GILMAN. Mr. Speaker, I thank the gentleman from New York [Mr. PAXON] for his arguments in strong support of this measure.

Mr. FASCELL. Mr. Speaker, this resolution expresses congressional support for the application of the greater Buffalo Athletic Corp. to make Buffalo, NY, the site of the 1993 Summer World University Games. The committee has approved a companion resolution authored by our colleagues from New York, Mr. NOWAK, House Concurrent Resolution 99.

Delegates from the city of Buffalo will be traveling to West Germany on June 16 to make their bid to host the 1993 games. They are competing against two other cities to host over 7,000 amateur athletes in this premier international amateur sporting event. The United States has been host to these games in the past and the passage of this resolution would assist the delegation in its mission.

Mr. Speaker, this is a straightforward resolution which I hope the members will support. It demonstrates to the organizers of the games the support of Congress, the commitment of the United States to ease entry procedures for foreign athletes, and to provide athletic facilities of the highest caliber.

Mr. HOUGHTON. Mr. Speaker, I rise today in strong support of Senate Concurrent Resolution 31, a resolution I have cosponsored, which expresses congressional support for the proposal to hold the 1993 World University Games in Buffalo, NY.

Holding these games in Buffalo would be important not only for the great State of New York but the country. These games have never been held in the United States. And

Buffalo's major competitor for the games is Shanghai.

The games would bring over 7,000 athletes and several hundred thousand spectators to the United States and the Buffalo area. The World University Games are a premier international amateur sports event—second only to the Olympics!

Buffalo is a city on the move and would be a great host if given the opportunity. I hope it's given that chance.

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

The SPEAKER pro tempore (Mr. MURTHA). The question is on the motion offered by the gentleman from New York [Mr. SOLARZ] that the House suspend the rules and concur in the Senate concurrent resolution, Senate Concurrent Resolution 31.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Debate has been concluded on all motions to suspend the rules.

Pursuant to clause 5, rule I, the Chair will now put the question on each motion on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

House Resolution 146, by the yeas and nays; and

H.R. 1101, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

ENFORCEMENT OF THE UNITED STATES-JAPAN SEMICONDUCTOR AGREEMENT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, House Resolution 146.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois [Mr. ROSTENKOWSKI] that the House suspend the rules and agree to the resolution, House Resolution 146, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 17, as follows:

[Roll No. 74]

YEAS—416

Ackerman
Akaka

Alexander
Anderson

Andrews
Annunzio

Anthony	English	Laughlin	Price	Shays	Tanner
Applegate	Erdeich	Leach (IA)	Pursell	Shumway	Tauke
Archer	Espy	Leath (TX)	Quillen	Shuster	Tauzin
Armey	Evans	Lehman (CA)	Rahall	Sikorski	Thomas (CA)
Aspin	Fascell	Lehman (FL)	Rangel	Sisisky	Thomas (GA)
Atkins	Fawell	Leland	Ravenel	Skaggs	Thomas (WY)
AuCoin	Fazio	Lent	Ray	Skeen	Torres
Baker	Feighan	Levin (MI)	Regula	Skelton	Towns
Ballenger	Fields	Levine (CA)	Rhodes	Slattery	Trafficant
Barnard	Fish	Lewis (CA)	Richardson	Slaughter (NY)	Traxler
Bartlett	Flake	Lewis (FL)	Ridge	Slaughter (VA)	Udall
Barton	Flippo	Lewis (GA)	Rinaldo	Smith (FL)	Unsoeld
Bateman	Foglietta	Lightfoot	Ritter	Smith (IA)	Upton
Bates	Ford (MI)	Lipinski	Roberts	Smith (MS)	Valentine
Beilenson	Frank	Livingston	Robinson	Smith (NE)	Vander Jagt
Bennett	Frenzel	Lloyd	Rogers	Smith (NJ)	Vento
Bentley	Frost	Long	Rohrabacher	Smith (TX)	Visclosky
Bereuter	Galegely	Lowery (CA)	Rose	Smith (VT)	Volkmer
Berman	Garcia	Lowey (NY)	Rostenkowski	Smith, Denny	Walgren
Bevill	Gaydos	Luken, Thomas	Roth	(OR)	Walker
Billbray	Gejdenson	Lukens, Donald	Rowland (CT)	Smith, Robert	Walsh
Billakis	Gekas	Madigan	Rowland (GA)	(NH)	Watkins
Bliley	Gephardt	Manton	Roybal	Smith, Robert	Waxman
Boehrlert	Gillmor	Markey	Russo	(OR)	Weber
Boggs	Gilman	Marlenee	Sabo	Snowe	Weiss
Bonior	Gingrich	Martin (IL)	Saiki	Solarz	Weldon
Borski	Glickman	Martin (NY)	Sangmeister	Solomon	Wheat
Bosco	Gonzalez	Martinez	Sarpalius	Spence	Whittaker
Boucher	Goodling	Matsui	Savage	Spratt	Whitten
Boxer	Gordon	Mavroules	Sawyer	Staggers	Williams
Brennan	Goss	Mazzoli	Saxton	Stallings	Wilson
Brooks	Gradison	McCandless	Schaefer	Stangeland	Wise
Broomfield	Grandy	McCloskey	Scheuer	Stark	Wolf
Browder	Grant	McCollum	Schiff	Stearns	Wolpe
Brown (CA)	Gray	McCrery	Schneider	Stenholm	Wright
Brown (CO)	Green	McCurdy	Schroeder	Stokes	Wyden
Bruce	Guarini	McDermott	Schuetz	Studs	Wyllie
Bryant	Gunderson	McEwen	Schulze	Stump	Yates
Bunning	Hall (OH)	McGrath	Schumer	Sundquist	Yatron
Burton	Hall (TX)	McHugh	Sensenbrenner	Swift	Young (AK)
Bustamante	Hamilton	McMillan (NC)	Sharp	Synar	Young (FL)
Byron	Hammerschmidt	McMillen (MD)	Shaw	Tallon	
Callahan	Hancock	McNulty			
Campbell (CA)	Hansen	Meyers			
Campbell (CO)	Harris	Mfume			
Cardin	Hastert	Michel			
Carper	Hatcher	Miller (CA)	Buechner	Florio	Parris
Carr	Hawkins	Miller (OH)	Collins	Ford (TN)	Roe
Chandler	Hayes (IL)	Miller (WA)	Courter	Gallo	Roukema
Chapman	Hayes (LA)	Mineta	Davis	Gibbons	Torricelli
Clarke	Hefley	Moakley	Dickinson	Machtley	Vucanovich
Clay	Hefner	Mollinari	Dornan (CA)	McDade	
Clement	Henry	Mollohan			
Clinger	Hergert	Montgomery			
Coble	Hertel	Moody			
Coelho	Hiler	Moorhead			
Coleman (MO)	Hoagland	Morella			
Coleman (TX)	Hochbrueckner	Morrison (CT)			
Combest	Holloway	Morrison (WA)			
Conte	Hopkins	Mrazek			
Conyers	Horton	Murphy			
Cooper	Houghton	Murtha			
Costello	Hoyer	Myers			
Coughlin	Hubbard	Nagle			
Cox	Huckaby	Natcher			
Coyne	Hughes	Neal (MA)			
Craig	Hunter	Neal (NC)			
Crane	Hutto	Nelson			
Crockett	Hyde	Nielson			
Dannemeyer	Inhofe	Nowak			
Darden	Ireland	Oaker			
de la Garza	Jacobs	Oberstar			
DeFazio	James	Obey			
DeLay	Jenkins	Olin			
Dellums	Johnson (CT)	Ortiz			
Derrick	Johnson (SD)	Owens (NY)			
DeWine	Johnston	Owens (UT)			
Dicks	Jones (GA)	Oxley			
Dingell	Jones (NC)	Packard			
Dixon	Jontz	Pallone			
Donnelly	Kanjorski	Panetta			
Dorgan (ND)	Kaptur	Parker			
Douglas	Kasich	Pashayan			
Downey	Kastenmeier	Patterson			
Dreier	Kennedy	Paxon			
Duncan	Kennelly	Payne (NJ)			
Durbin	Kildee	Payne (VA)			
Dwyer	Kleczka	Pease			
Dymally	Kolbe	Pelosi			
Dyson	Kolter	Penny			
Early	Kostmayer	Perkins			
Eckart	Kyl	Petri			
Edwards (CA)	LaFalce	Pickett			
Edwards (OK)	Lagomarsino	Pickle			
Emerson	Lancaster	Porter			
Engel	Lantos	Poshards			

NAYS—0

NOT VOTING—17

Buechner	Florio	Parris
Collins	Ford (TN)	Roe
Courter	Gallo	Roukema
Davis	Gibbons	Torricelli
Dickinson	Machtley	Vucanovich
Dornan (CA)	McDade	

□ 1605

Mr. EDWARDS of California changed his vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MURTHA). Pursuant to the provisions, clause 5, rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on the additional motion to suspend the rules on which the Chair has postponed further proceedings.

WATER RESOURCES RESEARCH ACT OF 1984 AUTHORIZATION THROUGH FISCAL YEAR 1993

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1101, as amended.

The Clerk read the title of the bill.

The **SPEAKER** pro tempore. The question in on the motion offered by the gentleman from California [Mr. MILLER] that the House suspend the rules and pass the bill, H. 1101, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 336, nays 74, not voting 23, as follows:

[Roll No. 75]

YEAS—336

Ackerman	Pascell	Leath (TX)
Akaka	Fazio	Lehman (CA)
Alexander	Feighan	Lehman (FL)
Anderson	Fish	Leland
Annunzio	Flake	Lent
Anthony	Flipppo	Levin (MI)
Applegate	Foglietta	Levine (CA)
Atkins	Ford (MI)	Lewis (FL)
AuCoin	Frank	Lewis (GA)
Baker	Frost	Lightfoot
Barnard	Gallegly	Lipinski
Barton	Garcia	Livingston
Bateman	Gaydos	Lloyd
Bates	Gejdenson	Long
Beilenson	Geperhardt	Lowe (NY)
Bennett	Gillmor	Luken, Thomas
Bereuter	Gilman	Manton
Berman	Glickman	Markey
Bevill	Gonzalez	Marlenee
Bilbray	Goodling	Martin (NY)
Bilirakis	Gordon	Martinez
Boehlert	Goss	Matsui
Bonior	Gradison	Mavroules
Borski	Grandy	Mazzoli
Bosco	Grant	McCloskey
Boucher	Gray	McCollum
Boxer	Green	McCurdy
Brennan	Guarini	McDermott
Brooks	Gunderson	McEwen
Browder	Hall (OH)	McGrath
Brown (CA)	Hall (TX)	McHugh
Bruce	Hamilton	McMillen (MD)
Bryant	Hansen	McNulty
Bustamante	Harris	Meyers
Byron	Hastert	Mfume
Callahan	Hatcher	Miller (CA)
Campbell (CO)	Hawkins	Mineta
Cardin	Hayes (IL)	Moakley
Carper	Hayes (LA)	Molinari
Carr	Hefner	Mollohan
Chandler	Henry	Montgomery
Chapman	Herger	Moody
Clarke	Hertel	Morella
Clay	Hoagland	Morrison (CT)
Clement	Hochbrueckner	Morrison (WA)
Coleman (MO)	Hopkins	Mrazek
Coleman (TX)	Horton	Murphy
Conte	Houghton	Murtha
Conyers	Hoyer	Myers
Costello	Hubbard	Nagle
Coughlin	Huckaby	Natcher
Coyne	Hughes	Neal (MA)
Craig	Ireland	Neal (NC)
Crockett	Jacobs	Nelson
Carden	James	Nielson
de la Garza	Jenkins	Nowak
DeFazio	Johnson (CT)	Oakar
Dellums	Johnson (SD)	Oberstar
Dicks	Johnston	Obey
Dingell	Jones (GA)	Olin
Dixon	Jones (NC)	Ortiz
Donnelly	Jontz	Owens (NY)
Dorgan (ND)	Kanjorski	Owens (UT)
Downey	Kaptur	Pallone
Durbin	Kastenmeier	Panetta
Dwyer	Kennedy	Parker
Dymally	Kennelly	Pashayan
Dyson	Kildee	Patterson
Early	Klecza	Paxon
Eckart	Kolbe	Payne (NJ)
Edwards (CA)	Kolter	Payne (VA)
Edwards (OK)	Kostmayer	Pease
Emerson	LaFalce	Pelosi
Engel	Lagomarsino	Penny
English	Lancaster	Perkins
Erdreich	Lantos	Pickett
Espy	Laughlin	Pickle
Evans	Leach (IA)	Poshard

Price	Shays	Thomas (CA)
Pursell	Shumway	Thomas (GA)
Quillen	Sikorski	Thomas (WY)
Rahall	Sisisky	Torres
Rangel	Skaggs	Townes
Ravenel	Skeen	Trafcant
Regula	Skelton	Traxler
Rhodes	Slaterry	Udall
Richardson	Slaughter (NY)	Unsoeld
Rinaldo	Smith (FL)	Valentine
Roberts	Smith (IA)	Vander Jagt
Rogers	Smith (MS)	Vento
Rose	Smith (NE)	Visclosky
Rostenkowski	Smith (NJ)	Volkmer
Roth	Smith (TX)	Walgren
Rowland (CT)	Smith (VT)	Walsh
Rowland (GA)	Smith, Denny	Watkins
Roybal	(OR)	Waxman
Russo	Smith, Robert	Weiss
Sabo	(OR)	Weldon
Saiki	Snowe	Wheat
Sangmeister	Solarz	Whittaker
Sarpalius	Solomon	Whitten
Savage	Spratt	Williams
Sawyer	Staggers	Wilson
Saxton	Stallings	Wise
Scheuer	Stark	Wolf
Schiff	Stenholm	Wolpe
Schneider	Stokes	Wright
Schroeder	Studds	Wyden
Schuette	Swift	Yates
Schulze	Synar	Yatron
Schumer	Tanner	Young (AK)
Sharp	Tauke	Young (FL)
Shaw	Tauzin	

NAYS—74

Archer	Frenzel	Oxley
Armey	Gekas	Packard
Ballenger	Gingrich	Petri
Bartlett	Hancock	Porter
Bentley	Hefley	Ray
Bliley	Hiler	Ridge
Broomfield	Holloway	Ritter
Brown (CO)	Hunter	Robinson
Bunning	Hutto	Rohrabacher
Burton	Hyde	Schaefer
Campbell (CA)	Inhofe	Sensenbrenner
Clinger	Kasich	Shuster
Coble	Kyl	Slaughter (VA)
Combest	Lewis (CA)	Smith, Robert
Cooper	Lowery (CA)	(NH)
Cox	Lukens, Donald	Spence
Crane	Madigan	Stangeland
Dannemeyer	Martin (IL)	Stearns
DeLay	McCandless	Stump
DeWine	McCrery	Sundquist
Douglas	McMillan (NC)	Tallion
Dreier	Michel	Upton
Duncan	Miller (OH)	Walker
Fawell	Miller (WA)	Weber
Fields	Moorhead	Wylie

NOT VOTING—23

Andrews	Derrick	Machtley
Aspin	Dickinson	McDade
Boggs	Dornan (CA)	Parris
Buechner	Florio	Roe
Coelho	Ford (TN)	Roukema
Collins	Gallo	Torricelli
Courter	Gibbons	Vucanovich
Davis	Hammerschmidt	

□ 1615

Mr. **HYDE** changed his vote from "yea" to "nay."

Mr. **HEFNER** changed his vote from "nay" to "yea."

So (two-thirds having voted in favor therefor) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to extend the authorization of appropriations for the Water Resources Research Act of 1984 through the end of fiscal year 1994."

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF CONGRESS ON THE MOVEMENT FOR DEMOCRACY IN CHINA

Mr. **FASCELL**. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (H. Con. Res. 136) expressing the sense of the Congress on the movement for democracy in China, with Senate amendments thereto, and consider the Senate amendments in the House.

The Clerk read the title of the concurrent resolution.

The **SPEAKER** pro tempore (Mr. MURTHA). Is there objection to the request of the gentleman from Florida?

There was no objection.

MOTION OFFERED BY MR. FASCELL

Mr. **FASCELL**. Mr. Speaker, I move to concur in the Senate amendments with amendments.

The **SPEAKER** pro tempore. The Clerk will report the Senate amendments and the House amendments to the Senate amendments.

The Clerk read the Senate amendments and the House amendments to the Senate amendments, as follows:

Senate amendments:

Strike out all after the resolving clause and insert: That, it is the sense of the Congress that—

(a) the Congress looks with admiration on the courage which Chinese citizens have demonstrated in striving for democratic political reform, including freedom of expression, freedom of assembly, freedom of association, and freedom of the press, and on the peaceful and disciplined manner with which they have pursued their cause;

(b) the leadership of the People's Republic of China should take all necessary steps to establish a just and democratic society, with a free and open political system that will protect the essential human rights of all people living within that country, and

(c) the Secretary of State shall communicate to the leadership of the People's Republic of China that official violence or repression directed at those who would peacefully demonstrate for democracy, liberty, justice and workers rights will seriously damage relations with the United States.

Amend the preamble so as to read:

Whereas since mid-April millions of Chinese citizens have engaged in peaceful demonstrations in Beijing and other Chinese cities, calling for greater democracy, freedom of expression, freedom of assembly, freedom of association, and for a government which is responsive to the people and free of corruption;

Whereas the demonstrators, in carrying out their peaceful protest, have displayed extraordinary courage, discipline, and restraint;

Whereas such demonstrations reflect a broad-based feeling on the part of many Chinese that the political reforms which have occurred in China have not kept pace with the progress of economic reform, and the current difficulties in economic reform will only heighten the popular desire for political reform;

Whereas the extraordinary demonstrations in China constitute one of the most

significant movements for democracy in modern history;

Whereas on May 20, 1989, the Chinese Government declared martial law in eight districts of Beijing, and imposed edicts forbidding marches, strikes, class boycotts, distribution of pamphlets, spreading rumors, attacks on leaders, and any other "destructive actions";

Whereas on May 20, 1989, the Chinese Government ordered units of the People's Liberation Army into Beijing in order to restore order;

Whereas military units attempting to enter the center of Beijing have been met by crowds of prodemocracy demonstrators and have chosen to withdraw or remain in place rather than use force to move forward;

Whereas in April 1989, the authorities of the Shanghai municipality dismissed the editor-in-chief of *The World Economic Herald*, one of China's more independent newspapers;

Whereas the Chinese authorities have ordered foreign journalists not to go to Tiananmen Square, have stopped international satellite news transmissions, and have jammed three of five Voice of America frequencies (the first time that Voice of America broadcasts to China have been jammed since the normalization of United States-China relations in 1979);

Whereas, in the wake of democracy movements in 1978-79 and 1986-87, the authorities subjected participants in those movements to a variety of sanctions, and some individuals incarcerated for their peaceful political activity during those movements remain in prison;

Whereas an acceleration of political reform, including greater pluralism and respect for internationally recognized human rights, will have positive consequences for the development of relations between the United States and China, and repression of the movement for democracy in China will seriously impair those relations;

Whereas the freedom of movement and the freedom to form independent trade unions, student organizations and other voluntary associations are curtailed;

Whereas, led by the Independent Student Union of Beijing Universities, the Chinese people have demonstrated their desire for democracy, human rights and an end to corruption in the People's Republic of China;

Whereas the American people desire to extend their moral support to the struggle for democracy, liberty and justice within the People's Republic of China.

House amendment to the Senate amendment to the text of H. Con. Res. 136:

In lieu of the matter proposed to be inserted by the Senate Amendment to the text insert the following: That—

(1) the Congress commends the Chinese students and other citizens for the extraordinary courage which they have demonstrated in striving for democratic political reform and respect for internationally recognized human rights, including freedom of expression, association, the press, and workers rights, and on the peaceful and disciplined manner with which they have pursued their cause;

(2) the Congress condemns the excessive and indiscriminate use of force by the authorities of the People's Republic of China against its own citizens;

(3) the Congress expresses its profound sympathy for the victims of the Chinese authorities' brutal repression and their families;

(4) the Congress urges the Chinese authorities to cooperate with appropriate efforts of the international community to assess the needs of the victims of the recent violence for medical and other humanitarian assistance and provide such assistance to those victims;

(5) the Congress joins with the President in calling on the authorities of the People's Republic of China to resolve the political crisis in China without further violence, to end martial law, to release all political prisoners, to enter into a genuine dialogue with representatives of the demonstrators, to permit a free flow of information about the democracy movement, and to embark on a program of political reform which includes greater pluralism and respect for internationally recognized human rights;

(6) the Congress supports the actions taken by the President in response to the Chinese authorities' repression and urges immediate consultations with other democratic nations to consider additional measures should the violence continue;

(7) the Congress further supports the President in taking all necessary measures to provide for and ensure the safety of United States citizens in China, and calls on the People's Republic of China to uphold fully its international responsibility in this regard; and

(8) the Congress and people of the United States extend their moral support to the struggle for democracy, liberty, and justice in China.

House amendment to the Senate amendment to the Preamble of H. Con. Res. 136:

In lieu of the matter proposed to be inserted by the Senate Amendment to the preamble insert the following:

Whereas since mid-April 1989 millions of citizens of the People's Republic of China have engaged in peaceful demonstrations in Beijing and other Chinese cities, calling for greater democracy, freedom of expression, freedom of assembly, freedom of association, and for a government which is responsive to the people and free of corruption;

Whereas the demonstrators, in carrying out their peaceful protest, have displayed extraordinary courage, discipline, and restraint;

Whereas such demonstrations reflect a broad-based feeling on the part of many Chinese that the political reforms which have occurred in China have not kept pace with the progress of economic reform, and the current difficulties in economic reform will only heighten the popular desire for political reform;

Whereas the extraordinary demonstrations in China constitute one of the most significant movements for democracy in modern history;

Whereas on May 20, 1989, the authorities of the People's Republic of China declared martial law in Beijing and ordered units of the People's Liberation Army into Beijing in order to reassert its control;

Whereas on June 4, 1989, units of the People's Liberation Army, at the direction of the Chinese authorities, launched an unprovoked, brutal, and indiscriminate assault on the peaceful demonstrators in Tiananmen Square and elsewhere in Beijing resulting in massive loss of life and injuries;

Whereas the Chinese authorities have branded the prodemocracy demonstrators as "counter-revolutionaries" and "the dregs of society" and is reportedly engaged in mass arrests;

Whereas the Chinese authorities are attempting to conceal the extent of the re-

pression and its excessive use of force from the Chinese people and international community by one-sided coverage, by strict controls on foreign journalists and by jamming Voice of America;

Whereas on June 5, 1989, President Bush acted quickly in responding to the Chinese authorities' brutal actions by deploring the use of force and by ordering the immediate suspension of arms transfers to the People's Republic of China, the suspension of military exchanges with China, the sympathetic review of visa extension requests by Chinese students in the United States, and the offer of humanitarian assistance to injured Chinese citizens through the International Committee of the Red Cross;

Whereas continued repression of the movement for democracy in China will cause a further deterioration in United States relations with China; and

Whereas adoption by the Chinese authorities of a program of genuine political reform, including greater pluralism and respect for internationally recognized human rights, will have positive consequences for the development of relations between the United States and the People's Republic of China: Now, therefore, be it

Mr. FASCELL (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendments and the House amendments to the Senate amendments be considered as read and printed in the RECORD.

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

Mr. BROOMFIELD. Mr. Speaker, reserving the right to object, just for clarification, I would like to ask the chairman of the Committee on Foreign Affairs, is it the gentleman's intention to yield 30 minutes of his time to the minority?

Mr. FASCELL. Mr. Speaker, if the gentleman will yield, the gentleman is correct.

Mr. BROOMFIELD. Mr. Speaker, I thank the gentleman, and I withdraw my reservation of objection.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Florida [Mr. FASCELL] is recognized for 1 hour.

Mr. FASCELL. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Michigan [Mr. BROOMFIELD], the ranking Republican on the Committee on Foreign Affairs, pending which I yield myself 5 minutes.

Mr. Speaker, I shall make a brief opening statement on this matter simply to remind my colleagues that the matter we are considering now is one which has already been enacted by the House. It was also enacted by the other body, and it has come back to us.

The amendment we offer is simply to take cognizance of the facts further in light of the recent events that have occurred in the People's Republic of China. I will be followed on this side

by the chairmen of the respective subcommittees, the gentleman from Pennsylvania [Mr. YATRON], chairman of the Subcommittee on Human Rights and International Organizations, and the gentleman from New York [Mr. SOLARZ], chairman of the Subcommittee on Asian and Pacific Affairs.

□ 1620

I say again, Mr. Speaker, that I dare say in all of the dark history of man, regardless of which side of the looking glass one is looking, that each of us either has in memory or has learned of blots that stain humanity. I suppose that each of us would have a candidate for man's greatest inhumanity to man. I am always amazed, Mr. Speaker, in the consideration of matters of human rights on which this country fortunately has always spoken out so strongly that in a philosophical sense man has so much difficulty with the problem of being human and humane and that we are constantly confronted with acts of inhumanity. I do not know what my candidate would be for an event that would be more repugnant, revolting or would be met with greater revulsion, but I dare say that meeting people of one's own country who were assembled peacefully to ask for nothing more than dialog and reasonable extensions of freedom already been granted in terms of the right of assembly, or the right to speak or participation in the political system, and then to have the authorities in power respond by unprovoked action in which it was the indiscriminate slaughtering of civilians firing in the crowds, running over people with tanks. I cannot think of any act that requires and needs greater condemnation, and the amendments that we are considering here today express those feelings.

However, Mr. Speaker, they go further than that. We support fully the President in his reaction to what has occurred, and we demonstrate to the world that we, the people of the United States, are speaking with a unified voice on our reaction, and we point out that hopefully his matter can be resolved peacefully, but, if it is not, that we ought to be and might very well have to proceed with further activities in response to what is clearly an inhuman act.

Mr. Speaker, let us hope that the progress that has been made up until just recently in China would have continued. It was amazing to me as an outside observer to see what had occurred and what was possible. It is now just as inconceivable to me that the flush of that excitement brought on by quote the authority of the People's Republic themselves has now sunken into an abyss of inhuman action. It is so sad and so tragic.

Mr. Speaker, we commend the courage of those who stood up to this kind of repression.

Mr. Speaker, for nearly 2 months, the attention of the world has been riveted on the drama unfolding daily in Tiananmen Square. The peaceful and massive demonstrations, for democracy that took place daily in the heart of Beijing vividly demonstrated the universal appeal and awesome power of aspirations for freedom and basic human rights. The Chinese students and other citizens who stood up for democracy and for the rights we Americans cherish so dearly—freedom of speech, press, assembly, association, and other civil and political liberties—earned our praise and admiration for their courage and their commitment to nonviolent confrontation.

The tragic events of last weekend, when Chinese authorities employed lethal force to brutally suppress their own citizens resulting in the death and beatings of thousands, have outraged the world and temporarily dashed the democratic aspirations of the demonstrators. But what has been one of the most significant movements for democracy in modern history will not be quelled indefinitely. Events of the last few weeks in Poland and the Soviet Union, where after decades of totalitarian rule, the demands of the people for a greater role in determining their own fate are finally being heeded, demonstrate the persuasiveness and inevitability of democracy. Chinese leaders may think that, with enough tanks and bullets, they can stuff the genie back in the bottle but, as French President Francois Mitterrand observed, any government that uses lethal military force against its unarmed civilian population "has no future."

Mr. Speaker, this resolution expresses the Congress' and the American people's condemnation of the Chinese Government's massacre of demonstrators and bystanders. It calls on the Chinese Government to refrain from further violence, end martial law, release all political prisoners, including those still imprisoned as a result of the 1979 and 1986-87 prodemocracy movements, enter into a genuine dialog with representatives of the demonstrators, permit a free flow of information about the democracy movement, and embark upon a program of genuine political reform which includes greater pluralism and respect for internationally recognized human rights.

The resolution supports the actions already taken by President Bush in response to the indiscriminate and excessive use of force by Chinese authorities. It urges the President to engage in immediate consultations with other democratic nations to consider additional measures against China if the repression and violence continues. I think it is imperative that we develop a coordinated response with our friends and allies in the democratic and industrialized world to ensure the effectiveness of any measures we might take.

Mr. Speaker, this resolution has broad bipartisan support, including that of the administration. I want to commend my colleague from Michigan, the ranking minority member, Mr. BROOMFIELD, the chairman and ranking minority member of the Subcommittee on Human Rights and International Organizations, Mr. YATRON and Mr. BEREUTER, and the chairman and ranking minority member of the Subcom-

mittee on Asian and Pacific Affairs, Mr. SOLARZ and Mr. LEACH of Iowa, for their leadership on this issue and their cooperation in agreeing to this substitute.

I urge immediate and unanimous adoption of House Concurrent Resolution 136.

Mr. Speaker, I'd like to call our colleagues' attention to an excellent editorial on this subject that appeared in today's edition of the Miami Herald.

The article follows:

[From the Miami Herald, June 6, 1989]

MASSACRE IN TIANANMEN

The massacre in Tiananmen Square marks the beginning of the end of totalitarian Chinese Communist rule. Whatever idealism once legitimized it, whatever romanticism it spawned in would-be reformers throughout the world, is gone. As France's president, Socialist Francois Mitterrand, observed over the weekend, any government that uses lethal military force against its unarmed civilian population "has no future."

Of course, the future can be measured in decades as well as in weeks or months. The official who unleashed this brutality, who chose bullets when tear gas or even gentle arrests could have cleared the square, may yet hold power for some time. Nevertheless, their tenure now is limited.

In Washington, the Bush Administration reacted with characteristic slowness. It "deplored" the violence but stopped far short of expressing the outrage that most Americans felt at seeing nonviolent pro-democracy demonstrators murdered. That disappointing hesitancy stemmed from a warranted determination not to overreact so as not to weaken whatever hand the progressives inside the Chinese government still may hold.

Certainly Washington should not staminate to implement lasting policy changes, as Sen. Jesse Helms and others wish, while the situation in Beijing remains so confused. But neither can the world's oldest continuous democratic government leave any doubt about its revulsion at the massacre.

President Bush's announcement Monday of a moratorium on government-to-government sales and military aid to China, and his stronger statement of sympathy for the dead students, were welcome steps. So was the suspension of high-ranking official visits between the two nations. The Beijing government has forfeited its right to the niceties of diplomacy.

"Business as usual" cannot continue against the backdrop of blood-stained pavement. Premier Deng Xiaoping, who was President Bush's host just a few weeks ago, owes a full and public reckoning of his troops' savagery and of his government's course—if, indeed, he remains its head.

Beijing must hear in the bluntest possible language, and publicly, that mass murder of peaceful petitioners is no "internal" matter. It is a question of fundamental humanity vs. barbarism that cannot be overlooked.

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

Mr. Speaker, anyone who has sat before a television set during the past week must now know that there are two mainland Chinas: the People's Republic and the tyrant's Republic.

With this resolution we are putting the U.S. Congress squarely on the side of the Chinese people.

The transition from communism to democracy will not be smooth in all places at all times. But it does not have to be as brutal as the unfolding drama in Beijing.

America cannot stand idly by while thousands of Chinese people are risking their lives in the streets. That's why the actions President Bush announced yesterday are so important; that's why what we do here today is so important.

It is simply not correct to say, as some have suggested, that the United States will have no influence on what is going on in China. The more I listen to Chinese students being interviewed on television both here in America and on the streets of Beijing, the more I realize what a powerful influence America's political freedoms are having on events in China.

There are 35,000 Chinese students studying in America right now. Twice that number have studied here and returned home. America has clearly captured the imagination of a whole generation of Chinese.

Whatever actions America takes in China, it should speak with one voice. This is not time for wildcat policymaking. The Chinese students, elements within the army, government officials, and the Chinese people are clearly listening to voices from the outside world.

In a fast-moving situation, President Bush has chosen wisely among the options for responding to events in China. His suspension of weapons sales is a very concrete message that America cannot ignore the brutal actions of Chinese officials.

His decision to maintain our ambassador in China means we will keep the lines of communication open and whatever leverage we have to influence moderation within the Chinese government. This carrot and stick policy is, in my opinion, the best way to handle the problem.

However events transpire, the U.S. Government should be talking with one, authoritative voice. President Bush has made a good start in developing a wise policy response.

This resolution, demonstrates to the Chinese leadership that America is united in its opposition to their brutal methods. And it demonstrates to the Chinese students that America is fully on the side of their struggle for human rights and political freedom.

This resolution calls on the Chinese leadership to demonstrate there commitment to the process they began in their bold move towards democracy. I urge my colleagues to support this resolution.

Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Speaker, I thank the gentleman from Michigan [Mr. BROOMFIELD] for yielding, and I rise in strong support of this resolution of which I am one of the original cosponsors.

Mr. Speaker, this Member rises in strong support of item resolution or an original response.

Since Saturday afternoon, when units of the People's Liberation Army were unleashed upon the peaceful protesters and bystanders in and around Tiananmen Square, the people of China have been waging a life-or-death struggle to secure basic human rights.

The courage, the resolve, and the certainty of the rightness of their cause, of the students and workers has been awe-inspiring. Despite the fact that PLA forces have been firing indiscriminately into crowds, the protesters continue returning to the streets. Those of us who yesterday watched the film footage of that solitary student staring down an entire tank column could not help but be moved. As the tanks tried to maneuver around him, that student time and time again repositioned himself into the past of the oncoming column.

Mr. Speaker, it is these courageous young men and women who the Chinese Government label as "counterrevolutionaries" and "the dregs of society". This is nonsense. They are the heroes of modern China. They deserve to be recognized as such.

Mr. Speaker, on Monday morning President George Bush responded to the Chinese Government's deplorable behavior by suspending military sales and arms transfers to the People's Republic of China [PRC], and by calling a halt to high level contacts with the Chinese military. In addition, the President has authorized a review of the status of PRC students studying in the United States.

In announcing these actions, the President has demonstrated our very deep concern, and has made it clear that the United States will not conduct business as usual with a nation that represses its citizens so brutally. At the same time, he has left open avenues of communication that may, in time, prove important to the restoration of order. President Bush is to be commended for his statesmanlike response to this outrageous situation.

Mr. Speaker, as ranking Minority Member of the Subcommittee on Human Rights and International Organizations, this Member strongly supports the resolution condemning the brutal repression in China. Approving this resolution keeps faith with Chinese people who are demanding greater democracy and human rights. The struggle they started in Tiananmen Square in Beijing strongly deserves our support.

Mr. FASCELL. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Pennsylvania [Mr. YATRON], the chairman of the Subcommittee on Human Rights and International Organizations.

Mr. YATRON. Mr. Speaker, I strongly support and am a coauthor of this resolution. Everyone is now well aware of the deplorable situation in China. Congress must denounce the actions of the Chinese Government and support the democratic aspira-

tions of the Chinese people. What occurred on Saturday in Tiananmen Square was an unprovoked and vicious military attack on peaceful demonstrators and innocent bystanders.

House Concurrent Resolution 136, as amended, condemns in the strongest possible terms the slaughter that took place. By some estimates, the Chinese Government killed hundreds if not thousands of their own people. I do not think we will ever have a full accounting. What is happening in China is hard to comprehend. But it is even worse to imagine the extremes the Chinese Government is capable of going to in order to suppress the prodemocracy movement.

There is no mistaking the resolve with which the Chinese Government set out to annihilate the demonstrators. The People's Liberation Army did not go to Tiananmen Square to shoot to warn; they went to shoot to kill. It is reported that the P.L.A. made no attempt to disperse the crowd by using tear gas or truncheons, but rather marched into the square with tanks and automatic weapons crushing and shooting anyone in their way.

Mr. Speaker, the prodemocracy protesters sought recognition as a patriotic body, an assembly calling for what has already been deemed important by the Chinese Government for the future of China and its people. All the students were asking for were political reforms that would keep pace with their economic reforms and an open dialog with the government. Deng Xiaoping and Premier Li Peng easily could have made a statement supporting the principles of the students' demands. This rigid totalitarianism does not bode well for China. Further, the new situation is not good for our relationship with China. I do not see how we can continue to give our hard earned technological know-how to a government such as the People's Republic of China as they have shown themselves to be today.

I am sure that many of us thought the China of Mao Zedong, with his implementation of devastating campaigns of repression, bleeding the people of China, was gone. It appeared that this element of Chinese rule had become obsolete. Clearly, we were wrong. There is no stability in China, and as events proved on Saturday, there never really was.

Mr. Speaker, I applaud President Bush for suspending government to government military sales to China, as well as the commercial export of weapons. The President's response clearly puts the United States on the side of democracy and against government repression. It should now be clear to the Chinese Government that the murder of its people is not taken lightly or perceived as only an internal matter. The taking of human life is never just

an internal matter and it will not be business as usual between our two countries.

The United States must demand that the Chinese Government act with restraint and refrain from detaining and prosecuting the demonstrators. As we have learned from the past, other prodemocracy protesters were imprisoned without the benefit of due process and still sit in China's prisons 10 years later. I cannot say strongly enough that I hope this tragedy will not be exacerbated by imprisonments and other sanctions against the Chinese people.

There have been alarming reports that the bodies of those who were killed were quickly taken from Tiananmen Square and cremated in order to conceal the death count and the true extent of the carnage that took place. If this is true, the families of the victims will never know the fate of their loved ones, and will further underscore the heinous nature of the Chinese regime.

Mr. Speaker, I urge the quick adoption of this resolution so we can make our position known to the Chinese Government and to the Chinese people. I would like to commend Chairman FASCELL and Congressman BROOMFIELD for their consideration of this resolution. Also I would like to express my thanks to Congressmen SOLARZ, LEACH, and BEREUTER for their valuable contributions to this resolution.

□ 1630

Mr. BROOMFIELD. Mr. Speaker, I yield 4 minutes to the gentleman from Iowa [Mr. LEACH].

Mr. LEACH of Iowa. Mr. Speaker, I thank the gentleman for yielding this time.

Mr. Speaker, the bravery of the students of China has utterly destroyed the hoary canard that democracy is the province and aspiration of a privileged few. The bravery of these young people underlines that the only basis for government is the consent of the governed.

I stress the question of legitimacy because legitimacy is what is at stake in China today. A government of, by and for the people, cannot be a government that turns on the people. A people's army is one that defends a country's borders from outside invaders. It does not shoot unarmed civilians.

In the larger historical context, it is impressive how we appear to be on the cusp of one of the great turning points in history. Communism is in retreat, pell-mell. Freedom's wind is proving stronger than Brezhnev's tanks in Poland, Gorbachev's tanks in Afghanistan, and Li Peng's tanks in Beijing.

Incredibly, the courage of oppressed people appears to be stronger than the coercion of an oppressor state. Some-

times from an American perspective we have to make difficult choices between real politik geopolitical concerns and morality and philosophy.

When President Bush made it clear that our military relations with China would be suspended, he chose philosophy and morality. He was correct, because when the government's troops opened fire on innocent civilians, when they toppled the replica of the Statue of Liberty in Tiananmen Square, America had no choice except to take a stand. This we do in unity; This we do in pride; and most of all, this we do with the greatest respect for the people of China.

Mr. FASCELL. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from New York [Mr. SOLARZ], the chairman of the Subcommittee on Asian and Pacific Affairs of the Foreign Affairs Committee.

Mr. SOLARZ. Mr. Speaker, I thank the distinguished chairman for yielding the time.

The amendment before us this afternoon, first of all, expresses the profound sympathy of the Congress for the victims of the violence in Beijing.

It also strongly condemns the decision on the part of the authorities in the People's Republic of China to use machineguns and bayonets to wantonly slaughter their own people.

It also expresses the strong support of the Congress for the steps which have already been taken by President Bush to terminate all additional American arms sales to the People's Republic of China on the grounds that it would be utterly unconscionable for our country to continue supporting a military establishment which has not hesitated to murder and massacre its own people.

Finally, the amendment also makes it very clear that if the butchery in Beijing should continue, that the United States in consultation with our allies should attempt to impose additional appropriate measures designed to make it clear to the leadership in Beijing that the United States and its friends and allies around the world will not continue to do business as usual with a government which does not hesitate to murder and massacre its own people.

And what are some of those additional steps which we might take? We could, first of all, temporarily recall our Ambassador to Beijing for consultations here in Washington. I know that under present circumstances the President thinks that would be a mistake, but I think it should be clear that no one is suggesting if the situation should require it that we sever diplomatic relations with the People's Republic of China. No one is talking about closing down our Embassy. No one has proposed that we withdraw all our diplomats. Even if the Ambassador is summoned back to Washington, we

would still have a chargé d'affaires. We would still have other diplomats who are there who could convey whatever diplomatic representations we needed to make to the Chinese leaders in Beijing; but if it should become necessary, temporarily recalling our Ambassador would send a very strong signal of the deep dismay with which we view the course of events now unfolding in China; but there are other steps of a more concrete nature we could take. We could, for example, suspend all additional transfers and sales of high technology equipment to the People's Republic of China.

□ 1640

Particularly if we could induce our allies to join with us in such a step, it would impose a heavy price on the People's Republic of China, and the mere threat of such an action will hopefully induce a measure of restraint on the leadership in Beijing which they have not heretofore displayed.

We could also, as my very good friend, the gentleman from New York [Mr. WEISS], suggested a little bit earlier today in the Committee on Foreign Affairs, suspend any additional OPIC guarantees to American firms attempting to establish enterprises in the People's Republic of China, and the time may come when that appears to be a sensible step to take. We could, if we chose to do so, also instruct our representatives in the multilateral development banks to use their voice and their vote against any additional loans to the People's Republic of China.

Mr. Speaker, these are illustrative of the kinds of steps we could take and which we may have to take if the killings in China continue. We do not look forward with equanimity to having to take such measures, but they may be morally necessary and politically prudent if the situation continues to deteriorate.

We clearly have a stake in a good relationship with China, but we also have an interest in reaffirming fundamental American values.

Mr. BROOMFIELD. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I wish to commend the gentleman from Nebraska [Mr. BEREUTER], our ranking minority member of the Subcommittee on Human Rights, and the distinguished chairman of that subcommittee, the gentleman from Pennsylvania [Mr. YATRON]; the ranking member, the gentleman from Iowa [Mr. LEACH], and the gentleman from New York [Mr. SOLARZ], chairman of the Subcommittee on Asian and Pacific Affairs, for bringing before us this timely and important resolution.

Mr. Speaker, I am pleased to rise in strong support of House Concurrent

Resolution 136, commending the extraordinary courage of the students and citizens of the People's Republic of China, most vividly depicted by the lone student confronting the advancing tanks in Tiananmen Square, and by the students' erection of the Statue of Liberty in that square. Those brave Chinese students and citizens have demonstrated their profound respect for human rights, for freedom of expression, for association, and for workers' rights in a disciplined and in a nonviolent, peaceful manner.

The outrageous carnage in Beijing carried out by parts of the People's Liberation Army, disgusts and angers all decent people. Accounts of the slaughter are still emerging but one particular description, that of soldiers bayonetting young women who are pleading for the lives of their friends, appropriately sets forth the value Communist dictatorships place on religion, compassion, and human life. Let no one doubt any longer whom we are in bed with when we arm and engage in trade with such an authoritarian political system.

According to the South China Morning Post, June 5, 1989, Mr. Qiao Shi, a member of the Communist Party Politburo, gave the order to launch the attack on the square and to be cleared at any cost. This same individual gave the order last July to carry out the "merciless repression" of peaceful Tibetan human rights demonstrators which resulted in the death of hundreds of Tibetan Monks.

It is incumbent upon the Congress to focus attention on and to condemn the excessive, indiscriminate use of force by the civil authorities and by the military of the People's Republic of China against its own citizens as we express our profound sympathy to the victims' families.

Our Nation's executive and legislative branches are united in calling for a swift resolution to the political crisis in China without further violence. The Chinese Government must be moved to enter into a dialog with the protesters, to demonstrate a willingness to consider political reform consistent with the growing tide of democracy throughout the world.

Most of us in the Congress, as with all governments throughout the world, support the President's measured, strong response to the Chinese authorities' repression and atrocities.

Mr. Speaker, the Congress and the people of the United States wish to express their unequivocal support for the actions of the Chinese demonstrators. It is our sincere hope that their quest for democracy may not go unrequited.

Mr. FASCELL. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. Weiss].

Mr. WEISS. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, the huge demonstrations and nonviolent protests throughout China over the last several weeks have proven that the people of China have a passion for democracy that is strong and widespread. Even the government's brutal slaughter of unarmed students and other civilians this past weekend cannot squelch that passion.

Now that the spirit of democracy has taken to the streets of China, even tanks and armored personnel carriers will not be able to insulate the repressive Chinese Government from the will of the people. We add our voice to the outcry throughout the international community in denunciation of the massacre of hundreds, perhaps thousands, of innocent civilians in Tiananmen Square last weekend.

Mr. Speaker, I am privileged to be a cosponsor of this.

The Chinese Government's decision to brutally crush the student-led democratic reform movement requires a strong and clear response of the United States. The violence must end, and the legitimate demands of the democracy movement must be addressed.

I am pleased to support, too, Mr. Speaker, the actions of President Bush, but I know that none of us believe that either his actions or this resolution will suffice as a full expression of the moral outrage of the American people. Further action is clearly called for, and, I am certain, it will be forthcoming.

The sacrifice of the Chinese people demands greater actions than have so far been adopted.

Mr. BROOMFIELD. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. Smith].

Mr. SMITH of New Jersey. Mr. Speaker, it is with deep concern over the wanton loss of life in Beijing and the future of democracy in the People's Republic of China that I rise in strong support of House Concurrent Resolution 136.

Today, the people's House goes on record deploring the outrageous acts of brutality, repression, and premeditated murder perpetrated upon the citizens of China by the People's Liberation Army.

As it has in the past, the Communist hardliners in Beijing have once again demonstrated to the world that the health and well-being of the individual is of no consequence vis-a-vis the interests of the state. It is truly a sad fact that people have little value; they do not count for much in the eyes of the hardliners. They are only important for their utility and blind obedience to party dictates. The People's Republic of China clearly makes a mockery of human rights.

The hardliners in Beijing have much to account. They demonstrated their callousness and extreme hate during the Cultural Revolution, and they continue to demonstrate that toward women and children in their brutal implementation of their one-child-per-couple policy which relies on coercive abortions to achieve its objectives. They continue to demonstrate their disregard for people's lives by their contemptible treatment of the people of Tibet.

In abandoning now any semblance or appearance of restraint, the PLA at the behest of the hardliners have been slaughtering the prodemocracy citizens in Beijing.

The world again looks on in utter revulsion as soldiers, armed to the teeth, machinegun and bayonet defenseless students.

Mr. Speaker, the prodemocracy students in Tiananmen Square deserve our support, our respect, our solidarity, and our prayers. They demand the fullest response, both diplomatic and economic.

Mr. Speaker, I think it is fully appropriate and wholly appropriate that these brave martyrs be awarded the Nobel Peace Prize posthumously.

Mr. FASCELL. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. Levine].

Mr. LEVINE of California. Mr. Speaker, I congratulate the gentleman and the other leaders of this committee on a bipartisan basis for expeditiously bringing this resolution to the floor.

Mr. Speaker, the exhilarating expressions of support for democracy in China have inspired the world. The horrors we have witnessed in China in the past few days have shocked the world.

Beijing's brutal crackdown on peaceful demonstrators deserves our sharpest condemnation, and I believe will prove the undoing of this regime.

Mr. Speaker, I urge my colleagues not to forget that this latest atrocity comes on the heels of a similar military suppression of demonstrations in Tibet. Tibet has been under martial law since March, when Communist troops fired indiscriminately at crowds of unarmed Tibetans, dragged people from their homes to be beaten and arrested, and many Tibetans are still in police custody to face the risk of torture and long periods of incommunicado detention without charge.

While this resolution before us today and the President's actions yesterday are a welcome first step in response to the savage human-rights abuses occurring in China, I believe we must be prepared to take much stronger action to respond to the regime's atrocities.

□ 1650

Our delicate reluctance to endanger United States-Chinese relations must take a back seat to our horror over what has transpired in Tibet, in Beijing, and in cities throughout China.

All the more, Mr. Speaker, because we have had a close relationship with the People's Republic, we should make clear our condemnation of Chinese human rights abuses. I thank the sponsors of the resolution before us for moving quickly to bring this issue to the floor, but would also urge them to continue to investigate the possibility of taking still stronger action to express our profound disagreement with the policies of the Chinese Government in responding to peaceful calls for democratic reform.

Mr. BROOMFIELD. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Mr. Speaker, I have spoken less frequently this half of the 101st Congress than all of my 11 years here. But I anticipate with new leadership and new action, and hopefully a bipartisan foreign policy finally, that that will change.

This Congress has never been the same since the second session of the 90th Congress in 1968. It began with the Tet offensive, it saw the assassination and murder of Bobby Kennedy and then Martin Luther King, and this House lost its bipartisan approach to foreign policy.

The scars of the Vietnam war our new President mentioned in his inaugural address. But what is happening in China is the reason that we were in Indochina.

I hope all of the Members here who found the Communist government in Nicaragua acceptable will take note that this very week Daniel Ortega and the government in Hanoi approved the slaughter of thousands of students in the streets of China.

Sitting in the Speaker's chair is one of the more distinguished Vietnam veterans in this House, and I would ask the distinguished gentleman from Pennsylvania if he recalls the patch that he wore, the MAC-V patch in Vietnam. It was the wall of China being pierced by the sword of truth.

What we see unfolding before us now is what Pope Pius XI called the intrinsic inherent evil of communism. And whether it is in Hanoi, or in Luwanda, Angola, or Moscow, or Beijing, what we see is the murder of innocent people by a corrupt Communist regime that has lost its way. Why are we always so surprised when Communists who do not believe in any kind of a Supreme Being or a God kill people when they are about to lose their power, because after all, human beings are nothing but walking, talking primates, worker ants to be treated as so much chattel. So when people get in

their way they kill them because there is no immortal soul, there is no eternity, there is no Supreme Creator to be reckoned with.

What we are seeing this week should change this House intrinsically and fundamentally. We should never again have these debates on this House floor over Communist governments anywhere in the world.

Our oldest Member passed away within the last few days and he laid in state. Can any Member forget his last, most stirring speech on this House floor in reference to Ortega?

I hope the chairman of the Committee on Foreign Affairs remembers it. I wish the gentleman from Michigan [Mr. BONIOR] was still on the floor. What our great Claude Pepper's final line was in that stirring speech that got him a standing ovation from both sides of the aisle was he said, "Get those Communists out of there," referring to Central America.

We will never see peace in Moscow and China, true peace until we get those Communists out of there. Let us have a unified foreign policy for the rest of this great Congress.

Mr. FASCELL. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. LELAND].

Mr. LELAND. Mr. Speaker, I rise in support of this resolution.

Mr. FASCELL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Indiana [Mr. McCLOSKEY].

Mr. McCLOSKEY. Mr. Speaker, I thank the distinguished chairman for yielding time to me and I rise in vigorous support of this resolution, House Concurrent Resolution 136. I would particularly like to commend the gentleman from Florida [Mr. FASCELL], chairman of the Committee on Foreign Affairs, and the gentleman from New York [Mr. SOLARZ], chairman of the subcommittee, for their outstanding leadership and particularly their eloquent statements over the weekend on this great crisis.

Last night I met with more than 50 Chinese students at Indiana State University to discuss the Tiananmen Square massacre. All of the students expressed understandably their grief and outrage. It would be necessary to be there and talk with them and meet with each and every one of them to realize the extent and the depth of their grief and outrage. In their eyes, the slaughter has caused the ruling regime to lose all legitimacy. The carnage in Beijing has destroyed the trust and belief of the very people who will determine that nation's future.

Every student there expressed extreme hostility toward the present regime, including the one Marxist of the some 60 students who would still say he was a Communist. But not one was in support of this regime. That bodes very ill, regardless of the imme-

diate future, for the long-range stability of this regime.

However, despite the tragedy, the students' support of and faith in democracy remains unabated.

Mr. McCLOSKEY. This is well illustrated within China as news reports indicate that although the military, through naked brutal force, can drive the people from the streets, the people return after the tanks have left to rebuild barricades and to erect prodemocracy banners. The government can break the bodies of the demonstrators, but it cannot break their will.

The students consider the United States their major hope and indeed they are looking for us to do much, much more. They contend if we do not, things can only get worse in the long run.

I commend President Bush for his decision to end military sales and assistance to the Chinese. However, this crisis in Beijing is not resolved and may be deepening with further violence and reports of conflict between various units of the Chinese Army. It is important to maintain diplomatic relations with the Chinese. But it is even more important to clearly indicate to Beijing that America is unequivocally on the side of democracy and adamantly opposes the wholesale slaughter of unarmed innocents.

At my request and with the chairman's cooperation, this legislation includes language urging immediate Chinese cooperation with emergency food and medical assistance efforts. It is imperative that efforts by the Red Cross and other international agencies to treat the injured be supported to the fullest extent. I am not hopeful that the government of Beijing will allow international humanitarian assistance for the victims of official violence at this time, but they should. Clearly the immediate alleviation of the suffering of the wounded should be a paramount concern of the international community.

I join President Bush in calling for an immediate cessation of all violence, especially official governmental and military repression in China.

The Chinese students in Bloomington are appalled the government will not truthfully document the numbers of dead and wounded. They believe an international inspection team should inventory and document the casualties, I agree.

In light of the continued repression in China, the United States should also consider further efforts to support the demonstrators by increasing Voice of America broadcasts into China and imposing trade restrictions. Also, I believe that those who participated in demonstrations may still be in mortal danger. Should these heroic young people seek to flee further re-

pression within China, I call upon the United States and every other nation to be prepared to receive them and to shelter them.

This legislation manifestly demonstrates that the United States stands with the students in their nonviolent calls for further democracy. The Chinese have used military force in an attempt to silence the voices of those who call for democracy and freedom, the ideals to which the United States is dedicated. Congress will continue to monitor and investigate the Chinese repression of peaceful calls for domestic change.

Those who died in defense of freedom must be honored and remembered. Their cause must be supported. The totalitarian Communist regime in China must realize that China's relationship with the United States is directly affected by Beijing's treatment of the Chinese people. If necessary, the United States must take further action in support of the ideals upon which our country was founded and for which students in Tiananmen Square gave their lives.

This legislation, House Concurrent Resolution 136, will indicate to the international community that the United States Congress is united with the President in condemning Chinese atrocities in Beijing. It also serves notice to the Chinese that the United States will not ignore these human rights abuses and that we are prepared to take additional action should it be warranted.

Mr. BROOMFIELD. Madam Speaker, I yield 2 minutes to the gentleman from California [Mr. DREIER].

Mr. DREIER of California. Madam Speaker, I thank my friend, the gentleman from Michigan, distinguished ranking minority member of the committee, for yielding time to me. I take the well, Madam Speaker, to underscore something that I said earlier this morning when I had just a few hours before returned from observing the elections in Poland. That is the tragedy which took place in Tiananmen Square had a ripple effect on the election in Poland. It led the Polish people to want to vote even more than they already did.

The people of Solidarity clearly felt a responsibility, when one young man said to me that he looked down the street and remembered vividly in December 1981 when the tanks were rolling in his district, he could not help but feel an affinity with the young people who have tragically suffered in Beijing.

Madam Speaker, it is critical that we do everything that we can to encourage the democratic process around the world because, as I have said many times, the United States of America is the last bastion of freedom, and this body is respected throughout the world. This action, with this amend-

ment to this resolution is critically important.

I commend the distinguished gentleman from Florida [Mr. FASCELL], chairman of the committee, and my friend, the gentleman from Michigan [Mr. BROOMFIELD], for bringing this forward.

Mr. FASCELL. Madam Speaker, I yield my last 2 minutes to the distinguished gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Madam Speaker, as a member of the Committee on Foreign Affairs, I extend my complete support for the amendment and compliment our chairman, the gentleman from Florida [Mr. FASCELL] for offering it.

I have watched with amazement the events in China during the past few days, as have many other Americans watching the television and listening to the reports. Only a year or two ago no one could have imagined that this sort of thing could have happened, and yet here it is. What it does show is that people yearning for democracy, no matter where they may be, can never be suppressed.

I think we take pride as Americans that our Government leads the way and our country leads the way in freedom and democracy. Representing New York City and the surrounding area, I am very, very proud every time I go into New York Harbor and see the Statue of Liberty, and yet when I saw in Tiananmen Square what the students had done by erecting their own Statue of Liberty, I knew democracy could never be stopped anywhere in the world, not even in the People's Republic of China.

It is very good that this Government, the United States Government, has tried for many years to foster closer ties with the Chinese people, 1 billion Chinese. I think it is time now though that we express our disgust and revulsion at what the so-called People's Liberation Army has been doing to their own people.

□ 1700

I am very happy that President Bush has decided to cut all military sales to China, but I think we need to do more. We need to remove our Ambassador, recall our Ambassador. We need to keep the Chinese students that are in America, we need to keep them here until there is a feeling that they can go home. We need to cut and stop all supplies to show the Government in the People's Republic of China that we will not stand for the wanton massacre of their own people.

Madam Speaker, I am proud to rise in support of this amendment. I am proud that the U.S. House of Representatives is taking the lead.

Mr. FASCELL. Madam Speaker, I yield such time as she may consume to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. I thank the gentleman, the chairman of the committee, for yielding to me.

Madam Speaker, I rise in support of the resolution.

The situation in China calls for a strong United States response. The brutal violence which was perpetrated on peaceful demonstrators this weekend, and continues as I speak, this barbaric suppression of free speech and free association warrants the strongest form of condemnation possible.

Some people in this Chamber may use these events as a platform to profess their anticommunism. This is unfortunate, for the violent suppression of a people's human and civil rights is not restricted by ideological persuasion and it must be condemned in every instance.

Madam Speaker, in my district of San Francisco, over 20,000 people marched on Sunday demanding United States action in the face of the unfolding tragedy in China. President Bush has ordered a cutoff of arms sales and military cooperation. I believe we must go further.

Today, I call on the President to impose a full-scale economic embargo on the People's Republic of China. I will also ask the International Banking Subcommittee, on which I serve, to hold hearings on World Bank and other multilateral bank lending to China.

We must be unequivocal in our support for democratic principles throughout the world and swift in our condemnation of their violent suppression. Thank you.

Mr. BROOMFIELD. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Madam Speaker, China is to receive Hong Kong under an agreement with the Government of Great Britain in 1997.

When the Communist leaders crushed the democratic aspirations of the Chinese people for free expression and human rights in Tiananmen Square, they did more than murder their own people. They sent a message to the world how it is to live under totalitarianism.

It was a needed reminder to the people of the world on exactly how communism works. It was a message, Madam Speaker, heard most strongly not in the United States or even Western Europe or elsewhere around the world. Rather, it was a message heard most strongly in Hong Kong.

The stock market there lost 30 percent of its value and people intensified their efforts to leave Hong Kong as quickly as possible—and they were already leaving by the tens of thousands, Madam Speaker.

Hong Kong is an economic miracle and an example of the work of capital-

ism like none other on Earth. Per capita earning in Hong Kong is 28 times as high as mainland China.

China may receive Hong Kong in 1997 according to the agreement with Great Britain, but, Madam Speaker, it will be an empty purse.

The people of Hong Kong, the people of talent, the people of entrepreneurial ability will all be gone. They will have left because they understand better than any other people in the world the difference between totalitarianism and freedom. They will have voted with their feet.

Madam Speaker, the United States ought to be smart enough to know that these are exactly the kind of people that we need here in our own country. We ought to increase our quota for people from Hong Kong to provide insurance for them against the murderous tyranny of Chinese communism. We would welcome those people with open arms, and they will teach us about how it is to live near communism and to see its works up close. They will also add immeasurably to American society and to our own beliefs in the rule of law, human freedom, and democracy.

The students of China did their best; the murderers of the Chinese leadership crushed their aspirations. The people of Hong Kong understand and fear what happened better than any other in the world.

Mr. BROOMFIELD. Madam Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. McEWEN].

Mr. McEWEN. I thank the gentleman from Michigan for yielding to me and for his leadership.

Madam Speaker, ladies and gentlemen of America, this is a special time in the history of man. We are on the threshold of a new era in world history. There was a time when totalitarian governments could murder 30 million, 35 million, 40 million of their own people and the free world would not speak out. Yet the aspirations of a free people are now demanding independence, in Poland, in China, in Hungary, in Estonia, in Latvia, in Lithuania.

I have never been more proud to be an American; I have never been more proud to be a Member of the House of Representatives than at this moment when we stand on the side of liberty and freedom and say that as we look to the next decade and as we look to the Soviet Union, as we look to the Communist Governments around the globe and see the desire of the human spirit to be free, the confrontation is now coming.

Will they be allowed to express themselves in the manner in which God created men and women to live, freely? Or will they be crushed by the guns of tyranny as we have seen in the revolution of 1917, as we saw in 1945,

as we saw in Hungary in 1956, as we saw Czechoslovakia in 1968?

I believe that over the next 10 years we will see around the globe precisely this confrontation: We will see the desire of human spirits to be free, to have democracy, to be able to speak and assemble freely, and we will see the tired iron boot of communism try to prevent it. I believe the march of history is on the side of freedom. I believe they will be successful, but it will take the continued dedicated leadership of such leaders as we have here today; the gentleman from Michigan [Mr. BROOMFIELD], the gentleman from Florida [Mr. FASCELL], chairman of the committee, the leadership in the House of Representatives, to say that each time this confrontation comes—and it will come again, it will come in Poland, it will come in Lithuania, it will come in Hungary, it will come in the Soviet Union—the decision must be made, will these people be allowed to have democracy, will these people be allowed to be free or will the guns shoot them in place as it did in Georgia 6 weeks ago, as it did in Beijing yesterday?

Mr. BROOMFIELD. Madam Speaker, I yield back the balance of my time.

Mr. FASCELL. Madam Speaker, I yield myself such time as I may consume to say that in the Committee on Foreign Affairs committee room, 2172 in the Rayburn, right after the vote on these amendments, there will be a briefing for Members on the situation in the People's Republic of China given by ranking officials of the Department of State.

Mr. STALLINGS. Mr. Speaker, I rise today to express my sorrow at the events which have transpired in China since early Sunday morning. It seems that the leaders of the People's Republic have taken calculated steps to remove themselves from the community of nations they had worked so hard to enter.

The brutality displayed by the Chinese political and military leadership in the past few days is not the worst we have seen inflicted by a nation on its own people. It is not the worst the Chinese have had inflicted upon themselves. But it is perhaps the most disheartening act of state brutality I have witnessed because it occurred in a nation which had seemed, with the help and encouragement of the United States, on the way to rewarding its industrious and long-suffering populace with a measure of democracy and prosperity.

Initial media reports characterized the attack as a tragic "miscalculation", but it was nothing of the sort. The United States may have miscalculated the criminal nature of the Chinese regime, and Deng Xioping certainly miscalculated the tenacity of the Chinese people. But everyone knew the unarmed students were virtually trapped in Tiananmen Square. There was nothing to miscalculate: The military knew that an attack with tanks and machine guns would be successful in killing people.

The President's initial reaction was also troubling. But while the specter of the administration deciding whether to deplore the situation or simply regret it was disturbing, subsequent steps have shown prudence and resolve. First, stopping Government and commercial military sales shows our willingness to join other nations in limiting the flow of technology to a nation dependent on technology for its attempts to modernize its economy and military.

Second, and even more importantly, President Bush has extended an offer of help to the Chinese people—humanitarian aid to the victims in Beijing and help also to the nearly 30,000 Chinese students studying in the United States.

It is my sincere hope that the President will continue to emphasize those policy tools which target the perpetrators of these criminal acts while helping the Chinese people. This will be a difficult task as was evidenced by the great pain the people of Poland suffered as a result of our economic sanctions imposed in the wake of the 1981 military crackdown in that country. And yet on the very day that China suffered its great anguish, Poland conducted the freest elections in the history of Eastern Europe.

I urge President Bush and my colleagues in the Congress to consider this as we strive in the days ahead to formulate a policy which conveys the outrage of the American people to the Chinese leaders and the abiding respect of the American people to the Chinese people.

Mr. LAUGHLIN. Mr. Speaker, there is no such thing as democracy separate from the participation of the people. Democracy is not achieved through vicarious experiences. Those who dream of democracy don't stand along the sidelines and watch others risk their lives for it, instead they take action. Such is the case of a single Chinese man who earlier this week attempted to block a tank column moving down the Avenue of Eternal Peace in Beijing. The action of this solitary individual is a courageous display of the collective desire of the Chinese prodemocracy demonstrators to gain their freedom and pursue democratic reforms for the good of their country.

Certainly, I commend the President's decision to stop the sale of arms to China and view this as a sign of America's firm commitment to democracy and as a denouncement of the Chinese Army's brutal attacks on those who gathered in Tiananmen Square, which left hundreds dead and the entire world watching in utter disgust.

History does not play itself out like some drama on a distant stage sealed off from its audience. History is the sum of the total actions of individuals—humble, everyday people who by their actions make decisions for the common good of all. It is these courageous people who change history.

Therefore, let us applaud the prodemocracy demonstrators for involving themselves in what may prove to be a turning point in the history of China's journey toward a freer and more open society grounded in democratic principles.

As her excellency, Mohtrama, Benazir Bhutto, Prime Minister of the Islamic Republic

of Pakistan, reminded us today in her address to a joint meeting of Congress, America's chief exports are freedom and democracy. Therefore, America must continue to play a vital role in promoting democracy around the world.

If this is the case, then it is by the unselfish actions of these students and America's support for their efforts that democracy will prevail.

Mr. FEIGHAN. Mr. Speaker, I am pleased to join my colleagues and with the administration in joining our allies around the world in condemning the recent massacre in Tiananmen Square in China.

Mr. Speaker, there is horror mixed with bitter irony that the nonviolent student protests of only a few weeks ago in support of China's reform leadership have turned bloody as a result of a deliberate, bloodthirsty attack ordered by the hardline elements now in power in Beijing. Restraint has given way to rage and China now totters at the abyss of a full-fledged civil war.

Given a precarious and extremely fluid situation, our first decisions are perhaps the most important. Above all, the United States must speak with one voice. And that voice should naturally blend with calls of the student protesters for simple democratic freedoms. This version of "people power" is the latest episode in the continuing story of democratic revolution in which our own country has played such a crucial role. We do not have the luxury to remain passive. We have a responsibility to indicate our support for a movement whose goals and ideals bear such an astonishing resemblance to the very ideals on which this country was built.

I commend President Bush for his deliberate and determined leadership in signaling the U.S. condemnation of the events of recent days and shaping an appropriate response. The President has indicated that our policy will not be the same with a brutal repressive regime in power. He has also indicated that down the road, we have certain long-term concerns and common interests with the Chinese people.

But those concerns should in no way soften our condemnation of the carnage perpetrated by Red army troops against these students. Those concerns in no way should diminish our resolve to advance a policy that says "no business as usual" as long as the repression continues. And finally, those concerns cannot be seen to obviate in any way our clear and unequivocal support for the principles that those students are fighting and dying for—the same principles that our Founding Fathers fought for 200 years ago.

Mr. FASCELL. Madam Speaker, I have no further requests for time, and I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore (Mrs. BOXER). The question is on the motion offered by the gentleman from Florida [Mr. FASCELL].

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

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

The yeas and nays were ordered.

The vote was taken by electronic device and there were—yeas 406, nays 0, not voting 27, as follows:

[Roll No. 76]

YEAS—406

Ackerman	Dixon	Hunter
Akaka	Donnelly	Hutto
Alexander	Dorgan (ND)	Hyde
Anderson	Dornan (CA)	Inhofe
Andrews	Douglas	Ireland
Annunzio	Downey	Jacobs
Anthony	Dreier	James
Applegate	Duncan	Jenkins
Archer	Durbin	Johnson (CT)
Armey	Dwyer	Johnson (SD)
Aspin	Dymally	Johnston
Atkins	Dyson	Jones (GA)
AuCoin	Early	Jones (NC)
Baker	Eckart	Jontz
Ballenger	Edwards (CA)	Kanjorski
Barnard	Edwards (OK)	Kaptur
Bartlett	Emerson	Kasich
Barton	Engel	Kastenmeier
Bateman	English	Kennedy
Bates	Erdreich	Kennelly
Beilenson	Espy	Kildee
Bennett	Evans	Kleczka
Bentley	Fascell	Kolbe
Bereuter	Fawell	Kolter
Berman	Fazio	Kostmayer
Bevill	Feighan	Kyl
Bilbray	Fields	LaFalce
Bilirakis	Fish	Lagomarsino
Bliley	Flippo	Lancaster
Boehrlert	Foglietta	Lantos
Bonior	Ford (MI)	Laughlin
Borski	Ford (TN)	Leach (IA)
Bosco	Frank	Leath (TX)
Boucher	Frenzel	Lehman (CA)
Boxer	Frost	Lehman (FL)
Brennan	Gallegly	Leland
Brooks	Garcia	Lent
Broomfield	Gaydos	Levin (MI)
Browder	Gejdenson	Levine (CA)
Brown (CA)	Gekas	Lewis (CA)
Brown (CO)	Gephardt	Lewis (FL)
Bruce	Gillmor	Lewis (GA)
Bryant	Gilman	Lightfoot
Bunning	Gingrich	Lipinski
Burton	Glickman	Livingston
Bustamante	Gonzalez	Lloyd
Byron	Goodling	Long
Callahan	Gordon	Lowery (CA)
Campbell (CA)	Goss	Lowey (NY)
Campbell (CO)	Gradison	Lukens, Thomas
Cardin	Grandy	Lukens, Donald
Carper	Grant	Madigan
Chandler	Gray	Manton
Chapman	Green	Markey
Clarke	Guarini	Marlenee
Clay	Gunderson	Martin (NY)
Clement	Hall (TX)	Martinez
Clinger	Hamilton	Matsui
Coble	Hammerschmidt	Mavroules
Coelho	Hancock	Mazzoli
Coleman (MO)	Hansen	McCandless
Coleman (TX)	Harris	McCloskey
Combest	Hastert	McCollum
Conte	Hatcher	McCrery
Conyers	Hawkins	McCurdy
Cooper	Hayes (IL)	McDermott
Costello	Hayes (LA)	McEwen
Coughlin	Hefley	McGrath
Cox	Hefner	McHugh
Coyne	Henry	McMillan (NC)
Craig	Herger	McMillen (MD)
Crane	Hertel	McNulty
Crockett	Hiler	Meyers
Dannemeyer	Hoagland	Mfume
Darden	Hochbrueckner	Michel
de la Garza	Hollaway	Miller (CA)
DeFazio	Hopkins	Miller (OH)
DeLay	Horton	Miller (WA)
Dellums	Houghton	Mineta
Derrick	Hoyer	Moakley
DeWine	Hubbard	Molinari
Dicks	Huckaby	Mollohan
Dingell	Hughes	Montgomery

Moody	Roberts	Spratt
Moorhead	Robinson	Stallings
Morella	Rogers	Stangeland
Morrison (CT)	Rohrabacher	Stark
Morrison (WA)	Rostenkowski	Stearns
Mrazek	Roth	Stenholm
Murphy	Rowland (CT)	Stokes
Murtha	Rowland (GA)	Studds
Myers	Roybal	Stump
Nagle	Russo	Sundquist
Natcher	Sabo	Swift
Neal (MA)	Saiki	Synar
Neal (NC)	Sangmeister	Tallon
Nelson	Sarpallus	Tanner
Nielson	Sawyer	Tauke
Nowak	Schaefer	Tauzin
Oakar	Scheuer	Thomas (CA)
Oberstar	Schiff	Thomas (GA)
Obey	Schneider	Thomas (WY)
Olin	Schroeder	Torres
Ortiz	Schuette	Traficant
Owens (NY)	Schulze	Traxler
Owens (UT)	Schumer	Udall
Oxley	Sensenbrenner	Unsoeld
Packard	Sharp	Upton
Pallone	Shaw	Valentine
Panetta	Shays	Vander Jagt
Parker	Shumway	Vento
Pashayan	Shuster	Visclosky
Patterson	Sikorski	Volkmer
Paxon	Sisisky	Walgren
Payne (NJ)	Skaggs	Walker
Payne (VA)	Skeen	Walsh
Pease	Skelton	Watkins
Pelosi	Slattery	Weber
Penny	Slaughter (NY)	Weiss
Perkins	Slaughter (VA)	Weldon
Petri	Smith (FL)	Wheat
Pickett	Smith (IA)	Whittaker
Pickle	Smith (MS)	Whitten
Porter	Smith (NE)	Williams
Poshard	Smith (NJ)	Wilson
Price	Smith (TX)	Wise
Pursell	Smith (VT)	Wolf
Quillen	Smith, Denny	Wolpe
Rahall	(OR)	Wright
Ravenel	Smith, Robert	Wyden
Ray	(NH)	Wylie
Regula	Smith, Robert	Yates
Rhodes	(OR)	Yatron
Richardson	Snowe	Young (AK)
Ridge	Solarz	Young (FL)
Rinaldo	Solomon	
Ritter	Spence	

NAYS—0

NOT VOTING—27

Boggs	Gallo	Rose
Buechner	Gibbons	Roukema
Carr	Hall (OH)	Savage
Collins	Machtley	Saxton
Courter	Martin (IL)	Staggers
Davis	McDade	Torricelli
Dickinson	Parris	Towns
Flake	Rangel	Vucanovich
Florio	Roe	Waxman

□ 1729

Mr. KOSTMAYER and Mr. RIDGE changed their vote from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1730

NATIONAL D.A.R.E. DAY

Mr. SAWYER. Madam Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 276) designating September 14, 1989, as "National D.A.R.E. Day," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. (Mrs. BOXER.) Is there objection to the request of the gentleman from Ohio?

Mr. RIDGE. Madam Speaker, reserving the right to object I yield to the gentleman from California [Mr. LEVINE], my friend and colleague, the chief sponsor of this resolution.

Mr. LEVINE of California. Madam Speaker, I thank the gentleman from Pennsylvania [Mr. RIDGE] for yielding, and I would like to make a brief statement with regard to the need for this resolution. I would like to compliment and thank the gentleman from Ohio [Mr. SAWYER], the ranking member and chairman of the subcommittee, for expeditiously bringing this matter to the floor.

Mr. LEVINE of California. Madam Speaker, there is a cancer which threatens to destroy our society. That cancer is the disease of drug abuse. The worst aspect of this disease is its effect on our children. Today, in addition to coping with the challenges of growing up, our young people must also face drug pushers and the violence on campus which accompanies the drug dealers who prey on our children.

That is why I have been such a strong supporter of drug education programs for young people. One of the best of these programs is known as D.A.R.E., the Drug Abuse Resistance Education Program.

I am pleased to be able to come before my colleagues today to urge them to support House Joint Resolution 276, legislation I introduced with my colleague FRANK WOLF designating September 15, 1989, as National D.A.R.E. Day. This is the second time a majority of my colleagues have decided to recognize this outstanding program. D.A.R.E. is an innovative approach to drug abuse prevention developed by the Los Angeles Police Department and the Los Angeles Unified School District. The D.A.R.E. Program is taught by veteran police officers who go into the classroom to share their experience with the tragedies caused by drug abuse.

D.A.R.E. offers a 17-week curriculum to teach fifth and sixth grade children the decisionmaking skills necessary to resist pressure to experiment with drugs and alcohol. A separate program has been developed to introduce younger grades to D.A.R.E., and follow up instruction has been launched for junior high and high school classrooms. The D.A.R.E. curriculum teaches assertive response styles, resistance techniques, and risk-taking. Other D.A.R.E. units help students understand self-image, resist gang pressure, recognize stress and manage it without taking drugs, and analyze and resist presentations about alcohol and drugs.

Each D.A.R.E. police officer completes a special 2-week training program which includes instruction on teaching techniques, officer-school relationships, development of self-esteem, child development, and communication skills. The D.A.R.E. Program provides the opportunity for law enforcement, teachers, and school administrators to work together to reduce drug abuse.

Independent research has confirmed the success of the D.A.R.E. Program. D.A.R.E. graduates are less accepting of drug use, and more able to resist peer abuse to use drugs. The D.A.R.E. Program also contributes to improved study habits and grades, decreased vandalism and gang activity, and a more positive attitude toward the police and school.

The success of D.A.R.E. is also demonstrated in a student-parent survey taken in the Los Angeles Unified School District. Before taking the D.A.R.E. Program 51 percent of the students surveyed equated drug use with having more friends. After completing the D.A.R.E. Program, only 8 percent of the students made this association. Similarly, before witnessing the D.A.R.E. presentation, 61 percent of parents thought that there was nothing parents could do to prevent their children from using drugs. However, after the D.A.R.E. presentation, only 5 percent of the parents believed this.

The D.A.R.E. Program is offered in 48 States and the District of Columbia, and is taught internationally in the Department of Defense Dependent Schools. D.A.R.E. programs have also been implemented in Australia, Canada, New Zealand, and American Samoa.

I commend law enforcement for its willingness to sponsor innovative and effective programs like D.A.R.E., and I urge my colleagues to support this legislation.

Mr. RIDGE. Madam Speaker, further reserving the right to object, I yield to the gentleman from New York [Mr. GILMAN], my colleague.

Mr. GILMAN. Madam Speaker, as a member of the Select Committee on Narcotics Abuse and Control, and a co-sponsor of this measure. I rise in strong support of House Joint Resolution 276, designating September 14, 1989, as "National D.A.R.E. Day." I commend the gentleman from California, Mr. Levine, for introducing this worthy resolution.

The Drug Abuse Resistance Education [D.A.R.E.] Program originated as a cooperative effort of the Los Angeles Police and the Los Angeles School System in 1983. Today the D.A.R.E. Program has proved to be so successful that it has extended into more than 50,000 classrooms in 48 States, including—New York State, and to Australia, Canada, New Zealand, Ameri-

can Samoa, and in our Department of Defense School reaching over 3 million children.

The D.A.R.E. Program goes far beyond the traditional drug education programs. D.A.R.E. is a semester long series of lessons led by police officers to fifth and sixth grade students. D.A.R.E. Program teaches the skills necessary to recognize and resist the subtle and overt pressures to experiment with drugs and alcohol.

Mr. Speaker, the D.A.R.E. Program offers a responsible approach to educating our youth about the dangers of substance abuse and I urge my colleagues to join me in supporting this important resolution.

Mr. RIDGE. Madam Speaker, further reserving the right to object I yield to the gentleman from Ohio [Mr. ECKART], my friend and neighbor.

Mr. ECKART. Madam Speaker, I appreciate the gentleman from Pennsylvania [Mr. RIDGE] yielding to me, and very briefly I will say in support of the D.A.R.E. Program that oftentimes all of us, many of us, draw conclusions to support or oppose a particular piece of legislation or a program that is part of the legislation simply based on some abstract statistical or research efforts made on behalf of it, and the D.A.R.E. Program, I recall first, however, being exposed to it when my cousin, a woman who has spent a great deal of her professional life preparing for law enforcement activities, talked to me about it some several years ago. Not having had a program like it in my district, I knew from the moment of her enthusiastic presentation to me that it was the kind of program that would make a difference in the real world and affect students' lives. No one who knows my cousin or her commitment to law enforcement and helping to make young people's lives better could doubt for a moment that it would succeed in northeastern Ohio.

□ 1740

But what we have also been able to witness is the tremendous reception that D.A.R.E. has received across the country. So to the thousands of professionals, to my family, to our constituents and friends everywhere who have benefited from it, I am delighted to say that D.A.R.E. is the kind of program that does make a difference.

I applaud my colleague, the gentleman from Pennsylvania, and my friend, the gentleman from Ohio, for making this opportunity available to us and to help join in saluting a program that works, that has made a difference in countless communities all across this Nation, and indeed can make life better for those who suffer from the terrible affliction of drug abuse.

Mr. RIDGE. Madam Speaker, I would just like to note finally that our

colleague, the gentleman from California [Mr. LEVINE] had 218 cosponsors on this piece of legislation before he ever introduced it, and speaking on behalf of the chairman of our subcommittee, the gentleman from Ohio [Mr. SAWYER] and myself, we appreciate this special effort to reach that magic figure of 218.

Mr. WOLF. Mr. Speaker, I rise in support of House Joint Resolution 276 designating September 14, 1989, as National D.A.R.E. Day. I congratulate my colleague, Representative MEL LEVINE from California, for his efforts on this legislation and I thank the Post Office and Civil Service Committee for their expeditious movement of this resolution through the committee.

I would like to bring particular attention to the strong D.A.R.E. Program in the 10th District of Virginia, a program that effectively teaches children how to resist the pressure to experiment with alcohol and drugs through the discussion of such important concepts as development of high self-esteem and self-worth.

Since attending one of the D.A.R.E. classes, reviewing the course material offered, and hearing positive feedback from children and adults who participated in the D.A.R.E. Program, I am convinced more than ever that D.A.R.E. Program, on both a local and national level, is an extremely positive approach to equipping our youngsters with the skills necessary to recognize and resist the pressure that influences them to experiment with and use harmful drugs.

The D.A.R.E. Program offers a positive and responsible approach to educating our youngsters about the tragic effects of substance abuse and I commend everyone involved. I urge the support of my colleagues for House Joint Resolution 276.

Mr. RIDGE. Madam Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 276

Whereas D.A.R.E. (Drug Abuse Resistance Education) is a semester-long program that teaches fifth and sixth grade children how to resist pressure to experiment with drugs and alcohol;

Whereas the D.A.R.E. program is also provided to kindergarten and junior high school students and their parents;

Whereas D.A.R.E. targets children when they are most vulnerable to tremendous peer pressure to try drugs and alcohol and teaches the skills to make positive decisions and resist pressure to engage in negative behavior;

Whereas more than 1,200 communities in 48 States now conduct the D.A.R.E. program in their local schools, and a pilot program has been implemented for use internationally in the Department of Defense Dependent Schools;

Whereas almost 3 million students have been reached through D.A.R.E.;

Whereas because school children are frequently much more sophisticated about substance abuse than are classroom teachers, the D.A.R.E. program is taught by veteran police officers with direct experience in

cases involving criminal activity and ruined lives caused by substance abuse;

Whereas each police officer who teaches the D.A.R.E. program completes an 80-hour training course that includes instruction in teaching techniques, officer-school relationship, development of self-esteem, child development, and communication skills;

Whereas the D.A.R.E. curriculum, developed by the Los Angeles Police Department and the Los Angeles Unified School District, helps students understand self-image, recognize stress and manage it without taking drugs, analyze and resist media presentations about alcohol and drugs, evaluate risk-taking behavior, resist gang pressure, apply decision making skills, and evaluate the consequences of the choices available to them;

Whereas independent research shows that the D.A.R.E. program has exceeded its goal of helping students combat peer pressure to use drugs and alcohol, by contributing to improved study habits and grades and decreased vandalism and gang activity and by generating greater respect for police officers; and

Whereas the D.A.R.E. program has achieved outstanding success teaching positive and effective approaches to what is one of the most difficult problems facing our people today, namely drug abuse: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That September 14, 1989, is designated as "National D.A.R.E. Day", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe that day with appropriate ceremonies and activities.

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

GENERAL LEAVE

Mr. SAWYER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Joint Resolution 276, the joint resolution just passed.

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

There was no objection.

ANNUAL REPORT ON FEDERAL ACTIONS WITH RESPECT TO CONSERVATION AND USE OF PETROLEUM AND NATURAL GAS IN FEDERAL FACILITIES, 1988—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Energy and Commerce.

(For message, see proceedings of the Senate of today, Tuesday, June 6, 1989.)

1985, 1986, AND 1987 ANNUAL REPORTS OF FEDERAL PREVAILING RATE ADVISORY COMMITTEE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Post Office and Civil Service.

(For message, see proceedings of the Senate of today, Tuesday, June 6, 1989.)

ARMENIAN INDEPENDENCE DAY

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

Mr. ANNUNZIO. Mr. Speaker, on Sunday, May 28, 1989, Americans of Armenian descent throughout the United States and their compatriots all over the world paused to celebrate the 71st anniversary of Armenian Independence.

I am pleased to have the opportunity to mark this important milestone in Armenian history, for it was after 600 years of foreign domination that the courageous Armenians were able to throw off the yoke of their oppressors and to declare their independence on May 28, 1918.

But this tiny independent nation was destined to be short lived, for the newborn Armenian Republic was brutally partitioned 2 years later by Russia and Turkey. Today, historic Armenian lands are in the hands of Turkey and the Soviet Union, and the independence of Armenia remains an unresolved question.

Mr. Speaker, at this point in the CONGRESSIONAL RECORD, I would like to include an article entitled "The Children of Armenia" which appeared in the Hartford Courant on May 14, 1989. It describes how Armenia has survived the destruction of war, genocide, and earthquake, and how it continues its struggle to stay alive in the hearts and minds of the next generation. The article follows:

THE CHILDREN OF ARMENIA—LIVING PROOF OF THE INEXTINGUISHABLE HUMAN SPIRIT

(By Barbara W. Carlson)

"I should like to see any power in this world destroy this race, this small tribe of unimportant people, whose history is ended, whose wars have been fought and lost, whose structures have crumbled, whose literature is unread, whose music is unheard, and whose prayers are no more answered. Go ahead, destroy this race! Destroy Armenia! See if you can do it. Send them from their homes into the desert. Let them have neither bread nor water. Burn their homes and churches. Then, see if they will not laugh again, see if they will not sing and pray again. For when two of them meet anywhere in the world, see if they will not create a new Armenia."

—William Saroyan

When an earthquake shattered the land of Soviet Armenia last December, Armenians thousands of miles away wept and

asked, "Why, God? How much can we take?" An old Armenian woman in Hartford, who has seen too much to have many tears left, grieved for the children lost—the generation that would carry on the culture, the language, the nation.

Despair, remembering the massacres of 1915. And then determination, "The Mongols destroyed Armenia, and we rebuilt," she said. "The Turks destroyed Armenia, and we rebuilt." And then she quoted Saroyan: "... see if they will not create a new Armenia."

After the earthquake, help went to the wounded Armenians from around the globe, and, for a while, Armenia became known. As time goes on, though, Armenia and Armenians seem to dissolve again into the convoluted fabric of Middle Eastern culture; it is a nation again only faintly remembered, a "small tribe."

The beginnings of Armenia are traced to about 600 B.C. Its story through the centuries is one of oppression and war and homelessness. And of survival. Since the end of the 14th century, Armenia has had only two years of precarious independence, and yet Armenia, and its people and language, have survived.

Talking about their history, Armenians invariably mention certain things. Their religion: In 301, Armenia was the first nation to adopt Christianity, and this is a point of great pride. Their language: a distinct branch of the Indo-European language, not related to others, with a unique 38-character alphabet. Their literary tradition: philosophical works and legal works, epic poetry, romantic poetry. All these have survived, and helped the people survive.

In 1915, Armenians came close to being extinguished. They were subjects of the Turks then, most of their towns and villages lying in the Ottoman Empire. But in this Moslem country, the Christian Armenians were prosperous merchants, craftsmen, bankers, intellectuals.

Then the Turkish government decided to "remove" Armenians, on the pretext that they were dangerous revolutionaries. The removal began on the evening of April 24, 1915 (the date now is set aside as Armenian Martyrs Day), when 250 Armenian leaders—priests, writers, doctors—were rounded up in Istanbul and killed. That was the start of the Turkish massacre of the Armenian people: more than one million killed, more than half the Armenian population in Turkey.

Stella Rustigian of Wethersfield, a student of Armenian history, notes that the killing of intellectuals "left the Armenian people without leaders, without teachers, without writers, poets. The effects were disastrous. The Armenians are just beginning to recover."

Survivors of the massacre still remember the eerie and terrible details of those days. Their children have a different kind of awareness; some remember silence. A woman now 60, whose parents were survivors, recalls how adult conversation would stop in the presence of children. "There would be a hush, a total silence. They refused to spoil our happy childhood with this nightmare ... There were these ghostly suggestions of something ominous and terrible. You can't comprehend how terrible all the silence was, the 'No, no, the children.'"

Another woman didn't learn until the last year of her mother's life that her mother, when she was 14 or 15, had married a Turk to save her sisters and brother and mother. When the massacres were over, she ran

away. She came to this country and married. No one ever spoke of the first marriage. Late in life, when her daughter learned and asked about it, the old woman would say, "It was another time, another place, I was another person. I saved my family."

The expressed aim of the Turks was to deport the Armenians. The word for deportation in Armenian is *aksor*. But it is used now only in reference to 1915, so *aksor* has come to mean something more than deportation or exile; it connotes moving someone from home to nowhere. The Turks sent Armenians on forced marches to the Syrian desert where they died of hunger and thirst and exhaustion. Women were raped, men tortured and hanged and beaten to death.

Most survivors eventually settled in new lands; they fled to the Arab countries of the Middle East, to America, to Australia, to France. They left behind everything—material possessions as well as their heritage. "A lot of churches and libraries were burned. Documents were destroyed. It was a tremendous uprooting," says George Bournoutian, a historian who teaches Armenian history at the University of Connecticut.

This diaspora, he added, "created a whole generation of people who could not go to school. People who originally were one of the most intelligent people in the Turkish Empire suddenly ended up in one generation as beggars starting from scratch. Two generations later, their children started going to school and having the opportunity to get back to what the community was economically and culturally in 1915."

In the years of resettlement, the Jobian sufferings went on. Those who moved to what became Soviet Armenia in 1922 suffered through the persecutions of the Stalin years. In America during the depression, the Armenians struggled to find jobs and saved what they could to bring their brothers and sisters and cousins and nephews here.

They suffered poverty and the terrible ache of lost homes, lost families. They worked for the goal of freedom. They sang revolutionary songs and sent their children to Armenian school. They argued with each other and fought each other. Their fieriness wouldn't let them sleep.

They carried with them the goal of freedom, the cornerstone of the Dashnak political party, formed in 1890. Translated into the Armenian Revolutionary Federation in this country, the Dashnak party held the allegiance of these angry, hurting people; in it the men plotted and cried for independence, the women in the auxiliary supported them, and children were brought up in the youth movement, learning the history of insurrection. The Dashnaks still are alive, but the widespread ardor of the old days has waned.

The Ramgavar party was formed in 1922, and while it worked toward preserving the culture of Armenia, it opposed extremism and was more pro status quo, and the quo was a Communist state. In the 1930s, politics and the church became entwined, bitter things were said, and the scars of the bitterness kept people apart.

Recently, two things have brought the Armenians together: the earthquake and the issue of recognition that the Turks committed genocide in 1915.

Since 1983, there have been efforts to persuade the U.S. Congress to pass a resolution recognizing that the 1915 "resettlement" was genocide. The Turks have never admitted it. The proposed Congressional resolution of 1987 would have designated April 24 "as a day of remembrance for the one-and-a-

half-million people of Armenian ancestry who were victims of the genocide perpetrated by the government of the Ottoman empire ... " The resolution has always been defeated—at the prompting of the pro-Turkish State Department, Armenians say.

Recognition of the massacres could mean reparation, but it is also important just for the sake of recognition. The Turks are trying to make the massacres "a figment of someone's imagination," says Setrak Javian of Milford, a University of Bridgeport professor whose mother lost her parents and brothers in the massacre. There are photographs of victims, there were newspaper stories at the time, there is documentation. "And they say it never happened. It's idiotic ... To think you have gone through something as horrible as that, and then to have someone tell you it didn't happen is kind of the first stage of how you drive someone to insanity."

The nation of Armenia exists now as the Armenian Soviet Socialist Republic, with a population of about 3.3 million, or about half the estimated Armenian population worldwide. Not much bigger than New Hampshire, Soviet Armenia is a rocky corner of the original Armenian homeland, which extended into what is now eastern Turkey as far as the Euphrates River.

Mount Ararat, majestic and snow-covered, rises on the other side of the present-day Armenian border, in Turkey. The mountain is a national symbol of Armenia. There, legend says, Noah's ark came to rest and Noah saw land—the land where the city of Yerevan, the capital of Armenia, is built. The Garden of Eden was supposed to have been near here. Armenians are tremendously proud of Mount Ararat; often there's a picture of it in their homes.

Armenians want the world to recognize the 1915 massacre. And they ache for Mount Ararat.

REBECCA BOYAJIAN

Rebecca Boyajian tells the legend of the beginning of Armenia: "God was giving out the lands. He gave Spain to the Spanish, France to the French, Italy to the Italians. Then the Armenian people ran up and said, 'God, give some land for us.' God said, 'I gave out everything—all but these rocks.' And the Armenian people looked at the rocks and said, 'OK, give us the rocks; we will make bread from the rocks.'"

Everybody seems to tell the story a little differently. But the meaning is the same: Armenia is a hard, rocky, mountainous land. Only about a quarter of the old Armenia had good arable land, and now the shrunken Soviet Armenia has even less—about 5 percent that isn't rocks. Some Armenians take a perverse pride in this; some are angry: Why do we settle for rocks?

For Rebecca Boyajian, the rocks are *ours*. Our land. The land of Mount Ararat. ("It was far from us," she says, "but my brother, he went and saw Mount Ararat.")

Rebecca Boyajian is 87 years old. In the living room of her home in Hartford, bright floral throws cover sofas and chairs, and photographs of children and grandchildren and great-grandchildren seem to occupy every flat surface. She sits in this room and she tells of the massacres of 1915. Often, she repeats phrases or words, her voice growing softer. These are times when she speaks about the unspeakable: "They killed him," and then, almost whispering, "They killed him, they killed him."

Her gray hair is cut short and makes a soft frame for her angular, strong face. (A

photograph of her in younger years, at the time of her marriage, when her hair was dark and pulled back in a braided bun and parted no-nonsense style in the middle, shows even then the strong face, a face of dignity. Photographs don't often show her smiling.) She remembers the old days. She remembers her childhood in the city of Harput, where winters were hard and snowy but "when March is dead, everything is growing, nice, green." Her father had a bakery, and the family was rich and owned beautiful houses in the village of Yegheke and in Harput. The Romans built a fortress on the mountain above the city; Harput means fortress. In those days, she says, "we learned songs and dances. Weddings lasted three days."

Before the deportations, from time to time the Turks searched the houses of Armenians, looking for firearms or revolutionary writings. Guns were hidden in vineyards and then dug up again in fright. Any writing by Armenians was suspect. "They thought we were writing about the Turkish people. I tore up my diary, and my mother put it in the fire." The Turks were looking for weapons of revolt, but a girl's diary was burned. To this day, Rebecca Boyajian remembers with pain the burning of her words, her diary.

She was the oldest of five children. When the massacres began, the Turks came to their house and took it over, and the family lived in the yard for six months. "Everything we owned they took." But because her father was a baker and the Turks needed bread, the family was spared. "They saved a few bakers and one shoemaker, one tailor, one barber; the rest they deport."

Deportation, she explains, was the word for driving people to the desert. "These were women and children they deported, and they killed them in the forest and desert . . . They killed all of them, by hunger, by sickness. They took them out in the desert to die because in the desert it's hot, they have no water, they are going to die."

"The soldiers watched us. They would take a good-looking girl to use, and afterward they would kill her if they wanted. Lots of people would throw themselves in the Euphrates River—especially the young girls, young brides . . ."

"So many were lost in the desert. One of my aunts and her five children, my grandmother, my grandfather. Everybody, everybody, everybody. Every day they would take somebody out, they take a group. At first, they took all the young boys to work on the roads, and they killed them. After that, the educated, the intelligentsia, they put them in prison. They pulled out their eyelashes and their fingernails. That was 1915. I was 12 years old."

In those years, Rebecca's family had bread to eat but not much else. When they finished the cheese they had, the Turks gave them bulgur to make soup, and they built a cooking pit in a small building that had been used as a wash house. "There was no meat, no vegetables. The children were weak. Lots of babies died of starvation. The Turkish people were hungry, too."

Rebecca's family emigrated to Syria in 1922. Armenians scattered around the world after the massacres, and wherever they went, they built a church and a school. "That's their first business," Rebecca recalls. In Syria, the Armenians had a church with a roof of tin and sides of bedsheets. "They made a church and inside a school so the children can go to read and write . . . The language keeps the nation."

In 1926, Rebecca became engaged. She didn't know the man, but her parents knew his family and said he helped save his brothers and his mother. His father had been a baker, too, but they killed him. This man, the baker's son, had gone to Armenia in 1910, and he sent money for Rebecca to travel to Cuba, where he met her.

"He was very gentle, nice looking, good, clean . . . but he is going to be your husband, you are going to be with him. You don't know what kind of man he is; maybe he is going to beat you. I don't know. He took me in the hotel and left me alone; he thought I should rest. I start to cry. I was crying like anything because I had left my father, mother, sisters, brothers, everything. I was crying. But he was very gentle and had patience with me."

He had said he would pay her way back if she didn't like him, but they married and came to Hartford, where he worked at Underwood Typewriter. His name was Haratoun Boyajian; they called him Harry in this country. They lived in a cold-water flat, and had three children, two girls, Anahid and Ardemis, and a boy, Jack. They tried to get Rebecca's parents here, but they died before the proper permits could be obtained.

Rebecca says about Harry, "He was thinking about Armenia very much. He wanted a free Armenia. He wanted to fight against the Turks. My husband was a Dashnak and a good Dashnak, oh boy. He was against the Russians, against the Germans, against the Turks."

He had fled Armenia at 19 to avoid the Turkish army; with other young men, he walked over the mountains to Beirut. They moved by night, so the Turks wouldn't see them. It took 30 days.

During the Depression, Underwood laid off workers and Harry lost his job. A younger sister of Rebecca was in this country, and she and her husband had some money, so they gave it to Harry to buy a shoe-repair shop. For the next 15 years, he repaired shoes. He loved poetry and painting. He hated repairing shoes.

They had little money, and what they had went to help Armenians come to this country, or to pay the rent and the food bills once they had arrived. These were relatives, but among Armenians relatives can be very distant cousins.

"We helped them. Any money went to these people." But wasn't it a lot of money? Sure. We had to send them money to take the boat . . . Armenians are like that. Armenians are one family. Sometimes they kills each other, but when the time comes . . . they are like that—and she holds her hands close together in a gesture of prayer.

In 1937, Rebecca got a job to help out; she sorted rags for making paper. After Harry developed a heart condition in 1950 and had to stop repairing shoes, she continued working. She learned how to drive when she was 60 years old, and she and Harry took trips to Boston and New York. Harry died in 1985.

The earthquake in Armenia is heartbreaking to Rebecca. "So many children are killed or orphaned," she says. "Who knows how many writers, artists we lost. We are worried. That generation is gone. We have a culture nobody has, nobody. You should see our paintings, our rugs, our writings, read our stories."

Rebecca Boyajian paints. Landscapes. Trees, flowers, birds, sky.

SHILLER AHAIAN

Shiller Ahaian, a native of Soviet Armenia, went back home from Connecticut at the end of March. He came here in early February for treatment at Yale-New Haven Hospital to help him regain use of his left hand, which was injured in the earthquake. He is an engineer and was at work at his drafting board on the seventh floor of an office building when the tremors began. Telling about it, he moves his arms back and forth to show how everything was shaking.

A graduate of the Polytechnic Institute in Leninakan, Ahaian is 45 years old, of medium height, with dark hair and scars on his head. He and other Armenians were in America because AmeriCares, a nonprofit relief organization based in New Canaan, chose them as patients who could benefit from US. medical attention. When Shiller was flown here, he left his wife and three children at home, one child, a 6-year-old, had died in the earthquake.

According to official Soviet reports, 20 towns and 342 villages were damaged, 58 destroyed. Damage is estimated at \$16 billion. In all, say officials 20,000 people were killed (others estimate 50,000 or more), many of them children. AmeriCares reports that hundreds were left without arms or legs, that people are still dying.

When he was not in the hospital, Ahaian stayed with Setrak and Beatrice Javian of Milford. The Javians were among the volunteers who opened their homes to the victims transported here. The medical treatment was provided on a volunteer basis by the doctors and various hospitals.

Before his operation at Yale-New Haven, Ahaian talked about his experiences, and Setrak Javian translated: "I lived in a three-room apartment with my family," he said. "With my wife Greta, who is 41, a pharmacist; our oldest son, Arman, 19 a student at the Polytechnic; our son, Arsen, 17, in the ninth grade; Kevork, who died in the earthquake—he was 6; a 3-year old daughter, Lucine."

"We had everything, our lives was quite good. Every year for vacation the whole family went to different places. To the Black Sea. One year to Moscow. On Saturdays and Sundays, we were always going out, especially in the summer when we had barbecues outside."

"The family was very important, and we visited regularly. My brother, who was 30, died in the earthquake. And his son, 6 years old, died. My first cousin—he was a professor at the Polytechnic—he also died. His son, who was a student with my son at Polytechnic, he also died."

"The earthquake happened at about quarter of 12 in the morning . . . I was unconscious about two hours. When I awoke, I was buried in rubble. The building was leveled to the ground. I cried out for help . . . They brought a crane over and lifted the pieces off. It took about five hours. Then they put me in an ambulance and took me to the hospital. . . ."

"My wife had gone out to shop when the earthquake struck. Arman, my oldest son, was at the Polytechnic. He had a head injury and broken rib, but in two weeks he was OK. He was helping his girlfriend get out of the room where they were taking classes. When the second shock hit, he was thrown to one side and she was thrown to another. The girl was killed . . . My wife is working now in Leninakan and living with a sister, because our apartment house was de-

stroyed. The children are with another sister in Yerevan. I have no idea what will happen. The government has given a commitment to rebuild within two years . . ."

Shiller Ahaian spoke straightforwardly of what happened, and expressed thanks for the help that came from countries all over the world. Bea Javian, who talked a great deal with Shiller while he was their guest, says he thinks he's lucky. He lost a child; others lost everyone. And he is doing well, and will probably regain the full use of his hand.

When she was growing up in Hartford, Beatrice Javian says, other children would ask her what she was, and she would say Armenian, and they would say, what's that? "I remember asking my father, 'What is an Armenian?' His answer was, 'We are survivors.' What good was that? I wanted to know if we had baseball players, famous singers, artists. His response was, 'We are survivors, we have survived.'"

JACK CHITJIAN

Jack Chitjian has black-and-gray hair and a trim moustache; he's a dapper man. "In my younger days," he says, "I used to belly dance like nobody's business." He played the oud, too, the Armenian instrument that's like a lute. Even now, without much urging, he will softshoe a few steps. He will be 88 this year.

In his apartment in Vernon are the artifacts of a long life. Amazingly, he has the passport that got him out of Turkey and to America in 1920 when he was 19. The photo shows a dark-haired, skinny young man, his name spelled Hagop Tchitchian. He has photographs of his mother, pretty and serious; his father, with a luxuriant moustache; an uncle who was exiled two weeks after he was married. They are dressed-up, dark-eyed, fine-looking people.

Chitjian remembers when they were young. He remembers the family house in Ordou, with the back yard on the edge of the Black Sea. His father acted as banker to the nearby farmers, lending them money, and he had a yard-goods store in the town of Vona, where they spent summers. The store was open a couple of days a week for the farmers, and on other days his father "was in the casino playing backgammon."

It was a pleasant life. "Right up to the massacre, we were very, very high-class people," he says. And then the exile began. "The Turkish government started picking up the ones who could cause problems, the prominent men, and they sent them away."

His father went to a friend in Vona, to hide. The friend "evidently got scared because the government said everybody who keeps Armenians will be hanged. He handed my father over to the government."

In the jail there were 50 or 75 other men, and when they were taken from there, they were tied, two by two. "My younger uncle and my father were tied hand to hand. They went right by us. I'm crying my eyes out that they're taking my father away. So we've never seen him ever since."

Chitjian's brother, two years younger and then just 12, was able to stay with friends in Ordou, and Hagop and his sister and his mother were in a group of 600 families marched into exile. Hagop remembers it was "raining like the dickens," and they were soaking wet, and a friend of his mother took them in and dried them and fed them, "but she couldn't keep us so we went back into the bunch."

As they marched, Hagop liked to stray from the people, and one day, in the forest, he came upon "35 or 40 bodies. All dead. It

was the worst thing I've seen. People like my father, they took away and took in the woods and killed them."

They came to a big orchard, and the people in the city were told that whoever wanted Armenians could go to the orchard and pick one. A judge took Hagop's mother as a cook, and another Turk took his sister as a maid. Hagop wound up working for a man who had a couple of cows. Those who weren't taken by families for work went to the desert, but "desert is only a name for it, for sickness, hunger. Ten out of a thousand survived."

In those times, "bread was short. Everything was short . . . I'd take those two cows out in the field and milk them. They had a lot of mulberry trees. I'd eat mulberries. There were corn fields. I'd build a fire and eat corn. There were plenty of fruit trees. So I never stayed hungry."

When the war was over, Hagop ran away and found his sister. His mother had died. She had worn a belt, where she hid Turkish gold liras. At her death, her daughter was summoned and she was able to save the gold. With the money, she and Hagop returned to Ordou to find their brother. They wrote their uncles in the United States, and the uncles sent money, and "we took the boat and came to Ellis Island."

In the United States, Hagop became Jack. He married an Armenian girl and worked hard—in a shoe factory at first. It was the Depression; there were layoffs. Jack's American-born brother-in-law sent rent money every month for nine years. When Jack was on his feet again, he wanted to repay him, and his brother-in-law said, "If I had a loaf of bread and gave you half, would I ask for it back?"

Jack and his wife, who died in 1974, raised and educated a daughter, and a son born 20 years after the daughter. She speaks Armenian well, the son not so well. The grandchildren know they are Armenian.

When he was younger, Chitjian was a Dashnak, but he got away from the party because "you can't do any more in this country. There's no sense. The only thing you can do now is keep the Armenian kids Armenian. Schools, language, the religion . . . It's important, because it's a crime to lose a nation . . . We love it and we want to keep it."

HARRY EGAZARIAN

On a wall of his pharmacy in East Hartford, Harry Egazarian has murals of Mount Ararat and other pastoral scenes that look as if they might be in Armenia. There's a shamrock behind the shepherd in one picture, though: Egazarian's wife is Irish.

The Armenian experience in America.

Egazarian was born in Worcester in 1933 and is a graduate of the University of Connecticut School of Pharmacy. He has been involved in East Hartford politics for 19 years and is currently deputy mayor and chairman of the Town Council. He says, "I have always said I'm an American of Armenian descent."

He understands Armenian, but doesn't read or write the language. The license plate on his car says "HYEM," which Armenians know means "I am Armenian."

His mother came to this country in 1917 when she was 11 years old. "She was a victim of the atrocities," Egazarian says. "She went to her death with nightmares about her brother and sister, because she was very young but she was older than the other two. She used to tell us—she just remembered she was very tired wherever they were, and they sat down and fell asleep, and

when she woke up her brother and sister were gone. She never knew where it was, or whatever happened to them. And that haunted her until her death."

"She used to wake up with nightmares. She'd wake up crying, and we'd say, 'What's the matter, Ma?' She'd say, 'It's OK, it's OK,' and then she'd tell you. Another dream about her brother and sister. She always blamed herself."

After her brother and sister disappeared, a Turkish family took her in and she "ended up in an orphanage in Marseilles. An uncle and aunt in Worcester located her through the Red Cross."

Egazarian's father had come to this country before the massacres. He was 17 in 1915, the youngest of eight brothers, and had come here with an older brother who went back to the homeland. "The brother said, 'You're the youngest, and you're going to stay. Somebody has to survive this.' My father never heard any more from any of his brothers."

"The Armenians had picnics and would talk to people who had just come over, to ask, 'Did you come from this village? Did you know so-and-so? But as best as my father could determine, his mother and father and brothers and all their children, they were all dead.'"

Harry Egazarian was given an Armenian name when he was born—Haratoun, which means "resurrection."

Egazarian is thoroughly American, though his heritage is in his heart. He calls himself a *chezok*, a neutral, and he says the idea of an independent Armenia is "some-what of a hopeless dream. But we don't give up. Look at Martin Luther King, there's always the hope of some day having something." But Egazarian wouldn't go over to Armenia to make his home or go to war for Armenian independence. "I'm an American." He thinks most Armenian-Americans feel that way; "the fire begins to diminish the longer they're here. That's the natural way of life."

Still, in Pat's Medical Pharmacy on Main Street, there's a painting of Mount Ararat. "It's a symbol of Armenia to me," Egazarian says. "It's a very integral part of our history." On Armenian Martyrs Day, he has organized memorials at Town Hall, inviting members of the Armenian community to remember the 1915 massacres. He is angry that the Turkish government continues to deny that they happened.

He remembers something about his mother. "When I was a young boy going to bed," he says, "she'd tuck me in and she'd say—she'd say it in Armenian, 'You can forget my name, forget who I am, forget my face if you will. But never forget you're Armenian.'"

YEPREM KELEGIAN

The Rev. Father Yeprem Kelegian is a slim, black-bearded man, 41 years old, who seems at once to be both serene and passionately intense. At times—as when he talks of prejudices rooted in the massacres—he sighs deeply.

He is pastor of St. George Armenian Church in Hartford, which has about 100 families as members. He sees the church as the central force for Armenians, a "unifying factor" beyond their often fractious politics.

Kelegian remembers, as a small boy, visiting his grandfather in Racine, Wis., and playing with other Armenian children. Instead of cowboys and Indians, they played Dashnaks and Ramgavars. Yeprem didn't know what it meant, and asked his grandfa-

ther which he was, and his grandfather said, "You're a chezok. That means neutral, but to an Armenian, neutral doesn't mean uncommitted."

The church has been at the center of Armenian political maelstroms for 60 years. The Dashnaks and Ramgavars clashed sharply in 1933 and established two separate branches of the church, each looking to a different catholicos, or pope. The split has not been an esoteric clerical squabble; it has kept Armenians in this country divided and even led to the assassination of an Armenian archbishop in New York in 1933.

Father Kelegian deplores the idea of churches being Dashnak or Ramgavar. As passions cool, many other Armenians are beginning to feel as he does. The bitterness of earlier days is forgotten by the younger generation, and the Dashnak/Ramgavar designation for churches is becoming largely meaningless. A sign of the mending came after the earthquake, when the catholics from the mother church in Soviet Armenia visited New York and made a plea for unity between the American branches of the church.

Because of their faith, because of their early Christianity, Armenians in times past looked to the church as a constant, says, Kelegian. Through the centuries, "in an area where there was so much turmoil, so many shifting powers, the unifying factor was that we had one church, one bishop, one patriarch."

Religion, he says, "is seeded and embedded like a jewel in your culture." In Armenia, the church was always very much a part of life. "There was a church in every village, and there were services every day built around the work day—predawn, dawn, noon, and evening. That's the way religion used to be, before the massacres, before we hit America."

It's a source of great concern to many Armenians that two churches—each with the same liturgy and beliefs—have developed. But even so, in America the church has kept alive the culture. "The only viable strong center for Armenians is the church," says Father Kelegian. "We have political parties, we have cultural associations, but they wouldn't be alive if it weren't for the church."

Today, at St. George Church, there are Armenian language classes for children, and there's a choral group that sings Armenian songs. Once or twice a year, a cultural event—a dance or musical troupe—is sponsored. Often there are church dinners, always with special programs related to Armenian culture—a talk or songs or poetry. During services the liturgical prayers and chants and the words of the haunting music are in classical Armenian, and the sermons are delivered in both English and Armenian.

There has been a coming together of Armenians, but nothing happens immediately. Their history and the massacres, Kelegian says, "hold a prominent place in our psyche. It is part of our psyche. When the Armenians are pushed against the wall and oppressed, all we have is each other. We can fight one another, we are headstrong, independent, we have our opinions so we'll fight with one another. But when we get pushed into the corner, we look to each other."

The earthquake pushed them against the wall again. The grief was deep. "It is like our brothers and sisters died over there," Kelegian says. "There are so few of us, and when we lost that many—I don't go by the government figures—it took a part of me away, it took a part of my history away."

"And, my God, what are we going to do without all those little children who died . . . without our future?"

ANOUSH N. KHACHOYAN

Anoush Khachoyan has a double view of the Armenian character. She is American born, and, from 1976, when she was 17, through 1982, she studied music at the Gomidas Conservatory of Music in Yerevan. She is a pianist, and she directs and sings with an Armenian capella group in Hartford. She knows Armenians in their homeland, and she knows them here. They infuriate her. And she loves them. She is Armenian to the core.

"Armenians have so much going for them if they would only just believe in themselves," she says. "I see them as a nation lacking in self-respect and a sense of their own personal power."

At the time of the earthquake, she read of the Armenians blaming Soviet leader Mikhail Gorbachev for "the way things were and the fact that the buildings were so shoddy they collapsed. We heard them doing a lot of blaming of other people. . . ."

"The Armenians are so used to being the victim that when a national disaster happens, they turn immediately to the people in charge and point accusing fingers. I think it's definitely a 50-50 responsibility . . . I think the people need to understand that they have personal power and are responsible for a lot of it."

"I think Armenians wonder if God is on their side. I think they feel life happens to them, and that they are powerless in life to do anything about their lot."

Then, referring to the story that God gave the Armenians leftover rocks for their land, she says, "Armenians choose their destiny. The destiny they choose is rocks, because they don't know there's land out there."

Anoush Khachoyan is talking from the anger and frustration of being Armenian, and from enormous pride in the accomplishments of her people. She goes on to say, "The Armenian people are wonderful people. They're very hardworking. They're bright, bright people . . . I think they have a lot of psychological problems . . . As a nation, they have a feeling of victimization . . ."

She acknowledges they have been victims. She speaks of a family—two sisters, a brother, their parents—that she knew in Armenia. They had come from Syria to their homeland and, during the Stalin years, were sent to Siberia. The brother was forced to roll logs down frozen rivers in bare feet; he developed severe circulation problems, "but somehow he made it."

They had come to pioneer and build, and were sent to Siberia. "What does that do to you? Blow after blow after blow. Where are you going to find the courage to raise your head? You're afraid you'll see another hand coming down."

The creativity of the Armenians and their ability not to focus on what they've gone through keeps them from depression, she says. "They've learned to cultivate denial to such a high art form that they think it's reality. They deny they're in pain."

But she sees the pain revealing itself in their art. She speaks of paintings she saw in Armenia—"so painful, lots of broken faces, broken hearts. Contemporary music is very difficult to listen to. There's a lot of dissonance, a lot of suppressed anger."

There are paradoxes and contradictions in some of what Khachoyan says; paradox seems to be another part of the Armenian psyche. She gets angry at the "victim" com-

plex she sees—but does that mean Armenia should take its fate in its hands, rise up, and fight for independence? No. She is pragmatic.

"A free Armenia now would be devastating. At this point they can't handle it. They don't know how to govern themselves . . . What they need to do is prepare."

Armenians, she says, are "spared the pain of not knowing where they belong. They are blessed with a clear identity, a clear history." It's a history, though, of so much oppression—and so many accomplishments. She has mixed feelings about the future, about Dashnak goals of independence. She says, "It's nice to have the utopia of a free Armenia—but when we're ready." She recites a poem, translating from the Armenian:

If we ever enslaved anyone, it was with our eyes

If we were ever masters, it was through our books

If we ever ruled, we ruled through our songs
If we ever oppressed, it was only through our wounds.

Mr. Speaker, I join with Armenian-Americans in my own 11th Congressional District as well as across this Nation, in observing this important anniversary, and I share the hope of Armenian-Americans that one day Yerevan will again reign as the capital of a free and independent Armenian nation.

INTRODUCTION OF FAIR HOUSING FOR ALL AMERICANS ACT

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

Mr. SHAW. Mr. Speaker, today I will introduce the Fair Housing for Americans of All Ages Act. It is intended to restore housing choices for senior citizens and families without children. In my own State of Florida, and 14 other States, individuals under the age of 55 had long enjoyed the option of living in all-adult communities. However, Public Law 100-430, the Fair Housing Act Amendments of 1988 has taken away that choice for many individuals.

This law has resulted in a ground-swell of concern among senior citizens. Seniors nationwide are scrambling to qualify for an exemption from the requirement that they admit families with children to their retirement communities. When you represent a district, as I do, with more than 90,000 senior citizens—believe me—that is a whole lot of scrambling.

Under last year's new law, we tried to create a safe harbor for seniors, which is good. But, unfortunately, we have taken away the rights of adults below the age of 55. That's because 80 percent—and in some cases 100 percent—of the residents of adult communities must be above the age of 55 in order for that community to qualify for all-adult status. So under last year's law, certain couples under 55 without children would not be allowed to reside in a quiet, all-adult community.

Mr. Speaker, I supported the Fair Housing Act Amendments of 1988 because I believe that stronger laws to prevent discrimination in housing benefit all Americans. However well-intended it may be, Public Law 100-430 is

unfair to adults under 55. Creating laws that benefit one group by stealing away rights from another is not fair.

My legislation will ensure that Americans of all ages can enjoy equal protection under our Federal antidiscrimination in housing law. Only then will this law truly live up to its title: "Fair Housing."

A TRIBUTE TO REVEREND DR. WALTER HENDERSON

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

Mr. FISH. Mr. Speaker, I take this opportunity to pay tribute to Dr. Walter Henderson, on the anniversary of his 20th year as pastor of the Ebenezer Baptist Church in Poughkeepsie, NY. Dr. Henderson is a man of many talents, and it is my distinct honor to recognize him today for his great service to our community in each of his roles—as pastor, teacher, community leader, and author.

Dr. Henderson is a native of Henderson, NC. His leadership ability was developed at a very early age through his youth service as a church school teacher, usher, member of the choir, and youth leader at the Brookston Baptist Church, Graystone, NC. At the age of 19, he was licensed to preach, and was ordained in the Gospel ministry at the age of 24.

Dr. Henderson chose to continue his work in the Christian faith at Virginia Union University, Richmond, VA, where he received an AB degree in sociology in 1951, and a master of divinity in theology in 1954. In 1978, the faculty and board of trustees of the Theological School of Drew University in Madison, NJ, conferred upon him a doctor of ministry degree.

Dr. Henderson's ministry began at the Morning Star Baptist Church, Miles, VA, concurrently with the Hartswell Baptist Church, Lancaster County, VA. In addition to his work as a pastor, he also taught in Virginia public schools from 1954 to 1969, where he held the positions of president of the Gloucester County Teachers Association; president of the Eastville Sunday School Union; chairman of the Parents Advisory Committee on Federal Programs, Matthews, VA; and a member of the Steering Committee of Federal Programs, Matthews, VA.

In 1969, Dr. Henderson accepted the call to the Ebenezer Baptist Church in Poughkeepsie, NY. His accomplishments in the last 20 years have been outstanding. Under his effective leadership, the church has grown in membership, stewardship, and fellowship. While he has implemented many excellent programs designed to benefit the entire community, perhaps the most important are those which directly assist the youth of his congregation. Since Dr. Henderson's tenure began, there has been an enrichment of the total educational program of the church; a scholarship program has been established to promote and give financial aid to high school graduates; special services have been made available in counseling for individuals, groups, couples, and families; a junior choir, male chorus, youth usher group, and board of missions have all

been organized; and there has been a revitalization of the Baptist Youth Fellowship.

Dr. Henderson is deeply involved in a theology which reaches beyond the walls of his church in rendering service. During the 1970's he served as president of the Dutchess County Committee for Economic Opportunity and as the chairman of the Commission on Human Relations for the City of Poughkeepsie. In 1983, as president of the Mid-Hudson Coalition of Conscience, he coordinated a caravan of buses for the 20th anniversary celebration of the historic march on Washington by the late Dr. Martin Luther King, Jr. Currently, he is a member of the NAACP and the Dutchess County Clergy Association, and is also the president of the Poughkeepsie Area Ministerial Alliance. In addition, Dr. Henderson has rendered devoted service in the Central Hudson Baptist Association, having held the positions of dean of Christian education; chairman of the board of Christian education; director of Christian education; and vice moderator, as well as moderator of the association.

And as if all of these involvements don't keep him busy enough, Dr. Henderson is also the author of several articles including his latest, "Doing Theology in Contemporary Society." He recently made a tour of the Holy Land and Rome, and is in the process of writing a book due to be published in the near future.

Above all, he is a devoted husband to his wife Bernice, father to his two children, Rollin and Valerie, and grandfather of two, Lemarr and Kristina.

Rev. Dr. Walter R. Henderson is clearly a man of great strength and determination, who has dedicated his entire life to educating and enriching the lives not only of the members of his congregation, but of the entire community. It has been a great honor for me to have been able to serve such an outstanding man for the past 20 years.

THE PROBLEM OF GARBAGE IN AMERICA

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from New York [Mr. HOCHBRUECKNER] is recognized for 60 minutes.

Mr. HOCHBRUECKNER. Mr. Speaker, I am very pleased to have this opportunity to address my colleagues and this Nation on a major issue we have in the United States, which is the problem of garbage. While it is not a high tech or a very interesting subject, it certainly is an important one for our Nation.

I am very pleased and proud of the support that my colleagues have shown. I am very pleased that I have several colleagues who will be speaking with me on this subject this evening. I will be submitting statements on behalf of many of my colleagues indicating their support for legislation that will in fact help us to resolve this very important waste problem that we do have.

I am also very pleased by the 117 cosponsors of my legislation, H.R. 500, which is the most comprehensive waste management and garbage treatment bill submitted in the Congress, and this is from both sides of the aisle, both Democrats and Republicans, who recognize the importance of this problem and the need to deal with it.

Now, garbage is a major problem in our Nation. Certainly we all recall the Islip garbage barge that traveled around the world trying to dispose of tons of local municipal waste from Long Island.

It is only appropriate that since Long Island sort of demonstrated and manifested this problem that someone like myself, a Congressman from Long Island, should come forward with what I believe and many of my colleagues support as a major solution to the problem.

Certainly we are a wasteful Nation. We as a people produce approximately 1 ton of garbage per person per year in this Nation, and it is a big problem and it is getting worse.

Since 1983, we have had 3,000 landfills closed. By 1993, we fully expect one-third of the remaining landfills to close.

Now, certainly on Long Island we have a major problem with garbage. We have passed legislation when I was a member of the State legislature to in fact abandon landfills on Long Island, and the reason is because we recognized that our ground water is our only source of drinking water for the 2.7 million people who live on Long Island.

In fact, if we were a State, we in Nassau and Suffolk Counties of New York State on Long Island would in fact be the 23d largest State. So we have 2.7 million people who rely on drinking water from the ground.

We recognized back in 1983 at the State level that we were polluting our drinking water at such an alarming rate that we passed legislation to ban landfilling on Long Island by 1990.

So we have to deal with the problem. We have brought a focus to it. So it is appropriate that we deal with this issue, certainly from a Long Island point of view and from a national point of view.

Interestingly enough, let me point out that if you look at Long Island, last year, 1988, we exported from Long Island 724,000 tons of garbage to other States for landfilling.

□ 1750

In contrast, everyone has heard of Long Island potatoes. In fact, my county of Suffolk is the leading agricultural county in all of New York State. In contrast with the 724,000 tons of garbage that we exported, we also exported 100 tons of potatoes, and we exported 20,000 tons of seafood and

4,000 tons of the famous Long Island ducks. In contrast, we exported many times more that weight of potatoes and seafood and ducks in garbage, and that is not something to be proud of.

Certainly New York City, we were pleased to see, will increase by 25 percent the amount of recycling of their own garbage that they produce above the 15 percent they presently recycle.

Where do we go from here? Certainly from a national-priority point of view, I see the following pecking order in terms of how we must treat our Nation's garbage, and certainly we must, first off, reduce the amount of waste that we produce. It is important that we cut back on the amount of garbage that we produce. Second, we need to maximize the amount of garbage that we recycle. Third, we need to maximize that which we compost after we take out what we have recycled, and only last should we be incinerating or landfilling our garbage. So that really is the priority list, the first being reduce the amount of garbage we produce, second, maximize the recycling of the garbage we produce, third to maximize the composing of what is left, and, lastly, only as a last resort, to incinerate or landfill our garbage.

I have prepared, as might be expected of someone from an engineering background who would come loaded with charts, and I have come with two charts. The first chart presents essentially the average contents of U.S. landfills and possible strategies under my legislation, H.R. 500.

If we look at the chart, we will see that, for example, if we take apart our average waste stream, about 37 percent is paper and paperboard products. For example, a lot of people do not realize that just one edition of the Sunday New York Times, one edition, consumes over 50,000 trees in terms of the virgin paper that goes into 1 edition. Thirty-seven percent of our waste stream is paper and paperboard, and clearly we can recycle that, or we can compost it, or we can do some of both.

Thirty percent of our waste stream is food and yard wastes, and clearly that is garbage that is appropriate for composting.

Third, we have 10 percent of the waste stream is glass, and glass can be used in a variety of ways. It is certainly just sand. There are, for example, two counties on Long Island, Nassau, and Suffolk, that have made a deal with each other that they will, in fact, take the glass from the waste stream, crush it, and use it for subpaving on roadways. Why not? It is only sand, and it makes sense to recycle it in this way.

Ten percent of our waste stream is metals, and whether it is steel, ferrous kind of metal, or aluminum, clearly it can be recycled.

Six percent of our waste stream is in miscellaneous, oddball things, construction wastes, and these are tough to deal with, and probably might be appropriate for landfilling.

Seven percent are plastics, by weight, but that also represents 14 to 20 percent of our waste stream by volume. That is an area that needs a lot of work. As we know, plastics will remain in landfills for many years, and they are designed to survive, and they do. They represent a large problem for us in terms of how to deal with them.

That is the composition of our average landfill and our waste stream. What can we do about it? My bill, H.R. 500, is designed essentially to do two things: one is to reduce the waste stream and, second, to change its composition so that we can more readily deal with it. Certainly we promote a large amount of recycling.

On the back side of this chart is a second chart that shows what H.R. 500 does. H.R. 500 is a bill that I introduced last year. We had a hearing on it in Science, Space, and Technology, and we learned a lot. In fact, last year it was called H.R. 5000, but this year since I got it in earlier I got a much lower number.

Basically what H.R. 500 would do is this: It is a 5-year program, and its purpose, as I say, is ultimately to deal with our garbage. What it would do is this: After enactment, and this is the 5-year program, by the sixth month, the Commerce Department, and they have a major play in this, because clearly one of the problems we have is if we are going to maximize our recycling of our waste, whether it is metals, glass, paper, it is important that we have the marketplaces to sell that recycled commodity, and so Commerce plays a very important role.

One of the things that they are directed to do after enactment of this law is to open an Office of Recycling, Research, and Information. They will be given \$10 million to utilize in the form of grants, and those grants mainly will probably go into the area of plastics, because as we know, we have a major problem with the plastics.

In fact, there is a big battle going on now as to whether we should have degradable plastics, or whether they should all be recyclable plastics, and that battle will continue. Clearly I envision most of this grant money would go toward developing ways to handle the plastics in our waste stream.

Also, by month 6, we would require the Department of Agriculture to begin a variety of compost projects. It is important that we tell the thousands of municipal governments in this Nation that have control of the garbage, who are responsible for the garbage, the best way to handle the composting side of that waste. That is what the Agriculture Department will

do after month 6 of the enactment of this law.

By year 1, the Department of Agriculture is to report on the various composting projects that they will have developed so that we can promulgate this information, disseminate it to all of the municipalities around our Nation, so that they can do a better job of composting the wastes that are in fact not recycled or handled in some other way.

By year 2, the Commerce Department will report on essentially the plastics side of things, on recycling, degradable, and also product warning labels. What that means is that clearly we are looking to Commerce to look at all of the plastics that are in the waste stream and decide which of them should be recyclable, which of them should be degradable, and if they decide they should be degradable, they should also suggest which particular garbage products which are plastic ought to be, in fact, degradable through photodegradable, where they disappear through sunlight, or whether it should be biodegradable where they are, in essence, consumed in landfills, and also, of course, they should look at the possibility of having product warning labels so that we give the consumer the opportunity; let us assume that the Commerce Department decides that most plastics should be recyclable, but some should be degradable, and if they make that decision, and Congress agrees with that, then we would want to give the consumer the opportunity to choose between products, perhaps different containers where one says, "This is a recyclable container," and where the other one says, "This is a container that is degradable and will end up in a landfill." Let the consumer choose, and the consumer might say, "I am for recyclable. I will buy the product that comes in the recyclable plastic as opposed to being in the degradable plastic container." That is what the product warning labels are about.

The bill certainly does mandate, and this will probably be upgraded, that the original bill, H.R. 500, does require that Commerce require degradability in six-pack rings, and, in fact, that is already a law, which is good. We would also require shopping bags be biodegradable, fast-food packaging photodegradable. That could change based on this battle that is going on as to whether we should in fact have degradable plastics versus having them all be recycled.

The bill does not direct that. The bill directs Commerce to study this and decide what makes sense in our Nation at this time from an environmental point of view and a commercial point of view also.

The bill also directs Health and Human Services to report on medical

supplies. We on Long Island have had a terrible situation last year where we have had syringes, plastic syringes, wash up on our beaches, and so Health and Human Services may decide that it makes sense to, in fact, have syringes that are degradable in salt water. That is possible. But they should study that.

Also the bill requires that the Defense Department review their waste management techniques to see what they can do in order to minimize the amount of garbage that we produce. Our Defense Department spends about \$300 billion a year, much of it on consumable products that have packaging that are a problem for us. Hopefully we will have the Department of Defense also get in the game and help us to reduce waste from their point of view.

By year 4, the Commerce Department, along with the Environmental Protection Agency, will issue regulations on what should be recyclable in terms of plastics and other materials.

□ 1800

Meanwhile, of course, Commerce is looked to to help develop the national markets to assure that once we in fact produce recyclable plastics and other products that they in fact get recycled and that the marketplace does exist so that the recycled paper, and metals, and plastics have a marketplace, and that is where Commerce plays an important role. That is, it makes no sense to recycle if there is ultimately no place to sell the recycled commodities, and so Commerce plays a very important and a lead role in this whole process.

By year 5, Commerce must identify a list of mandatory recycled and degradable objects and packaging and waste so that we must then live by it, so that we then have opened up the marketplace for private enterprise to get in the game, and to help produce items, packaging and other waste items that will in fact be recyclable and get recycled. Certainly the EPA would also be at that point authorized to impose penalties for those who violate this particular law.

So this is the bill that I have spent considerable time working on. I think it is one that does address our national garbage problem. It is one I am very excited about, and it is one that has now been submitted to four different committees. Certainly the Committee on Agriculture has been looking at it, and I think it will sail through there quickly. The House Armed Services Committee, of which I am a member, is smiling upon the bill. Certainly the Science, Space, and Technology Committee had hearings last year and we learned a lot. In fact, we learned about the state of the plastics industry, and I was delighted with some of the things that are going on out in the market-

place today in terms of recyclable plastics. In fact, what is interesting is they are actually recycling right now, and they are taking plastics and making interesting things with them. They are recycling plastics and making fence posts. They are making marine planks and other materials. What a great way to use plastics that will be around for many years. At least we will have fences that will not fall down, and that is important and a very useful way to utilize plastics today.

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

Mr. HOCHBRUECKNER. I am delighted to yield to the gentleman from New York.

Mr. GILMAN. Mr. Speaker, I would like to commend my colleague, the gentleman from New York [Mr. HOCHBRUECKNER], for introducing H.R. 500, and for his leadership in bringing the growing problem of waste management and the need to develop recycling technologies to the forefront.

In the United States over 150 million tons of municipal solid waste is generated each year. Furthermore, as the amount of waste generated each year continues to increase, our available landfill capacity continues to decrease.

More and more, Members of Congress and citizens of our Nation are becoming acutely aware of this escalating problem. In less than a decade, under the current disposal rates, all of New York's existing landfills will be closed.

The Environmental Protection Agency estimates that one-half of the Nation's cities will reach landfill capacity by 1990.

In my 22d Congressional District of New York, the landfill disposal crisis is one of our most serious problems. The past several years have witnessed a proliferation of dumps and landfills of every possible variety. Often these sites are located perilously close to our local communities and, most alarmingly, to sole source aquifers which supply the vital water supplies upon which we all rely.

Fortunately there are solutions to this growing dilemma.

One viable and immediate solution is to implement and improve our recycling technologies. By some estimates, more than half of the solid wastes generated could be economically recycled.

Recycling saves energy and conserves natural resources by reducing the use of raw materials.

For every ton of crushed used glass added to a glass plants furnace, energy costs drop as much as 5 percent. Turning used aluminum cans into new ones takes 95 percent less energy than refining new metal from bauxite.

Furthermore, over 1 million tons of air pollutants could be eliminated by doubling worldwide aluminum recovery rates.

While aluminum and glass recycling have been successful, plastic recycling has not been as successful. Plastic discards have grown from less than 400,000 tons in 1960 to 10 million tons in 1984.

Plastic cannot be recycled as easily as glass and aluminum. Separation of plastic is difficult due to the many varied compositions with similar appearances.

I am convinced that the abundance of plastic and styrofoam packaging discarded at our landfill sites contributes significantly to the waste management problem. The volume of packaging waste has increased 80 percent since 1960, and plastics represent the fastest growing segment of this packaging boom. Unless we begin to act now to reduce these materials, the problem will only exacerbate, and we will truly come to know the meaning of the word "crisis."

New technologies are slowly being developed to address these problems. The recent formation of biodegradable plastic made partially from corn starch has vast implications for our environment.

Yet we need further research and development to fully develop our potential. Congressional action in this vital area will send a clear signal to the American public that Congress has recognized the vital necessity of addressing the problem of our decreasing landfill space.

H.R. 500 offers a viable alternative to help relieve the waste disposal nightmare. It will seek to open new markets for recycled products and will encourage industry to develop innovative recycling technologies for nondurable product packaging.

Congress should take the initiative in developing new and innovative recycling technologies to help alleviate our waste disposal dilemma.

Mr. HOCHBRUECKNER. Mr. Speaker, I thank the gentleman from New York and greatly appreciate his kind remarks, especially being a colleague from New York State.

Mr. Speaker, I yield to my dear colleague and classmate, the gentleman from Alabama, Mr. CLAUDE HARRIS.

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

Mr. Speaker, I rise in support of H.R. 500, the Recyclable Materials Science and Technology Development Act. I believe it represents a least-cost, commonsense approach to our growing solid waste problems and has long-range benefits for both our environment and our economy.

All over the country, people are becoming more and more aware of the environmental downsides of our modern, throwaway lifestyle. Our landfills are rapidly reaching maximum capacity, and it has become nearly impossible to site new landfills

and incinerators because of public opposition. Waste management problems exist even in the most rural sections of my district, and my constituents are expressing concern for the environment. They are worried about the trash problems our Nation faces, and are eager to see some positive action being taken toward solving these problems. If enacted, H.R. 500 would help produce these solutions, make them more accessible, and develop their economic potential.

Most of us are willing to do our part to help stave off the garbage crisis, but there is a lack of good information on the best way to do this. This bill would coordinate Federal research efforts and instruct EPA to launch a public education program with the results of that research. Public education is a necessary step in any waste management program. We need to let everyone know what they can do, and also inform them of the benefits of such measures.

Waste management decisions are like most other management decisions—they're based on economics. If it is more profitable for a company or municipality to waste valuable used paper, plastic, glass, or metal, they will waste it. If it is not worth the time and effort to separate materials for recycling, it will probably not be done. Although it doesn't take a genius to realize the time has come for us to recycle what we use, there is a lot that needs to be done to make recycling more feasible.

We need to ensure that markets for recycled materials are available, and that there are economic incentives for these efforts to continue to grow. Innovative recycling technologies need to be developed and made accessible, and we need further research and recommendations in the areas of efficient waste management methods, including recycling, composting, and waste-to-energy which my hometown of Tuscaloosa has pioneered in, and also the best uses of bio- and photo-degradable plastics, as well as how to minimize what we waste by reducing packaging and producing consumer goods that are more readily reusable or recyclable.

Mr. Speaker, it is not too late to do something sensible about the garbage crisis. H.R. 500 presents a reasonable, cost-effective solution to our waste management problem.

Mr. Speaker, I thank the gentleman from New York for taking this special order, and I am certainly supportive of this legislation and look forward to working with the gentleman from New York as it moves through the legislative process.

□ 1810

Mr. HOCHBRUECKNER. I thank the gentleman from Alabama for his fine remarks and his support.

Mr. Speaker, I yield to my colleague, the gentleman from Michigan [Mr. HENRY].

Mr. HENRY. I thank the gentleman for yielding.

Mr. Speaker, I would also like to commend the gentleman once again for his leadership on this issue.

As a member of the Committee on Science, Space, and Technology, it was my privilege to be part of the hearings on the proposal of the gentleman from New York [Mr. HOCHBRUECKNER] last year. It has been very exciting, quite frankly, to watch the improvements and refinements in the gentleman's proposal.

I am very proud to call myself an original cosponsor of his bill this year. I commend the gentleman for his leadership.

Mr. Speaker, I first want to thank my colleague from New York for bringing this Special Order on recycling together. As we near what some have called the crucial decade, in terms of global environmental challenges, it is ironic that we, as a "global leader," are in fact leading the world in per capita trash production.

Americans generate over 5 pounds of refuse per person per day, nearly a 100-percent increase in the last 30 years. Conversely, the number of active municipal landfills has dwindled from an estimated 19,000 in the late 1970's to somewhere between 8,000 and 9,000 today—this, while the EPA expects half of all existing landfills to close within the next 5 years. No wonder a recent National League of Cities poll ranked solid waste disposal second only to the drug epidemic as one of the top three problems facing local municipalities. Solid waste, once considered solely a local problem, has truly become a national concern. The impending catastrophe resulting from both this economic and environmental crisis must be forestalled. And, there is a clear obligation upon the Congress to develop a sensible, comprehensive, and lasting national solid waste management policy, now, in order to provide a livable environment for ourselves and for our future generations.

Clearly, recycling is the key to such a policy. And, I commend my colleagues here today for their efforts to address various aspects of the recycling issue—all of which are crucial, if we are to reach the EPA's 25-percent national recycling goal by 1992.

My proposal, the National Beverage Container Reuse and Recycling Act (H.R. 586), offers an immediate solution to nearly a fourth of this goal at no cost to the Federal Government. In fact, it would save State and local governments millions annually if enacted.

H.R. 586 would prohibit the sale of carbonated soft drinks, beer, wine coolers, mineral water, or soda water in beverage containers unless such a container carried a refund or deposit

value of not less than 5 cents. At the time of purchase, this deposit would be paid by the consumer. Beverage retailers and distributors would be required to pay back—refund—that deposit when the containers are returned—thus creating a self-sustaining recycling network.

Nine States have similar deposit laws, they are: Vermont, Oregon, Iowa, Connecticut, Delaware, Maine, Massachusetts, New York, and Michigan.

The results in these nine States have been nothing short of astounding in terms of reducing litter, encouraging broader conservation and recycling efforts, saving energy and natural resources, relieving overburdened landfills, creating jobs, and in generating public support for national legislation. While my colleagues from nonbottle bill States may be deluged with arguments against this type of deposit legislation in the coming months, I merely ask that we as a Congress examine the facts. This body has never given due consideration to such legislation. But now we have nearly two decades of experience with beverage container refund legislation.

We now know that:

Over 110 billion beer and soft drink containers are sold each year translating to over 435 per person per year.

Over 90 percent of these bottles and cans are returned in bottle bill States.

Beverage containers make up somewhere between 5 and 10 percent of the solid waste stream. By volume it is estimated that they make up over 25 percent of the waste stream.

The steady stream of recyclable materials guaranteed by deposit laws expand viable recycling markets, save energy, and conserve natural resources by reducing the use of raw materials.

Ninety-eight percent of the materials used by the plastic recycling industry come from the incentive-based collection of empty, plastic PET beverage containers from bottle bill States.

Japan, which recycles over 50 percent of its solid waste, along with other foreign nations which have made recycling a large component of their solid waste management strategies, have beverage container deposit laws.

A national bottle bill would save an equivalent of over 3 billion gallons of gasoline per year.

A national bottle bill would save enough energy in 1 year to light the city of Washington, DC, for 4 years.

Turning used aluminum cans into new ones takes 95 percent less energy than refining new metal from raw bauxite.

One ton of recycled aluminum saves 4 tons of raw material.

One ton of recycled glass saves 1.2 tons of raw material.

For every 10 percent of crushed used glass added to a glass plant's furnace,

energy costs drop as much as 5 percent. For every ton of crushed glass used in the manufacturing process, up to 1.2 tons of raw materials are saved. Turning used aluminum cans into new ones takes 95 percent less energy than refining new metal from raw bauxite. One ton of recycled aluminum saves 4 tons of the raw material.

Detractors of bottle bill law say we should recycle more and that comprehensive recycling is needed—they are right. But they use the argument to stop bottle bills, rather than to utilize them to develop even broader recycling efforts.

As many of my colleagues are aware, the city of Newark, NJ, has often been cited for its progressive recycling efforts. Thus, I want to submit for the RECORD the following portions of a text of a new study which will be published in the June edition of the National League of Municipalities magazine. It clearly states that both mandatory recycling and deposit legislation is needed.

V. NEED FOR ADDITIONAL LEGISLATION

The City's recycling plan also calls for and supports adoption of waste reduction legislation, including a beverage container deposit law. It is estimated that from 6 to 8 percent of the City's solid waste would be reduced through enactment of deposit legislation, with a resulting saving in avoided collection and disposal costs of \$1.5 to \$2 million annually. This compares to less than 3 percent of its municipal solid waste currently recycled through the City's existing curbside recycling program. Such legislation is also supported because of the desire to reduce the unsightly, non-degradable and dangerous bottle and can litter, while having the material aggregated for collection and recycling. This would create new employment opportunities. It is estimated that the return rate for bottles and cans with deposit legislation will exceed 90 percent, with recycling rates in excess of 80 percent, as is the case in New York State. The planned curbside collection buyback program is only expected, at best, to recover 30 percent of the cans and bottles available. Enactment of deposit legislation would increase the quantity of glass recycled in the City of Newark by over 10,000 tons annually. It would also substantially increase the amount of aluminum and plastic recycling.

The deposit system is so successful that it is drawing aluminum cans from New Jersey into New York. At the recent Festival of People a local scavenger told Newark's recycling coordinator, that he collects cans in Newark and transports them to New York for the nickel deposit. Even aluminum scrap worth 80 cents per pound a container in New Jersey will only return about 1 cent to a scavenger compared to 5 cents per container in New York.

It is projected that even with a continued and concerted effort on the City's curbside recycling program that by 1989 the total amount of all recyclables reclaimed in the City of Newark, will only be about 5 percent.

The bulk of all recycling now occurring in the City is a result of the recycling of commercial material, automobile scrap, asphalt, concrete, white goods, leaves and woodchips. The State audited amount of recycling which took place in 1986 and 1987 can be

seen in the attached graphs and tables. The table compares the City of Newark recycling program against the recycling program of Montclair, New Jersey, which is often cited as a model recycling program. Figures are provided for each material recycled, the tonnage recycled as well as the pounds per capita for each material recycled.

It can further be seen from reviewing the attached graph that Newark has already exceeded New Jersey's recycling goal. It should be noted that the majority of the tonnage recycled was recycled from commercial owners of the more than 100 licensed recycling firms which are located in the City of Newark. Municipalities receive credit towards meeting their recycling goal for such tonnage recycled under the New Jersey Mandatory Recycling Act even if it is not responsible in any way for its recycling.

VI. BENEFITS OF PROPOSED BOTTLE BILL LEGISLATION

In 1987 the aluminum can recovery rate in New Jersey was about 20 percent, and the 1987 glass container recycling rate was about 10 percent. With deposit legislation the return rates have been in excess of 90 percent in each of the nine states that have had this legislation in effect for more than one year. In 1987, California became the tenth state to enact a form of deposit legislation. This brings over 30 percent of the country's population under the umbrella of beverage container deposits.

Annually, New York's law generates over two billion recycled aluminum cans against 205 million in New Jersey. In other words, with little more than twice New Jersey's population, New York recycles ten times as much container aluminum as New Jersey. The story is much the same with glass. Used beverage container glass is being recycled in New York at the rate of some 300,000 tons per year, or 34 pounds of glass per capita per year, compared to about 30,000 tons per year, or only 8 pounds of glass per capita per year, in New Jersey, for beverage and non-beverage glass combined. Further according to The Fate of Used Beverage Containers in the State of New York, by Franklin Associates, by July, 1986, 56 percent of all plastic beverage containers sold in New York, were being recycled. Only negligible amounts of plastic beverage containers are being recycled in New Jersey. New Jersey's recycling program is a substantial failure as far as glass, aluminum and plastic containers go.

Newark is in the forefront of street and sidewalk maintenance. In 1987 Newark won first place in a national competition for its street sweeping and anti-litter efforts from the nationally recognized "American City and County" magazine, but cans, bottles and broken glass are still a big problem. Its work for adoption of beverage container deposit legislation is another step in the direction to clean up the City, while dramatically increasing the recycling of bottles and cans. This benefit combined with estimated disposal cost savings have convinced the City administration that deposit legislation is vitally needed in New Jersey.

In 1988 the City of Newark received two statewide awards for its creative and highly successful recycling program, from the New Jersey Office of Recycling. It has also been nominated to receive a national award from the National Recycling Congress for best Urban Recycling Program.

VII. CONCLUSION

Recycling activity in Newark, as well as in other New Jersey municipalities, is rapidly

progressing. This progression is due predominantly to rapidly escalating solid waste disposal costs. Major revisions to the Recycling Act, however, as pointed out herein are critical for continued long term success and stability of recycling efforts in New Jersey.

One of the primary amendments necessary is the need for the inclusion of beverage container deposit legislation, in combination with mandatory recycling; in order to maximize the amount of containers recycled, reduce the amount of solid waste which is landfilled, reduce litter and energy consumption, and create new employment opportunities.

The City of Newark is supporting such a legislative change to the Recycling Act, while actively moving to boost its local private and public waste reduction and recycling efforts. Newark will continue to meet the challenge and succeed in its efforts to maximize recycling to its fullest potential.

For more information concerning Newark's recycling program please feel free to call Frank Sudol, Manager, Division of Engineering, at 201-733-4356, or write to Room 410 City Hall, 920 Broad Street, Newark, New Jersey 07102.

Mr. HOCHBRUECKNER. Mr. Speaker, I greatly appreciate the kind remarks of the gentleman from Michigan [Mr. HENRY], and I am delighted to have the support of the State of Michigan in this quest.

Mr. Speaker, I yield to the gentleman from California [Ms. PELOSI].

Ms. PELOSI. I thank the gentleman for yielding and for organizing this very important special order on our Nation's recycling efforts.

Little did we know when this special order was scheduled that history would be in so much of a hurry throughout the world, in Asia, the elections in Poland, even in our own body we had an historic event today. But nonetheless our colleague from New York [Mr. HOCHBRUECKNER] reminds us that we must keep to our housekeeping.

So I am particularly grateful that he is taking the leadership on this issue.

Throughout the country we have seen an increased interest in developing and implementing effective waste management programs. Let us hope that the wandering garbage barge of last summer served as an incentive for Federal involvement in this critical issue. I commend my colleague for introducing H.R. 500.

As a cosponsor of H.R. 500, the Recyclable Materials Science and Technology Development Act, I am convinced that we can make recycling an attractive alternative to traditional waste disposal. We must accept the fact that this country is facing a crisis in solid waste management. Americans bury over 80 percent of the 160 million tons of garbage generated each year. The Environmental Protection Agency has released figures showing that more than 3,000 landfills have been closed since 1983, and one-half of those that remain open will be full by

1991. We are rapidly running out of places to bury our trash. Our coastal and urban areas are especially vulnerable to the waste management crisis. These areas have already been met with the reality of dwindling land resources.

We have also been faced with the increasing amount of garbage that is washing ashore and killing our marine environment. The technology exists today for biodegradable plastic food and drink packaging and we must utilize it if we are to preserve the beauty of our coastline. Not only have we polluted our waters for recreational purposes, but we are killing our wildlife. Discarded six-pack rings have been strangling waterfowl and marine mammals for years. We can now move forward to end this tragedy. The use of biodegradable materials must be advocated for products for which a recycling program is infeasible. Coastal communities have been left to deal with not only their own refuse problem, but with the dilemma of ocean dumping as well.

This challenge has brought out the best in some of our cities and towns. In San Francisco we have begun to implement a citywide program for curbside pickup of glass bottles, aluminum cans, and plastic soda bottles, as well as paper products. Beginning in April of this year, 25 percent of San Francisco's residents were given special containers for their recyclables. It is our hope that the entire city of San Francisco will have the benefit of this program within the next 2 years. This program has been developed and managed by the mayor's office with the goal of recycling 50 percent of the city's refuse by 2012. Since this program began, there has been a noticeable increase in the amount of material being recycled. However, Federal intervention is required if we are going to attack this problem more comprehensively and effectively. Federal action is needed to promote and encourage the recycling of consumer goods, especially plastics.

Our own communities cannot be expected to devise and implement individual waste management programs for a problem of national significance. The Federal Government must take aggressive action in the area of market development for recycled products. It is still cheaper to ship virgin glass and paper products than it is to transfer recyclable materials to facilities where they can be utilized. It will take a coordinated public-private sector effort to encourage the use of recycled materials in our economy. Federal leadership is essential if we are to expect manufacturers to assist in developing recycling strategies and promote the use of recyclables. We must ensure that our natural resources are being used efficiently and we must remain

committed to finding solutions to our current waste disposal crisis.

The state of our environment and the lack of available resources help to illustrate that we cannot continue to be a "no deposit, no return" society. We have allowed our waste management problem to evolve into a crisis. It will take action from the highest level to find a solution, and to promote recycling.

I urge my colleagues to give this matter their careful consideration, and join us as a cosponsor of this important legislation. We must work together to develop a balanced, comprehensive approach to our Nation's solid waste disposal crisis. Thank you again for your leadership and for yielding.

□ 1820

Mr. HOCHBRUECKNER. Mr. Speaker, I thank the gentlewoman from California very much for her support, and at this point in time I would like to yield time as he may consume to the gentleman from Pennsylvania [Mr. WELDON].

Mr. WELDON. Mr. Speaker, I thank my colleague and friend for yielding, and I applaud him for his outstanding efforts in the issues of recycling and the solid waste problem we have in America today.

Let me say to my friend, the gentleman from New York [Mr. HOCHBRUECKNER], who sponsored this particular bill, and all of my colleagues interested in this issue, it is in fact one of the top priorities of all of our local elected officials. Before coming into this body I served for 5 years as a mayor of a community in southeastern Pennsylvania, and 5 years after as chairman of a large county with a population of 600,000, the first county, by the way, which mandated recycling of newsprint, ultimately glass and aluminum in the Commonwealth of Pennsylvania, and following that I served a tenure with the INA Signet Corp., where I developed the risk management program and delivered around the country to local elected officials. I can say that in every State that I traveled to—New Mexico, Nebraska, New York, Michigan, Pennsylvania, New Jersey, and across our 50 States—one of the top problems I heard coming out of the mouths of all our elected officials was the absolute need to deal with a comprehensive solution for the solid waste problem in America. It, in fact, has been and remains one of the top priorities of our locally elected officials and needs to be dealt with in a logical, coherent, and comprehensive manner.

There are two specific concerns with solid waste. The first deals with the actual environmental impact of the waste itself and what to do with it. As has been stated here today, approximately 92 percent of all of the trash generated in America today is landfill,

and over 16,000 facilities, many of which are on the verge of closing. In my own State of Pennsylvania, 10 years ago, we had over 1,000 landfills. Today we have 82. There are no new permits for landfills being granted, and extensions and expansions of landfills that are currently in operation are very rare and hard to come by. So, in fact, we are landfilling 92 percent of our trash, yet we are very rapidly approaching that point in time where we just do not have the capacity.

In addition to the problem with the landfilling of our solid waste, we have a problem with what I call the financial choking of our cities. In fact, if we look at municipal budgets in America and all of our large cities, one of the largest parts of municipal budgets in New York City, Philadelphia, and Chicago deals with the use of getting rid of our solid waste. Some of our cities are spending up to \$92 a ton to haul their waste hundreds of miles away to bury it in landfills, or to have other municipalities take care of the problem that they generate. If we do not come to grips and lay out a long-term scenario to deal with the solid waste problem in this country, we will continue to deteriorate our cities, from a financial standpoint as they have to spend more and more money just to get rid of the trash that they generate on a daily basis. Philadelphia is now disposing of waste as far away as western Maryland, West Virginia, and even Ohio. Tipping fees are going to the ceiling as we try to come to grips with finding those locations that, in fact, can take the trash and the garbage that we generate.

I think there are really three solutions to the solid waste problem in America, and my colleague, the gentleman from New York [Mr. HOCHBRUECKNER], has identified perhaps the most important one, that of recycling, that of reducing the waste stream. I would say that it is not possible to reduce all of our waste stream in this country, but we certainly can make a significant dent. H.R. 500 goes a long way in laying out a comprehensive long-term plan to deal with that issue of recycling, to encourage new markets to open up, to encourage municipalities to recycle, and to provide incentives for the private sector in this country to get involved aggressively into recycling, as well.

The second area we have to deal with is in the area of cogeneration or finding long-term broad-based solutions for the solid waste problem. I will talk about that more in a moment.

The third is that of a landfill, and even though landfills are filling up very rapidly, I think they all understand that for the long haul we will still need a certain amount of landfill to take care of that residue that is

generated from our cogeneration plants, our mass burn facilities, and that residue that we just cannot take care of through recycling or other means.

In terms of recycling initiative, the gentleman from New York [Mr. HOCHBRUECKNER] is on the cutting edge of what needs to be done legislatively. I have put forth a less aggressive plan that I think can be attached onto the legislation as it comes up. I thank the gentleman for cosponsoring that legislation with a number of our colleagues, that being H.R. 1652, the Recycling Clearinghouse Act of 1989.

I introduced similar legislation the second half of last session. We had over 100 cosponsors. I think this year we can be successful in bringing forth an effort to recognize those recycling programs around America that are, in fact, working. I think of the recycling program in my own county, where we share the savings that we realize to those entities and those governments and those nonprofit organizations that recycle. We give them one-half of the savings, and the cost avoidance we realize by allowing them to get involved in aggressive recycling programs. We should be sharing these initiatives around the country and working with those corporate sector individuals that want to promote recycling in America.

H.R. 1652 would establish, as a function of the EPA, an aggressive program to share successful programs with all of our municipalities in America, with a very limited amount of Federal funding. Another initiative that is being put forth in the area of solid waste is a program that a number of Members are working on dealing with a comprehensive solid waste effort to encourage the development of cogeneration plants. Through the use of tax-free industrial development bonds that would encourage the use of these types of finances to fund new facilities around the country, only to be available, however, when a municipality had, in fact, demonstrated that a successful recycling program was in place, where we recycled the materials were, in fact, taking 10 percent of the waste stream of that town, would they then be able to use tax-free financing to build cogeneration plants.

Later on in this session we will introduce that bill, and I look forward to working with my colleague from New York and other Members that have formed a steering committee as a sub-effort of the Environment and Energy Caucus, to come up with that comprehensive cogeneration legislation.

Finally, let me say that the effort that we are putting forth tonight, and the effort of our colleagues who are here speaking in this special order, is of monumental importance to America. There is no issue that is facing Members in a more critical way than that of dealing with our solid waste.

To be honest with Members, in the 3 years I have been in Washington, I sometimes get the feeling that we are burying our head in the sand and not really coming to grips with the solid waste crisis. We are leaving it to the local elected officials. That simply cannot be. We have to take the initiative here in Washington. We have to provide the leadership. We have to set the tone. We have to provide the incentives, both financially and from a problematic standpoint.

To a large extent, those initiatives are contained in the legislation, and I applaud the gentleman for his leadership in researching the issues, in coming to grips with this issue, and in an up front and aggressive manner. I look forward to helping get this legislation passed and dealing with a broad-based, comprehensive solution to the solid waste problem, including not just recycling but alternatives to solve the solid waste problem that we face in America today.

□ 1830

Mr. HOCHBRUECKNER. Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. WELDON]. Obviously this is a good example of how we can work together from both sides of the aisle to solve the common problems of the people of our Nation.

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

Mr. HOCHBRUECKNER. I yield to my colleague, the gentleman from Connecticut.

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

First of all, I would like to commend my neighbor who represents the district across Long Island Sound from me and partially Long Island Sound itself, with Fisher's Island, for his efforts in this program and in other environmental issues that we have worked on together.

Mr. Speaker, I am pleased to join my colleagues here today to bring attention to the serious solid waste crisis that we are experiencing in this country. States, cities and towns across the country are running out of landfill space and are looking to recycling as the only viable alternative to reducing the volume of municipal solid waste. But as the pace of public and private recycling efforts increases, as more and more States and municipalities initiate recycling programs, the markets for recycled materials are being flooded. Because the supply of recyclable paper material well exceeds the current demand, the existence of many recycling programs is threatened.

Americans generate more than 400,000 tons of waste per day or more than 160 million tons annually. Americans are also producing more waste than ever before. In 1960, Americans generated more than 2.5 pounds of

trash per person per day or more than 912 pounds per person per year. In 1986, Americans generated more than 3.5 pounds per person per day or more than 1,306 pounds per person per year. This is an increase of 74 percent over a 20-year period. In addition, the Environmental Protection Agency [EPA] estimates that Americans will generate nearly 4 pounds of trash per person per day or 1,481 pounds per person per year by the year 2000.

According to the EPA, there are more than 16,400 landfills in communities nationally, half of which are expected to be closed by the year 2000. It is also becoming increasingly difficult to site new landfills. Moreover, disposal costs have reached as much as \$100 or more per ton, costing municipalities a greater percentage of their shrinking budgets. It seems clear that we must do something soon or the current crisis will only get worse.

The problem is where to begin. According to a recent EPA study on the municipal solid waste stream in this country, the largest single component of the waste stream is paper. Nearly 40 percent of the volume of our Nation's landfills is paper and paper products. Some experts estimate that paper makes up as much as 55 percent of the solid waste stream by volume. In 1986, over 80 million tons of paper and paper products were consumed in the United States, of which only about 21 million tons were recovered and about 50 million tons were disposed of primarily in landfills. This represents approximately 50 percent of all the manufactured waste and nearly 40 percent of all municipal solid waste in the United States.

Many States and municipalities are attempting to reduce the amount of paper disposed of in landfills through mandatory recycling programs. My home State of Connecticut began a mandatory recycling program in 1987 to decrease Connecticut's solid waste stream by 25 percent through recycling by 1991. Unfortunately, the markets for this recycled paper are just not there, frustrating proponents of recycling and discouraging other communities from initiating recycling programs. Many States and municipalities were profiting from recycling just 2 or 3 months ago, receiving as much as \$25 a ton for their paper from brokers. Now they have to pay these same brokers just to haul it away.

Many of us remember the local Boy Scouts collecting newspapers to raise money for their troop. Today, however, Groton, CT, and towns like it with well established recycling programs, who were once profiting from their paper recycling programs, now have to pay \$15 or more just to have the paper hauled away. Many brokers, who used to buy old paper for recycling have been forced to close their doors and

stop accepting old paper. As you may know, this is a national problem. I have included articles from the Wall Street Journal, the Toledo Blade and the Chillicothe Gazette which describe the serious problems being faced by paper brokers and local governments who are trying to recycle their old paper all across the country. Experts predict that so much old paper will soon flood the market that much of it will have to be dumped into landfills, further exacerbating the current solid waste crisis.

It is crucial that recycling programs be expanded to address the solid waste crisis. It is also important to remember that recycling does not end with separating paper and bottles and dumping them into separate bins. Markets must be created and expanded to use the old paper that we are trying to recycle. We must encourage paper manufacturers to produce more paper made with recycled materials. We must also make it more economical to use recycled and postconsumer paper rather than virgin materials.

That is why I have introduced the Paper Recycling Act of 1989. This legislation would set minimum recycled content standards for all paper products sold in the United States. It will encourage paper manufacturers to use more recycled or recovered fibers in the paper they produce.

This legislation will affect paper companies that manufacture and sell paper in this country, and it is based on recycled fiber content standards these same companies helped establish. The standards were developed by the Environmental Protection Agency, in conjunction with the paper manufacturers for paper purchased by the Federal Government. This bill would simply require manufacturers to use the same percentages of recycled fibers in products they sell domestically. It also will require the Environmental Protection Agency to develop minimum content standards for all other types of paper products not covered under the original standards.

Under the bill, paper manufacturers will be required to pay a tax of 3 percent of the selling price for the paper products that do not meet the standards. This tax will increase by 1 percent per year until it reaches 12 percent.

In order to give the paper industry ample time to comply, the content standards and the noncompliance tax will go into effect 2 years after the legislation is enacted.

These content standards would give the paper manufacturers a clear sense of direction, and the tax will provide an economic incentive for paper companies to meet the content standards and produce more paper with recycled materials.

My goal in introducing this legislation is to help create stronger and

more stable markets for recycled paper. Not only will it create new markets doubling the amount of paper recycled, it will also reduce the paper in our landfills, it will encourage the conservation of our precious natural resources, and it will show communities that recycling can be the most economical and environmentally sound long-term solution to our solid waste problem.

Mr. HOCHBRUECKNER. Mr. Speaker, I thank my dear colleague, the gentleman from Connecticut [Mr. GEJDESEN], from across the Sound, and appreciate his input.

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

Mr. HOCHBRUECKNER. I yield to my dear colleague and classmate, the gentleman from North Carolina.

Mr. PRICE. Mr. Speaker, I want to commend the gentleman from New York, Representative GEORGE HOCHBRUECKNER, for his leadership in organizing this special order on recycling. Our colleague has demonstrated tremendous initiative in the area of recycling and degradability with his legislation, H.R. 500—the Recyclable Materials Science and Technology Development Act. I am proud to be a cosponsor of this groundbreaking legislation.

Waste disposal is a critical problem for the citizens of this country. As landfills reach capacity and additional space is proving more and more difficult to find, State and local governments are seeing their options narrow. The wandering garbage barge from New York and medical waste washing up on our shores have highlighted the growing solid waste crisis.

My own State of North Carolina is rapidly running out of space in its landfills. To combat this pressing concern, several municipalities in my district have taken the initiative and developed a solid waste strategy. A major component of this strategy is recycling. Studies conducted by several groups in the State indicate that North Carolina can reduce its waste stream by 30 percent over the next few years through the use of recycling.

I believe our citizens are willing to take the extra step necessary to separate and recycle household waste. However, we should facilitate this effort to the greatest extent possible. An example of this is the pilot program underway in several counties in North Carolina that allow citizens to set out recyclables with their trash. The recyclable materials are collected by the same people who pick up the trash thereby eliminating the extra step often needed to bring the recyclable materials to a collection center. Another component necessary to encourage recycling is expanding public education efforts to change our throw-away habits. Educational efforts are underway in North Carolina to teach

children about recycling and a telephone hotline is now available to get recycling information.

One encouraging example is the Wake County Keep America Beautiful Program in North Carolina, which recently celebrated a month long clean-up effort. This culminated in an all-day festival, which I was pleased to attend. The public was invited free of charge, as long as they brought with them some recyclable materials. At the end of the day, Wake County Keep America Beautiful had collected over 58 tons of recyclable materials, including paper, glass, and aluminum.

But local governments can't regulate nationally marketed products that add nondegradable materials to our landfills. Nor can local governments do much to expand markets for recycled products and degradable materials. That is why it is important to put the influence, resources, and enforcement power of the Federal Government behind efforts to encourage recycling and to eliminate products and packages that aren't degradable.

H.R. 500 would accomplish this by directing the Department of Commerce and the Environmental Protection Agency to recommend to Congress how to ensure the availability of markets for recycled materials and how to encourage development of technologies for recycling nondurable consumer product packaging. Another critical component of this legislation is the establishment of an Office of Recycling Research and Information to distribute technical information to industries. H.R. 500 would maximize our ability to deal with solid waste without adversely affecting industry.

Recycling will help municipalities across the country reduce their waste stream. But there is another benefit to recycling—we are saving our precious natural resources. We must remember that recycling and conservation are important aspects of land stewardship. We owe it to our children to leave them a legacy of clean water, clean air, and clean land. H.R. 500 makes an important step in this direction.

□ 1840

Mr. HOCHBRUECKNER. Mr. Speaker, I thank the gentleman from North Carolina [Mr. PRICE] for his kind words and certainly for his support on this legislation.

I yield to the gentleman from Utah [Mr. OWENS], another classmate of mine.

Mr. OWENS of Utah. Mr. Speaker, I rise today to add my remarks on the critical importance of establishing a serious national recycling effort. It is my conviction that recycling is not merely one of many options available for the future of our Nation, but is the only sensible and feasible choice. The word "recycling" itself is almost too

mundane, conjuring up images of newspaper bins and local bottle drives—but when I think of this concept, I see the fruits of the effort. I see thousands of acres more of virgin forest, I see unfilled land fill, I see clearer, cleaner skies, and I see a nation living within its means and following its environmental conscience.

From garbage traveling the world by barge to dangerous medical waste washing up on our beaches the message is clear: like Marley's Ghost, the refuse we left at our curb and thought was safely relegated to our past is returning to haunt us and to remind us of our responsibilities. It is no longer possible to think that garbage becomes someone else's problem. It is piling up at an alarming rate. But momentum is gathering for a change in direction.

It is amazing to recollect that two decades ago it was considered socially acceptable to throw candy wrappers, cigarette butts, and pop-tops anywhere we liked. This abundant refuse was blown about by the wind so that many streets routinely looked like the aftermath of a ticker tape parade. And then, with one of the most effective advertising campaigns in history, the public saw an actor representing the first inhabitants of this land an American Indian, with tears in his eyes, ask us to stop trashing our country. It worked. Maintaining a clean environment became the right thing to do. And now, with help from Congress, the Nation can be mobilized in the same way to recycle.

It is possible that our Nation throws away more than most of the rest of the world is capable of consuming. That represents waste on a monumental level. But a Mount Rushmore of debris should be avoided at all costs. The past several years have seen a new meaning given to the phrase "the wretched refuse of our teeming shores." We are in danger of suffocating under the weight of our own detritus. Unwanted Flying Dutchmen, barges brimming with garbage, float the seas unable to unload their trash. Landfill digs up landfill. Incinerators burn reusable material and compound the waste by fouling the air.

When 5 percent of the world's population consumes one-third of the world's resources, a special obligation is imposed. There is an inherent indecency in disposing carelessly of materials which, in the right hands, are still useful and could supply the needs of many of the world's citizens. Wastefulness cannot be excused simply on the basis of economics, no more than poverty and sickness can be excused by strict recourse to a balance sheet.

A new industry and a new consciousness needs to be imbued in our Nation, a philosophy of recycling, a modern Midas touch that turns garbage into gold. To help us in this effort, we have

other motives. Beside being socially responsible, there is money to be made in some aspects of recycling, through the sale of reusable material and in energy savings. Recycling reduces the burden on taxpayers by lessening the need for municipalities to fund and maintain landfills. It lessens our dependence on foreign oil and thus reduces our trade and budget deficits. Recycling helps protect our Nation's natural beauty and scenery on our public lands. It ensures that our urban and suburban habitats are not irreparably fouled. Recycling will inevitably enhance our quality of life and we in Congress need to organize and support this essential endeavor, in an effort which has been undertaken with great success by some local and State governments.

In my home State, Utah, I am happy to say that some very important projects are underway, although much more could be done with more Federal help. "Newspapers for trees," a model program in my district of Salt Lake County, has been a great success. Last year alone, the city made curbside collections of newspapers and, beside returning the newsprint to further use, used the revenue to plant more than 4,000 trees in our valley. A local outlet of the Patagonia Outdoor Equipment Store has taken the initiative in downtown Salt Lake City to establish its own recycling program for cans, both aluminum and steel, paper, and glass. The response thus far has been overwhelming, further evidence that the time has apparently come for a raising of our waste management consciousness.

The cost of the throwaway mentality will eventually climb higher and higher until an economic and environmental crisis demands a rethinking, but we would be shortsighted to wait until that moment for action. I am proud to be associated with this bill and others of its kind. I urge my colleagues to support H.R. 500 and similar efforts and establish recycling as a national goal of major importance.

Mr. HOCHBRUECKNER. Mr. Speaker, I thank the gentleman from Utah [Mr. OWENS], my dear colleague, and, Mr. Speaker, I see I have 1 minute left on the clock. I wish to thank my colleagues, certainly the five Democrats and the three Republicans who spoke here with me on this important subject, and certainly I thank the 117 cosponsors who have supported me on this bill.

Mr. Speaker, this is a good bill. It is a bill that has an excellent chance of passage in this session. It is one that will in fact deal effectively with the waste problem that we do have.

We have a major problem here, but we have a very good solution. It is our hope we can move it this year.

Mr. Speaker, I am delighted at the interest that has been demonstrated by the 101st

Congress in developing a national strategy for maximizing the recovery and recycling of post-consumer wastes. The participants in today's special order are to be commended for their leadership in formulating a policy that promotes source reduction and recycling over less environmentally sound waste management techniques.

MOUNTAINS OF TRASH

Make no mistake about it—our Nation faces a severe garbage crisis. Americans collectively throw away over 160 million tons of trash every year—almost 90 percent of which is landfilled. Since 1983, more than 3,000 landfills have closed for environmental or capacity reasons. By 1993, one-third of all remaining landfills will be closed as well. Siting new dumps has become much more difficult than it used to be, due to environmental standards and public opposition to siting proposals. Clearly, we are running out of places to hide our waste.

The Nation's waste disposal problems are receiving increased attention in the media. Local officials are struggling to institute a variety of programs intended to increase the amount of garbage separated for recycling and, in turn, reduce the amount of trash that is landfilled or incinerated. Surveys indicate that a majority of the public wants its trash to be recycled rather than buried or burned. Yet the uncertainty of markets for recycled materials is causing serious setbacks for local recycling efforts. In my judgment, this situation is crying out for Federal leadership.

A number of our colleagues from both sides of the aisle, representing districts in the West, the South, the Northeast, and the Midwest, have taken time out of their busy schedules to join me today in offering a specific course of action to help the United States emerge from the garbage crisis. Their constituents are beginning to recognize that the products they purchase should not add unnecessarily to already brimming landfills. Furthermore, their constituents are in search of waste management programs that do not pollute the environment.

According to a national public opinion poll conducted between May 5 and 13, 1989, by the Associated Press and Media General, the vast majority of Americans would accept mandatory trash recycling in their communities. This is indeed a very significant development in public opinion. The American people have already prepared themselves psychologically for large-scale recycling. What many in Government have feared to be a fundamental stumbling block to the success of recycling programs—resistance by households to sorting trash—may not be a major factor, due to the good sense of our constituents. In the opinion poll, 20 percent of the respondents reported that their communities now require them to separate household trash for recycling. Of the rest of those surveyed, 87 percent said they would support mandatory recycling in their communities.

The area I represent has been especially hard-hit by the solid waste crisis. Due to declining local landfill capacity, 1.1 million tons of trash from New York State were trucked to landfills in the Midwest in 1988. That repre-

sents a 44 percent increase over the amount of trash New York exported in 1986.

LONG ISLAND'S PLIGHT

On Long Island, nearly all municipal trash managed locally has traditionally been buried. That practice will soon change. Under New York State law, all public landfills on Long Island must close permanently next year. That law was enacted in order to provide for greater protection of our sole-source drinking water aquifer. What it means is that the principal local waste management tool will be forever unavailable to my constituents beginning just 18 months from now.

Trash has earned the dubious distinction of being Long Island's largest single export. The island exported 723,800 tons of trash to landfills and incinerators in Pennsylvania, Michigan, Kentucky, Ohio, and West Virginia in 1988. By comparison, in 1988 Long Island exported 100,000 tons of potatoes, 20,317 tons of seafood, and 3,750 tons of duckling.

Due to the impending landfill moratorium on Long Island, as well as increased local interest in protecting Long Island's fragile environment, municipalities in my district, as well as that of Mr. DOWNEY, Mr. LENT, Mr. McGRATH, and Mr. MRAZEK, are devising ways to change local consumer's habits and waste management services to increase recycling. Several Long Island towns are investing in recycling and composting plants as principal means to help meet local waste management needs into the 21st century.

The recent experience of one Long Island town, however, illustrates the compelling need for a focused national program to help expand and stabilize markets for recyclable materials. Islip, Long Island—the home of the infamous garbage barge of 1987—sorted its garbage to be recycled rather than landfilled or set adrift on barges. Tragically, after no recyclers could be found to purchase the recyclables, the sorted trash was buried in neat stacks in the Islip landfill.

NEW YORK CITY'S INITIATIVE

On April 14, a major assault on the garbage crisis was launched as Mayor Ed Koch signed a law requiring that an additional 25 percent of New York City's solid waste be recycled—added to the 15 percent currently being recycled.

This is an important development from a national perspective, as New York City is the source of about 5 percent of all trash generated in the United States. Under the city's new law, more than 7,000 tons of municipal solid waste generated daily will be used productively in postconsumer manufacturing rather than landfilled, incinerated, or exported to the Nation's heartland for disposal.

New York City's new program target metal, glass and plastic containers as well as newspapers, magazines, and cardboard for separation and recycling. These items will be collected by the city's sanitation department from curbsides and from consumer drop-off and buy-back centers to be located throughout the city. A deposit system will be instituted to provide for recycling of tires and batteries. In addition, yard waste and Christmas trees will be collected for composting. New York City will modify its procurement guidelines to encourage the purchase of products manufactured from recycled materials. It will also initiate a

public awareness campaign, including public school recycling education programs.

A NATIONAL RECYCLING POLICY

Before I came to Congress, I chaired the Resource Recovery Subcommittee of the New York State Assembly for 8 years. My tenure there taught me that recycling, combined with waste reduction and waste-to-energy technologies, offers the best comprehensive solution to the garbage crisis. Manufacturers also recognize that recycling their glass, plastic, paper, and metals will result in reductions in material costs, energy inputs and environmental impacts.

The chief obstacle to expanded recycling efforts, however, is the uncertainty of economic markets for recycled materials. As New York City and other municipalities adopt waste collection programs designed to increase recycling, they are certain to face the persistent problem of finding recycling facilities willing to accept postconsumer waste and ensuring that there will be markets in the manufacturing industry for recycling materials. Local elected officials are looking to the Federal Government for leadership in solving this problem.

In addition to improving and stabilizing markets, Federal guidance for municipalities is needed on perfecting waste collection and sorting methods and systems for transporting recyclables from the point of disposal to the processing plant. We ought to assist towns, counties, and States in devising ways to implement large-scale recycling programs without incurring unreasonable costs to local taxpayers. We need to aid in the implementation of model recycling plans across the country such as curbside pickup of recyclables in residential neighborhoods; backyard composting and/or separate pickup of food and yard waste for municipal composting; and in-house trash separation at restaurants and other commercial establishments. Finding our way out of the garbage crisis will require waste managers and consumers to make adjustments in the way they handle refuse. It need not, however, require a complete overhaul of existing local government services.

A LEGISLATIVE SOLUTION

During the 100th Congress, I introduced the Recyclable Materials Science and Technology Development Act as H.R. 5000, the first comprehensive waste recycling legislation to be introduced in Congress. A hearing was held on August 10, 1988, in the Subcommittee on Natural Resources, Agriculture Research, and Environment of the Committee on Science, Space, and Technology. Four of my colleagues on the subcommittee (two Democrats and two Republicans, including the chairman and ranking minority member) were among the 61 cosponsors of H.R. 5000. On January 4, 1989, I reintroduced this legislation as H.R. 500.

The Recyclable Materials Science and Technology Development Act takes aim at the solid waste crisis by initiating a policy of systematically redirecting postconsumer wastes back into the manufacturing process, thus limiting the need for landfills or incinerators and reducing industry's reliance on raw materials. H.R. 500 launches a coordinated public/private sector effort, spearheaded by the U.S. Commerce Department and the Environmental Protection Agency, to open markets across

the Nation for recycled materials and assist industry and local governments in developing and implementing recycling technologies.

Following the enactment of H.R. 500, the Commerce Department is directed to establish an Office of Recycling Research and Information. This office will make grants to support development of innovative recycling techniques for all types of consumer product packaging and distribute information to industry about recycling technologies. It will also provide information to public schools, State and local governments, and the general public regarding the garbage crisis and the benefits of instituting recycling programs.

Within 6 months after enactment, the Department of Agriculture is required to establish a pilot project to demonstrate the viability of composting municipal solid wastes and sewage sludge. An initial report to Congress by the Agriculture Department on the composting pilot project is due 1 year after enactment.

H.R. 500 directs that, within 2 years after enactment, the Commerce Department and the Environmental Protection Agency will recommend to Congress the following:

First. How to ensure the development of technologies for recycling nondurable consumer product packaging;

Second. How to expand marketing of products made of recycled materials;

Third. How to encourage the development of certain consumer products that are biodegradable; and

Fourth. Whether nonrecyclable goods should bear warning labels to remind consumers about the garbage crisis.

The legislation also requires that after 2 years, plastic six-pack rings, shopping bags and fast food packaging must be degradable. Since I originally wrote the bill, the six-pack ring requirement has been mandated by Congress under a separate law. A major concern with six-pack rings is entanglement of wildlife.

Also to be received by Congress 2 years after enactment of H.R. 500 is an analysis by the Secretary of Health and Human Services of the feasibility of recycling or using biodegradable materials in medical supplies.

One other analysis is to be transmitted to Congress within 2 years. The Secretary of Defense will report on the Pentagon's waste management practices, and comment on whether a waste recycling program could be instituted for Defense Department facilities.

Within 4 years after enactment of H.R. 500, the Commerce Secretary and the EPA Administrator will divide nondurable consumer goods into two categories: First, those for which a recycling program is feasible, and second, those which will be exempt from a recycling requirement due to the technical infeasibility of recycling. Products identified as exempt from the recycling requirement must after 5 years be composed of biodegradable materials. Recycling is the central focus of the legislation, and we anticipate that most of the nondurable consumer product waste stream would fall into the mandatory recycling category.

Effective 5 years after enactment, H.R. 500 requires that those products identified by the Commerce Department and EPA as recyclable

ble must be recycled at a rate of 75 percent of production. In order to ensure compliance, H.R. 500 assigns civil and criminal penalties for violators of the act, with fines to be levied by the Administrator of EPA.

To review the basic schedule for actions required under this legislation, I offer the following abbreviated timetable:

H.R. 500 PROGRAM SCHEDULE

Enactment by month 6: Commerce opens office of recycling research and info. USDA starts composting project.

Enactment by year 1: USDA reports on composting.

Enactment by year 2: Commerce reports on: recycling, degradables, and product warning labels. Commerce requires degradability in 6-pack rings, shopping bags & fast food packaging. HHS reports on medical supplies. Defense reports on DOD waste management.

Enactment by year 4: Commerce/EPA issue regulations on recyclables and degradables.

Enactment by year 5: Commerce/EPA identify list of mandatory recyclables and degradables. EPA imposes penalties for non-compliance.

Finally, let me offer a picture of the municipal solid waste stream and what resource recovery strategies might apply to its individual segments should H.R. 500 be enacted.

The largest segment of the municipal solid waste stream—accounting for about 37 percent of the whole—is paper and paperboard. Recycling is the strategy that ought to be promoted for most items in this category. For those paper or paperboard items that become contaminated with food waste, or are otherwise nonrecyclable, composting should be the preferred alternative.

The second largest portion of solid waste is food and yard waste, together comprising about 30 percent of the total. Composting is the most appropriate management technique for these wastes.

Glass accounts for about 10 percent of the waste stream, another 10 percent is metal, and about 7 percent is plastics. Recycling should be promoted as the preferred form of treatment for each of these categories.

Finally, 6 percent of solid waste is miscellaneous items such as textiles, rubber, and other synthetic materials. Where recycling cannot be instituted for these items, landfilling or incineration may have to be considered.

Since I reintroduced H.R. 500 on January 4, 1989, it has been cosponsored by 117 of our colleagues. Senator ALBERT GORE has introduced companion legislation to H.R. 500 in the Senate as part of the World Environment Policy Act (S. 201). Needless to say, I am delighted at the support that has been demonstrated for adopting a comprehensive plan to promoting recycling of postconsumer wastes.

Mr. Speaker, I am convinced that this issue will return to the floor of the House during this Congress. Our constituents cannot, and must not, be made to wait for Federal leadership to attack the mounting garbage crisis and the continued wasting of reusable resources.

Mr. CLINGER. Mr. Speaker, I want to take this opportunity to also thank the gentleman from New York for calling today's special order on recycling. I commend you for your leadership on the recycling issue. As a cosponsor of your bill, H.R. 500, the Recyclable

Materials Science and Technology Development Act of 1989, I look forward to working with you to pass this timely and sorely needed legislation as we strive to improve our Nation's waste management systems.

The United States generates billions of tons of solid waste each year. Municipal solid waste accounts for 160 million tons per year. In more comprehensible terms, the average American produces close to 1,500 pounds of municipal solid waste per year or approximately 4 pounds of garbage per day. The amount of municipal solid waste produced in the United States is growing at an alarming rate. It is estimated that in the year 2000, we will produce 190 millions tons of municipal solid waste.

Most municipal solid waste is disposed of in landfills. However, as the amount of municipal solid waste increases, many of our Nation's landfills are reaching full capacity. As a result, by the year 1991, we will have witnessed the closing of 50 percent of the landfills that had been open in 1986. As landfills close, efforts to open new landfills will intensify.

I am personally familiar with the problems associated with siting a landfill. My colleagues might question how, with one of the most sparsely populated congressional districts in the Northeast, can siting a landfill pose such a problem? Surely, my colleagues understand that no one wants a landfill located in their community. The unique problem that we face in my part of Pennsylvania is that much of the municipal solid waste that would be disposed of in these proposed landfills is not even generated in these communities. In fact, according to the information that I have received, much of the solid waste will be coming from other municipalities in other States which have exhausted their landfill capacity.

Since these proposed landfills would be private facilities, legal recourse is limited. Namely, the Supreme Court has ruled that the interstate commerce clause of the Constitution prohibits one State from banning refuse bound for a private facility in that State, even though it is generated in another State. As you can imagine, this decision is troubling to me and my constituents. However, I am hopeful that the State, county, and local governments will be able to work out a solution that will limit the impact on citizens in the 23d Congressional District of Pennsylvania.

As I have just noted, the problems affiliated with municipal solid waste management touch all levels of government. Unfortunately, the number of solutions for dealing with these problems are limited. The two primary alternatives to landfills are incineration and recycling.

While incineration can reduce wastes 90 percent by volume and would allow continued use of our current waste collection systems, the drawbacks to incineration are substantial. Siting an incinerator is objectionable to local communities as facility emission concerns are voiced. In addition, there are problems associated with the disposal of incinerator ash. Last year, as the ranking member on the Government Operations Subcommittee on Environment, Energy and Natural Resources, I became acutely familiar with the odyssey of the *Khian Sea*, a ship loaded with Philadelphia incinerator ash. For more than 2 years, the *Khian Sea* traversed the world's oceans

searching for a place to unload its cargo. It is still unclear whether the *Khian Sea* has accomplished its mission and unloaded its cargo.

Based on factors including local opposition to siting an incinerator, air pollution concerns associated with incineration and disposal of ash, it is evident that incineration of municipal solid waste has considerable drawbacks.

Another alternative to landfilling municipal solid waste is recycling. In addition to reducing the demand for landfill sites and the inherent problems associated with the siting process, recycling saves energy and lessens the demand for raw materials. For example, recycling aluminum cans requires 95 percent less energy than refining new metal from raw bauxite. Recycling also reduces air and water pollution. I am not saying that recycling does not have its drawbacks. But compared to the alternatives, like siting new, undesired landfills, I believe that recycling provides a more appealing approach.

Several States have already recognized the advantages of recycling. In fact, there are a number of recycling projects underway in my congressional district. These efforts have received the support of all segments of the community: businesses, social and civic groups, scout troops and the general public. Recycling centers can also provide unique employment opportunities. At one particular recycling center, Advancement, Inc. in DuBois, the mentally-impaired are hired and charged with the responsibility of preparing and sorting glass bottles for recycling. At the Industrial Development, Corp.'s recycling facility in Clarion, underemployed citizens are hired. Both facilities provide my constituents with an added sense of self-worth while helping conserve our natural resources, save energy and protect the environment. These recycling facilities deserve our acknowledgement and applause.

Last year, I visited one of the many glass collection sites scattered throughout my congressional district and can attest to the effectiveness of the program. In addition, I have joined local scout troops in their trash pick-up excursions which are designed to promote and contribute to ongoing recycling efforts.

Efforts to better manage our municipal solid waste through recycling are not unique to the 23d Congressional District. Citing diminishing landfill capacity, the Commonwealth of Pennsylvania recently enacted "Act 101" which is designed to reduce the reliance on landfills by reducing the volume of solid waste by 25 percent. To assist local governments in developing mandatory recycling programs, Governor Casey recently announced 32 grants totaling \$2.7 million to develop recycling centers, curbside collection programs and leaf composting projects. I am pleased that Pennsylvania is one of the few States in the forefront of advocating recycling.

However, in order for recycling to be more effective, a national approach is required. The legislation that Congressman HOCHBRUECKNER has introduced and has described this evening, H.R. 500, provides the national and comprehensive approach that is needed. Acknowledging that one of the biggest obstacles to recycling is the lack of markets for recycled products, H.R. 500 coordinates agency

efforts to identify and develop recycling markets.

I would also like to take this time to mention H.R. 1652, legislation introduced by Congressman CURT WELDON which I believe goes hand-in-glove with Congressman HOCHBRUECKNER's bill. H.R. 1652 would establish a Recycling Information Clearinghouse within the Environmental Protection Agency. By improving the collection, analysis, and dissemination of recycling information, we can ensure that citizens, industry and municipalities have the tools necessary to encourage, establish, and promote recycling of municipal solid waste.

Our municipal solid waste disposal problems are not going to disappear, we need to take action. I would urge our colleagues to support H.R. 500 and H.R. 1652 before we are inundated in garbage.

Mr. WYDEN. Mr. Speaker, the times are right for recycling.

The time is right for the environment. The volume of solid waste in our country is growing. Concern is growing too about our environment. And we are concerned about conservation of scarce resources. Recycling is part of the answer to all these problems.

And the time is right for legislation. We have several thoughtful recycling bills before us already in this Congress, from members from both sides of the aisle. And our central solid waste law, the Resource Conservation and Recovery Act, is due to be reauthorized in this Congress.

For over a year, my staff and I have been talking with experts from government, industry, and interest groups about how to amend RCRA to boost recycling. I've put some of the best ideas into legislative language: a bill called the Recycling Promotion Act, which I'll be introducing soon.

It builds on some of the proven notions already in RCRA: promotion of markets for recycled goods, with new directions for the Commerce Department; a complete overhaul of the Federal program for buying recycled products; new emphasis on recycling in waste management planning.

And it adds some new programs: special handling for dangerous but recyclable wastes like car batteries; consumer information about recycled and recyclable items; a new incentive for government agencies to recycle their garbage.

One of the rewards of public service is helping people solve their real problems. Municipal solid waste is a real problem for our States, counties, and cities. The bills before this Congress offer real solutions through recycling. I look forward to working with my colleagues here today to build a record of accomplishment on recycling in this Congress.

Mr. MRAZEK. Mr. Speaker, America is facing a waste-disposal crisis of tremendous proportions, and the situations in New York State and on Long Island are no exceptions. It is clear that more emphasis must be placed on the process of recycling. In 1976, the Resource Conservation and Recovery Act was passed and provided for Federal financial assistance for the development of management plans and facilities for the recovery and re-use of energy and materials. Unfortunately, the section on solid waste State plans was not

implemented, and since then responsibility for solid waste planning and management has fallen solely on the States.

About 18 States have started programs involving recycling, and these programs vary with respect to their provisions and the degree to which they are enforced. For example, Oregon's Opportunity to Recycle Act works on a volunteer basis in that municipalities must provide dumpsters and other services which would allow people to recycle if they so choose. In contrast is a New Jersey law under which municipalities must have recycling programs for at least three sources, and those which do not cooperate are subject to fines and the cessation of trash pick-up. There are also tax incentives to industries purchasing new recycling equipment to encourage participation in recycling efforts.

In New York, the need for statewide recycling is enormous. Every day each New Yorker generates 5 pounds of solid waste—Long Islanders up to 8 pounds. The capacity crisis has resulted from a policy which now puts 83 percent of waste in landfills, recycles only 16 percent, and sends 1 percent out of State. The New York State Solid Waste Management Plan has been updated very recently to improve recycling measures. The 10-year plan has a goal of reducing the number of landfills—some will fill to capacity during the time period—from 328 to below 100. In fact, the Department of Environmental Conservation has informed the town of Huntington that it must close its landfill because of numerous violations and dwindling capacity.

The State would aim to use landfills only for the disposal of wastes that cannot be reduced, recycled, reused, or combusted. The waste stream should be reduced by 8 to 10 percent and a goal of having 50 percent of all waste reused or recycled—including the 8 to 10 percent waste reduction figure—has been set. The plan centers around a new hierarchy of preferred methods: waste reduction, recycling/reuse, waste-to-energy conversion, and lastly landfilling.

The State would be responsible for and provide funds to encourage market development, public education, and financing programs; regulate siting, construction and operation; enforce requirements and standards, giving preference to products with recycled materials; create incentives; and oversee the implementation of solid waste management programs. The Returnable Container Act which provides the incentive of a 5-cent return has been very successful—80 percent return in the first year—and its expansion is being considered. A recent development is the production of degradable plastic bags from corn starch materials. Degradable bags would reduce litter and landfill needs. There are also ideas about legislating regulations on types of material used in packaging and placing charges on products, based on their recyclability in order to influence consumers' purchases. Fees on waste tires and a requirement on the use of recycled materials in building contracts with the State are also proposals being considered.

Local municipal governments will continue to have the traditional responsibility of county-level enforcement. They can create sanctions, similar to the New Jersey fining systems, have source separation programs, and construct

local education and encouragement policies. Currently, most of the townships on Long Island have source separation programs, and others are planning them. The State will coordinate efforts and make regulations, but local responsibility and citizen participation are very important. A significant increase in the number and scope of local recycling would result in the possibility of achieving the State goal.

This updated New York State Solid Waste Management plan provides for statewide regulation of recycling efforts. Although now only 4 percent of material is recycled or reused, the goal is 50 percent. I believe this is a reasonable and achievable goal. With primary goals of improving waste management, establishing a new hierarchy of methods, and forming a strong commitment to waste reduction and recycling, New York's priority must be to reach 50 percent recycling as soon as possible. Reducing solid waste volume is imperative.

Currently, legislation has been introduced in Congress concerning national recycling programs. I strongly believe Congress should create incentives to municipalities for recycling. In addition, one program would make waste reduction, reuse, and recycling the primary waste management methods. Another bill deals with education and studies, and a third deals with collecting and disseminating information to promote recycling. Representative HENRY has proposed legislation which would require a refund on beverage containers. Representative HOCHBRUECKNER has proposed legislation that would create an Office of Recycling Research and Information, and mandate a feasibility study on labeling all goods regarding recyclability, and requiring that some products be recyclable. If these products or their packaging cannot be recycled, they must be biodegradable. This is a good attempt at a comprehensive bill, and it is my hope that the House will closely examine this bill and others to support such recycling efforts.

Mr. SABO. Mr. Speaker, Americans are increasingly concerned about the Nation's garbage crisis. We are burying 200 million tons of trash a year. And the problem will get worse if we don't do something about it. The Environmental Protection Agency estimates that the amount of plastic Americans throw away will double in the next dozen years.

The bottom line is that we can't keep burying, burning, and hiding that amount of garbage. We desperately need to find environmentally sound alternatives and recycle now before the crisis gets worse.

This spring Minneapolis, the city I represent, adopted a stringent and far-reaching ban on most nonreturnable and nondegradable plastic food packaging. Across the Mississippi River, St. Paul has followed suit and adopted a similar landmark ordinance. I am very proud that the Twin Cities are taking the lead in fighting this national crisis. It is through local efforts such as these that we will make the initial headway in attacking the problem.

But, while it is great that our cities are acting, the Federal Government needs to make a significant contribution to solving the problem. After all, it is a national crisis and Washington has an important role to play.

That's what the Recyclable Materials Science and Technology Development Act (H.R. 500) is all about. I commend Congressman HOCHBRUECKNER for his leadership on this vital issue and especially for his work in drafting this legislation. It is the kind of comprehensive approach we need to take.

This bill would require recycling nationwide by 1994. It would also authorize Federal research and development studies over a 5-year period to open markets for recycled materials and give industry and local governments information about recycling technologies.

Significantly, this bill would attack a particular problem we are having in the Twin Cities. Super Cycle, the area's largest recycling company, is going out of business because it cannot find enough buyers for recycled newspapers. Our communities must now face the challenge of finding a place to get rid of newspapers our residents have collected.

A provision of Mr. HOCHBRUECKNER's bill directs the Department of Commerce and the Environmental Protection Agency to recommend ways to make sure that markets are available for recycled materials. It is the kind of action we need to help ensure that when people collect newspapers, glass, plastic, and metal there will be places to sell them and get them recycled. This is an important area in which the Federal Government can play a positive and helpful role, assisting States and localities in finding places to get their trash recycled.

Attention is increasingly growing on the solid-waste disposal crisis. But it is now time to act and H.R. 500 is an appropriate vehicle for moving forward on this very serious problem. I hope that we will soon be able to make progress in this area. We can no longer afford to ignore the urgent need to take action.

Mr. GEPHARDT. Mr. Speaker, I want to thank GEORGE HOCHBRUECKNER for convening this session and I would like to applaud him for introducing the Recyclable Materials Science and Technology Development Act. It is important that the municipal solid waste problems which are now national in scope and the waste management strategies such as recycling be discussed on the House floor.

Our Nation is facing a crisis that may soon affect each of us in our everyday lives. Few of us think about our trash, much less where it goes once we cart it out to the curb. But, these days of blissful ignorance may be over.

Soon we may have no place to put our garbage. In the next 10 years, over half of the States will run out of space to landfill their trash. Pennsylvania tried to ship its garbage to a foreign country on the now infamous garbage scow, the *Khian Sea*. However, the trash was refused by five countries over a period of almost 2 years before the *Khian Sea* mysteriously reappeared, under a new name, with no trash on board.

Many people still say that the system can take care of the problem—because it always has. They perpetuate the no-think attitude that we have all had for so many years about our trash.

But, we cannot fall into the trap of ignoring this problem. We stand here on the floor of the House where we have fought for a prosperous America. If waste disposal problems increase, the cost of trash disposal could sky-

rocket and, in very real terms, take more and more out of every American's pocket.

Every new consumer trend adds to the amount of trash that we produce from disposable diapers to microwave food containers. And, every year, Americans produce more trash: 1 to 4 percent more per year.

What is in our trash? Paper and paperboard account for forty percent, yard waste takes another sixteen percent, glass and metal are each close to nine percent, and good waste and plastics are both close to seven percent. The last ten percent is primarily rubber, leather, textiles and wood.

Once trash is created, only three (legal) things can happen: it can be recycled, incinerated or landfilled. Recycling is by far the preferred treatment, since it reuses the materials instead of losing them to ash or a landfill. Because some recycling processes can be as harmful as the original processes that created the product, recycling is not the solution for every section of the waste stream. However, as part of a comprehensive waste management plan, it can treat a large portion of our garbage.

Paper, paperboard, glass, plastics and metals are already recycled to some extent, and they account for 60–70 percent of the waste stream. However, for recycling to make a difference, it will need to be encouraged. Initiatives like GEORGE HOCHBRUECKNER's Recyclable Materials Science and Technology Development Act would help make that difference.

We can also attack the other side of the problem which is the incredible amount of waste that this country produces every day. In April, I introduced the Municipal Solid Waste Reduction Act to set the country on the long track toward waste reduction.

This bill addresses the two major problems that confront any waste reduction strategy and indeed any waste management method. First, public awareness of impending waste problems is crucial to the success of any waste management initiative, yet most of the public is not aware of these problems much less what they can do about them. The bill requires the Environmental Protection Agency to pursue an aggressive public education campaign on solid waste issues and waste reduction strategies, and to provide information on municipal solid wastes to communities, businesses and the public through a clearinghouse for waste reduction.

The second obstacle is our lack of knowledge about municipal solid wastes—no one has bothered to keep track of what is in all of those bags. The bill directs EPA to study the major contributors to the solid waste stream, in both toxicity and volume, and to propose reduction and management plans.

Some people say that waste reduction and recycling are in conflict. They say that, in order to have a market for recycled goods, we must shift the market for all goods toward using recycled material and that, if you reduce the use of the primary materials, then you hurt the recycled market too.

I do not buy this reasoning. For example, I do not believe that using less paper overall precludes having more of what we do use be recycled paper.

Our society can drastically reduce the materials that it uses and still be strong, if not stronger. Just look at West Germany and Japan. They both produce remarkably less trash than we do and are better for it.

Our Nation must begin to take a comprehensive look at its waste problems, and we must use all of the tools in the toolshed, such as reduction, recycling, and any other method of safe waste disposal, to help us solve them.

We must not be caught unprepared. With considered thought, we can fix our garbage problems and save every American large expenditures in the future in time and money.

Mr. GREEN. Mr. Speaker, I rise today to address the issue of recycling. This issue is one that is certain to take a more prominent role in our country's waste disposal policy, as landfills across the United States begin to close for lack of space.

As ranking minority for the Appropriations Committee's Subcommittee on VA, HUD, and Independent Agencies, the subcommittee which funds EPA, I should like to bring my colleagues up to date on some of the efforts we have made in the area of recycling and waste minimization. Beginning in fiscal year 1988, we have provided over \$15 million to the Environmental Protection Agency to develop technologies to reduce, eliminate, or regulate hazardous waste. The EPA has reported some initial success in this effort, and I expect the Congress' support of these technologies to continue. EPA is now vigorously applying the same waste minimization and recycling effort to the municipal waste area. We must get off the treadmill of spending billions to clean up old pollution while heedlessly creating new pollution. Pollution prevention—as the EPA now describes its waste minimization and recycling efforts—is the answer.

I should like to thank Mr. HOCHBRUECKNER and his staff for arranging this special order, and for all their efforts to increase awareness on the importance of recycling.

Mr. ANNUNZIO. Mr. Speaker, as a cosponsor of H.R. 500, the Recyclable Materials Science and Technology Act of 1989, I rise today to commend my distinguished colleague from New York, Mr. HOCHBRUECKNER, for the initiative and foresight he has demonstrated in sponsoring this legislation.

No one disputes the serious garbage crisis which confronts our Nation today. However, no one seems to be willing to take the steps necessary to resolve this crisis.

H.R. 500 represents a good first step toward addressing the twin problems of garbage disposal and implementation of recycling programs. It authorizes the Commerce Department and the Environmental Protection Agency to investigate and research the availability of markets for recycled materials, to determine methods to foster development of consumer products that are biodegradable, and to decide whether non-recyclable goods should bear warning labels reminding consumers about the garbage crisis.

In addition, under the provisions of this bill, the Commerce Department would establish an Office of Recycling Research and Information which would help develop innovative recycling methods and disseminate information to public schools, State and local governments,

and the general public regarding the benefits of recycling, the harmful effects of litter, and methods to encourage voluntary recycling.

Annual generation of solid waste is increasing steadily, while our alternatives for disposal are decreasing rapidly. Although the majority of our garbage is disposed in landfills, they are quickly filling up. Over 3,000 landfills across the Nation have been closed in the past 5 years, and by 1993, one-third of those that remain will also close. According to the Department of Streets and Sanitation in my own city of Chicago, only four landfills are open and in operation at this time.

The decline in the number of available landfills has caused communities to transport their garbage greater distances for disposal at ever-increasing costs. Some cities are already shipping their trash over 1,000 miles to other States to get rid of it. Furthermore, existing landfills are leaking contaminants into the soil and ground water.

Ultimately, these problems will force us to consider other alternatives, such as incineration and recycling. Because incineration introduces numerous pollutants into the air, many of which are highly toxic, more communities are turning toward recycling as they recognize the capacity limitations and environmental problems associated with landfills and incinerators.

While recycling is not a cure-all to our garbage problem, it can improve our situation significantly. Recycling both saves energy and conserves natural resources by reducing the use of raw materials. According to a June, 1987 article in the Washington Post, turning used aluminum cans into new ones, for example, takes 95 percent less energy than refining new metal from raw bauxite. In addition, there are substantial reductions in air and water pollution associated with recycling.

In recent years, we have witnessed increased growth of public and political support for recycling. Significant obstacles exist, however, including lack of markets for some recycled products and high collection and separation costs. H.R. 500 will help to eliminate many of these obstacles by fostering research programs aimed at developing cheaper and more efficient methods of recycling, providing the public with information on recycling, and insuring the availability of markets for recycled materials.

H.R. 500 is an appropriate response to our growing garbage crisis. This comprehensive plan to increase recycling nationwide and to coordinate disposal programs on a national level is an important step we need to take before America's garbage crisis reaches insurmountable levels. Money spent now to improve this situation in the long run will reduce the overall cost of garbage disposal. I urge bipartisan support for this measure.

Mr. MINETA. Mr. Speaker, it gives me great pleasure to speak this afternoon about the importance of recycling, and about the importance of H.R. 500, the Recyclable Materials Science and Technology Development Act.

Recycling offers significant reductions in the size of our waste disposal problems, bringing great economic and resource gains to every participating community.

In my home city of San Jose, CA, we have the largest voluntary residential recycling pro-

gram in the country. San Jose's overall waste stream reduction plan includes recycling by commercial and industrial enterprises as well. So as my fellow citizens in the South Bay Area know from many television ads, Recycling is the way for San Jose.

San Jose's recycling effort is being undertaken because it has become increasingly difficult to find suitable sites for sanitary landfill. Many trends tell us, too, that any new landfill sites will quickly become filled in the future. To save land, to reduce resource consumption, to reduce disposal costs, and to protect the ground water, many communities are turning to recycling programs.

The voluntary residential program in San Jose involves residents separating recyclable materials into three bins provided by the city: one each for cans, newspapers, and glass. These bins are placed at curbside on the same day as other refuse is collected. The cans, newspapers and glass are taken to a processing facility where they are separated, baled, and sold.

This progressive program has the support of officials at all levels of city government. But most importantly, the program has the support of a majority of citizens. Nearly 180,000 households could participate in the program, and some 60 percent of these already do.

San Jose's recycling program has a higher level of public participation than any other municipal service in the city. As a result, by 1990 the City of San Jose hopes to reduce the annual solid waste stream dumped in its landfill sites to 75 percent of the 1986 level.

The current level of recycling annually reduces the amount of waste dumped at San Jose landfills by some 22,000 tons. If mixed paper waste were added to this reduction, an additional 10,000 tons could be diverted annually. A program for composting residential yard waste is in initial stages. This should recycle some 38,000 tons per year by 1991.

Residents of San Jose are not the only participants in the recycling program. Our corporate citizens are also participating enthusiastically.

In most communities, household residences supply about two-thirds of the refuse. Commercial and industrial sources supply the balance. In San Jose, however, the commercial and industrial sector creates about 60 percent of the waste stream.

Since commercial and industrial waste contains large concentrations of recoverable materials, they will be the source of a significant degree of recyclable materials. Large amounts of white paper, cardboard, wood scrap, glass, and aluminum are already being recycled.

Nearly all businesses can get involved in the recycling process. Eating and drinking places, printers, building contractors and suppliers, department, grocery, and other retail establishments, financial and real estate industries, transportation firms, and manufacturers in glass, wood, plastic and rubber.

San Jose supplies an incentive for businesses to participate in recycling programs. The city levies a \$2 tax for each yard of material that is buried. But the response of the business community goes beyond any desire to avoid this sin tax. It seems that businesses, too, believe in recycling.

In all, San Jose has a solid waste reduction program that actively and positively involves private households and the commercial and industrial sector. Although the program is just hitting its stride, enthusiastic support is well-apparent.

An aggressive educational program underlies the success of the program. Door hangers, phone and direct mail contact and positive exposure in print and broadcast media have helped deliver the recycling message. An important part of the promotional effort involves a community volunteer program. In fact, studies in San Jose show that without the dedicated volunteers and their outreach and educational activities, significant reductions in the waste stream would be lost.

Even though San Jose has successfully started a solid waste reduction program, aggressive efforts must be continued to maintain the recycling program's momentum. New 30-second television spots in Vietnamese and Spanish are being broadcast, and spots in Japanese and Portuguese are being planned. New innovations in treatment of the recycled materials must be made. Volunteer efforts must continue. We need to understand more about the impact of the public-private recycling effort in San Jose where waste disposal is contracted to private companies.

We also need to see that the market for the recycled materials remains strong. This market is an essential element of the financial aspect of the program. Not only do the sale of recycled materials eliminate the need to bury them, but the proceeds from the sales partially offset expenses of the recycling program itself.

Mr. Speaker, H.R. 500, the Recyclable Materials Science and Technology Development Act, is an important piece of legislation that will promote research, the dissemination of information and recyclability as a design goal. But most of all, Mr. Speaker, the bill will promote the recycling ethic. Recycling is indeed the way not only for San Jose but for us all.

Ms. SCHNEIDER. Mr. Speaker, solid waste disposal has become a major problem for State and local governments in the United States. Americans generated 150 million tons of solid waste in 1984, and the amount is rising. Meanwhile we are rapidly running out of landfill capacity in many urban areas.

One example is plastic. About 95 percent of plastic that is produced ends up being discarded. As a result, according to one estimate, plastics represent over 7 percent of solid wastes by weight and over 30 percent by volume.

Increasingly, it has been recognized that pollution prevention is the best approach to solving the solid waste crisis. Pollution prevention, including both recycling and reduction of wastes at the source, is both safe and economical. I am encouraged that the new administration has made pollution prevention one of its environmental priorities, but even more could be done.

Rhode Island is no different than other States in the severity of the solid waste problem that it faces. However, Rhode Island is different insofar as it is one of the first States to adopt a statewide solid waste disposal program, the flow control law of 1986. This law

establishes a statewide goal of a reduction of 15 percent in solid waste. Reductions will be achieved mainly through reductions in the generation of wastes and an increase in recycling.

Early results of a pilot project on collection and recycling are encouraging. In West Warwick and East Greenwich, 14.5 percent of the waste stream was collected for recycling over a 5-month period. Plastics constituted over a third of the wastes that were collected by volume. A majority of the respondents to a private survey said that separating recyclables required only a slight amount of extra effort.

Although early results of this effort are encouraging, there is a need to systematically study the effectiveness of recycling programs that exist, determine ways in which they can be improved, and then to share that information among States. Although solid waste disposal will always be a State and local responsibility, this kind of research and technical assistance by the Federal Government could greatly help State and local governments in their efforts. I urge the administration to work with Members of Congress, industry, and State and local officials to promote such efforts.

GENERAL LEAVE

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

The SPEAKER pro tempore (Mr. PENNY). Is there objection to the request of the gentleman from New York? There was no objection.

THE SAVINGS AND LOAN CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mr. McMILLEN] is recognized for 30 minutes.

Mr. McMILLEN of Maryland. Mr. Speaker, today I rise to discuss the savings and loan crisis. The total cost of resolving this problem has been heavily debated. Many experts are now saying that the administration's proposal will fall short by about \$20 billion of what is actually needed to resolve the crisis. Even the President's own Director of the Office of Management and Budget has stated that the administration's proposal to resolve the savings and loan crisis is based on optimistic assumptions.

Some are now even predicting that the Congress may have to return to this issue again in a few years. The current cost of resolving the savings and loan collapse is estimated at \$1,000 per taxpayer. It is my belief that we must make every effort to avoid a replay of this bailout. That is why the House Banking Committee adopted real capital standards, specifically a 3-percent tangible capital requirement, as well as stricter supervision of the thrift industry. This is in

contrast to the President's legislation which on the issue of capital standards was ambiguous and could have allowed intangibles such as goodwill to count up to 100 percent of core capital. Another one of the important aspects of this bill involves the Resolution Trust Corporation [RTC] and the disposition of assets that the Federal Government will take into receivership. Because of the need to attain a substantial return on troubled thrift assets, I offered, and the committee overwhelmingly adopted, my amendment to require the Federal Government to utilize the private sector in the disposition of troubled thrift assets and not repeat the failed experience of the Federal Asset Disposition Agency [FADA].

It is my belief that in order for the Financial Institutions Reform, Recovery and Enforcement Act [FIRREA] to work, the Resolution Trust Corporation [RTC] must receive a high return on the sale of troubled thrift assets. This point was underscored recently by Manuel H. Johnson of the Federal Reserve Board, who noted that "the Treasury's cost estimates (of the S&L bailout) are quite dependent on being able to sell assets out of the Resolution Trust Corporation."

The Treasury is currently estimating over 10 years' receivership proceeds of \$12 billion. These funds will be used to pay the interest on the \$50 billion in Refcorp bonds. If the RTC is unable to raise the amount projected by the Treasury plan, the American taxpayer will have to make up the difference.

Keeping this fact in mind, the committee began to debate the issue of how to dispose of the billions of dollars worth of assets of troubled institutions. Essentially there were two choices. One, to mobilize the Federal sector, build up the Government's capability and expertise to do the work and provide the necessary services for asset evaluation, management, and disposition within the government, or, the second option, mobilize the private sector to provide these services under Government oversight and supervision.

The Banking Committee examined these options, and recognizing the costs incurred by the Federal Savings and Loan Insurance Corporation [FSLIC] and the Federal Asset Disposition Association [FADA] over the past few years, the committee resoundingly concluded that the second alternative was clearly preferable and adopted the following language:

In carrying out the purposes of this section, the Federal Deposit Insurance Corporation, the Resolution Trust Corporation, and the Oversight Board shall utilize resources of private persons and entities for services including real estate and loan portfolio asset management, property management, auction marketing, and brokerage services, unless such services are unavailable in the private sector or the utilization of

any such services is impracticable or inefficient.

I would now like to take this opportunity to explain in greater detail the rationale behind my amendment.

Although no one knows exactly how much real estate and related assets will have to be handled by Federal entities in the months ahead, many have estimated that the value of the property will be in excess of \$150 billion. Some analysts have stated that this figure is as high as \$400 billion. To put this in perspective, the reconstruction of Europe after World War II—after adjusting for inflation—cost approximately \$40 billion, or, as Senator PHIL GRAMM humorously noted during the Senate committee debate, the Federal Government is about to acquire more real estate than it has at any time "since the Louisiana Purchase."

Accordingly, the scope of the services which are needed to properly manage this recovery is also massive. These include asset/portfolio managers, property managers, appraisers, brokers, lawyers, title companies, accountants, auctioneers, construction contractors, leasing agents, and many others.

Potentially, the numbers of people needed to provide services for this recovery reaches upward to 100,000 or more. The asset management task alone will require tens of thousands of personnel. The Government has neither the manpower nor sufficient expertise to adequately deal with the quantities and types of assets which will be thrust upon it in resolving the savings and loan crisis. According to William Seidman, the Chairman of the Federal Deposit Insurance Corporation [FDIC], the FDIC currently employs 3,000 people to manage approximately \$9 billion in troubled assets. The FDIC disposes of those assets at a rate of only \$250 million per year. As its portfolio increases to over \$150 to \$400 billion in assets, the task before the FDIC will be overwhelming—at a time when its resources are already stretched thin by problems within the banking sector, including a postdepression record of defaults.

Furthermore, the administration recommended that the RTC staff be kept small. Both Treasury Secretary Nicholas Brady and OMB Director Richard Darman have indicated that the size of the RTC staff should be kept minimum. During testimony before the Senate Banking Committee, Under Secretary for Domestic Finance Robert R. Glauber characterized the proposed Resolution Trust Corporation as "a lean organization." He also stated the the RTC would have fewer than 100 employees.

In Maryland we experienced a savings and loan crisis that in many ways was a precursor of our national thrift

catastrophe. When the State of Maryland began to intervene in the crisis, it made a commitment to depositors that they would be paid in full by December 1989. In order to fulfill this commitment, the Maryland Deposit Insurance Fund [MDIF] recognized the need to involve the private sector. In doing so, returns on assets from troubled institutions have been higher than expected. In 1987 the Financial Conservators Incorporated [FCI] undertook management of the Old Court Savings and Loan. In 2 years FCI has been able to attain a return rate of 83 percent of the estimated value of Old Court's assets. This rate of return is striking when one realizes that Treasury has estimated a rate of return of around 40 percent on the Government's future receiverships.

Thus the key to a successful management of these enormous amounts of assets is to develop mechanisms to ensure the quality of the services I mentioned previously.

Since it is clear that the Government does not have the manpower needed for this job, the obvious solution is to look to the private sector for assistance and to resist the temptation to build the Government apparatus to provide these services. There are several reasons for this approach:

First, timing is critical: We can't afford the delays which would result from attempts by the Government to recruit the talent and staff needed. Rather than recruit from the private sector, it should mobilize in the private sector where the talent already exists.

Second, difficulty in measuring quality of service: We must resist the conclusion that because of the difficulty in measuring quality objectively, variances don't exist. The management of complex real estate assets is not like making widgets. The cheapest solution—measured in out of pocket dollars—is not always the best and ultimately the lowest cost solution. In fact, it often is the most expensive solution. A perfect example is the massive cost which has resulted from Government mismanagement of held S&L assets over the past few years. Superior asset management services would have saved billions. FSLIC's and FADA's attempt during the past couple of years to standardize a fixed 50 basis point asset management fee is another example of this penny-wise and pound-foolish approach. FSLIC officials have admitted that in many cases, asset management firms would lose money at this fee. The result, of course, is that the quality of service would suffer, or exceptional firms would simply refuse to provide the services.

The solution then is to set up a system designed to utilize the forces of free enterprise and market competition to maximize the likelihood that

high-quality services are being delivered at the most competitive cost.

In passing the private sector amendment, the Banking Committee reaffirmed its strong belief in the merits of this approach. That is the faith in the forces of competition and free enterprise.

This has been a strong foundation of our American economic system and should not be abandoned now when we need it most.

This is not to say that the Government doesn't contain very motivated, capable employees, it does. Rather, as the experience with FADA over the last few years demonstrates, the Government has experienced great difficulty disposing of assets efficiently when operating within the confines of a Government or quasi-governmental agency.

This point was made abundantly clear in a letter former president and CEO Gerald Carmen addressed to the board of FADA upon his resignation. In his letter Ambassador Carmen stated that:

FADA deals with recovering capital from non-performing real estate loans and with foreclosed real estate projects that are considered to be troubled in their design, execution, location, and potential for realizing profit. This is an atmosphere charged with unfulfilled expectations and broken dreams—all with heavy negative financial impact on just about everyone involved, and with the acrimony and litigation that such a situation creates. It takes a special breed of professional to operate in that environment and bring order out of that chaos—creative entrepreneurial people with extraordinary education and experience in law, finance, real estate, and accounting wrapped in a type A personality with great diplomatic skills. This is not the substance of government—it is the substance of the highly charged and highly competitive commercial marketplace.

The Government needs to have the authority to hire and fire contractors based on its evaluation of whether it is obtaining the appropriate level of service. It can only do this if the services are being provided by the private sector. Once a Government agency is set up, it is very difficult to eliminate it.

As noted, FADA and FADA-type solutions have been examined by Congress and rejected. The General Accounting Office concluded last September, that there is "no compelling evidence that FADA is essential to the management and disposition of assets acquired by the FSLIC." The RTC and FDIC must be careful to resist the temptation to bring FADA's functions within the agencies, whether under the control of the Real Estate Asset Division or otherwise. FADA competed with the private sector for work that was contracted by the FSLIC, the owner of FADA. This created an uneven playing field resulting in the unfair discrimination against private sector contractors who were in many

cases more qualified to do the work. If the work can be done in the private sector, it should be.

The private sector has strong bipartisan support in both Houses of Congress as well as from parts of the administration. The only real voice of criticism has come from some individuals within the affected Government agencies, FDIC, FSLIC, and FADA. I'd like to take this opportunity to discuss their primary concerns:

First, the Government needs discretion to use the private sector when doing so would be impractical and/or inefficient.

As noted, the amendment clearly provides the needed discretion. Although the amendment requires the use of the private sector unless doing so would be impractical or inefficient, the ultimate decision is left in the hands of the Government. The Government, however, must exercise this discretion reasonably and rationally.

Second, use of the private sector will lead to fraud and conflicts of interest.

When dealing with hundreds of billions of dollars, it is probably impossible to avoid all fraud and conflicts. It is imperative, however, that we develop systems to prevent this to the maximum extent possible. There is no reason to believe, however, that fraud will be any more prevalent by using the private sector with appropriate oversight, than in using the Government. There are ample instances of fraud, conflict and corruption within the Government sector. By concentrating on its oversight and supervision function, rather than on providing the services itself, the Government will be able to do a better job in preventing abuse.

Third, the private sector is too expensive and the Government should retain any "profit" inherent in providing these services for itself.

This concern stems from a misconception about, or lack of faith in, our free enterprise system. There is nothing wrong with private persons making a fair profit in providing services to the Government. In fact, taken to its extreme, this concern would require the Government to go into the business of operating its own manufacturing facilities to build planes and tanks, and to operate its own farms to feed the military. We should no more attempt to federalize the services needed to manage and dispose of the assets of the S&L industry than these other services. In fact, many studies sponsored by OMB have recognized that the private sector can provide needed services at significantly less cost than the Government. The experience with FADA also demonstrates this fact. During our investigation of FADA, we found that fees paid to FADA were significantly higher than fees charged for similar work by private contrac-

tors. As noted earlier, it is difficult to measure the true cost of services. It would appear, however, that even measuring only the direct out-of-pocket cost, the private sector is not more expensive when it comes to the management of the disposition of assets than the Government, and in fact may be less costly.

The details of precisely how the RTC and the FDIC should implement the program to recovery of the troubled assets is left by the legislation—as it should be—to the appropriate agencies. The general outlines, however, of how this task should be accomplished—its basic direction—has been made clear by Congress.

The Government should develop in-house the capabilities necessary to efficiently contract for services with the private sector.

All work which can be done competitively in the private sector should be. Conclusions that the use of the private sector would be impractical or inefficient in a particular case should be made only after reasoned analysis and should be regularly reexamined.

The Government should establish procedures to ensure that contracts are let fairly based on an unbiased evaluation of both qualitative and quantitative factors. Competitive bidding for contracts should be adopted. Favoritism must be avoided.

Fees should be set by market forces rather than by Government fiat. Contracts should be regularly monitored and audited to ensure satisfactory performance.

Strict conflict of interest policies must be implemented and enforced. There is considerable potential for the RTC to become involved in a major scandal due to conflict of interests and other reasons.

Existing work within FSLIC or FADA which is capable of being performed by the private sector should be contracted out promptly to avoid absorbing its services within the Government.

Finally, with regards to congressional oversight. Language in H.R. 1278 is designed to ensure that relevant Government agencies report periodically to Congress as to their progress in implementing the private sector provision of the bill. In particular, the bill requires the RTC to identify the extent to which the work force of the governmental agencies involved in asset disposition are being devoted to actions which could otherwise be performed by the private sector, as opposed to oversight and supervision functions which are appropriate for the Government. Congress intends that the discretion not to use the private sector in the disposition of assets be exercised only after a reasoned judgment that to do so would be impractical or inefficient.

The sooner the implementation of this program the quicker the return to the Government. It is important that this progress is successful and that the Government receives a substantial return on these assets. Otherwise, the RTC may resort to offering financial assistance to encourage "deals" similar to those that the FSLIC completed last December. Many Members of Congress, including myself, held serious reservations concerning the validity and financial soundness of the Southwest deals. Recently Bert Ely testified before the House Banking Committee that the "perverse incentives in the [FSLIC] assistance agreements could easily double this present value cost," which currently estimated by the FSLIC at \$17.3 billion. I do not believe that this is a record that the Government wants to champion.

Mr. Speaker, before I close my remarks I would like to comment on another important amendment to title V of H.R. 1278, also having to do with RTC. This amendment, offered by Chairman GONZALEZ of the House Banking Committee and Representative FRANK, requires the right of first refusal for a limited period of time to nonprofits and low-income persons for properties owned by insolvent savings and loans. This was an important amendment, especially when one considers the historical importance of thrifts to the housing industry and the 70-percent cuts in housing programs made over the last 8 years. Furthermore, as my colleagues Representative BRUCE VENTO and NANCY PELOSI recently pointed out in a "Dear Colleague" on June 1, the sale of these foreclosed residential properties for low-income housing purposes will help preserve the existing housing stock while providing needed funds through the asset disposition process. It is my hope this provision will be kept intact.

As I have stated from the outset, it is my firm belief that a course be set at the beginning that will resist any temptation to build a huge Federal agency that goes beyond oversight and supervision of the private sector and attempts to perform in-house the day-to-day tasks inherent in managing the recovery of real estate assets. Government is simply not well equipped to carry out the thousands of functions which can be efficiently and competitively carried out by the private sector. Although it is important that the Government agencies charged with handling this crisis not be compelled to use the private sector where doing so would be impractical or inefficient, it is equally important that those agencies clearly understand the strong congressional preference for utilization of the private sector to the maximum extent as possible.

There is a tremendous task before the country in dealing with the S&L crisis. It is imperative that the Gov-

ernment not compete with the resources available in the private sector, but must devise procedures to bring them fully into the program. We cannot afford to do otherwise.

Thank you.

□ 1900

PICKING UP THE TAB

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

Mr. WOLPE. Mr. Speaker, the savings and loan bailout bill, which is scheduled to come to the floor this week, will be one of the most costly measures we will consider during our tenure in Congress. The necessity of bailing out the Federal Savings and Loan Insurance Corporation [FSLIC]—regardless of the cost—is universally accepted as an unquestionable obligation of the U.S. Government. The sanctity of this obligation, however, should not dissuade us from pursuing a small measure of accountability from those who bear the principal responsibility.

The Federal Government is clearly responsible for bailing out insolvent thrifts which are federally chartered. However, a sizable portion of the Nation's thrift industry is comprised of State-chartered institutions which are regulated by the States but receive deposit insurance from the Federal Government. In some States the traditional Federal-State partnership which has characterized this dual banking system has been seriously abused by State regulators who have allowed institutions under their supervision to engage in highly risky investment practices—and even outright fraud—with funds backed by Federal deposit insurance.

In 1988, FSLIC took action to close or merge 205 insolvent thrifts at an eventual cost of \$30.9 billion in 1988 dollars. Of this, \$23.3 billion—or 75 percent of the cost—can be attributed to closing or merging State-chartered, but federally insured thrift institutions. As co-chair of the Northeast-Midwest Congressional Coalition, I have been astounded by the incredible concentration of these costs in just a few States of the Nation.

Available data indicate that by far the highest concentration of costs due to such activities is found in the State of Texas. Of the \$23.3 billion in eventual costs due to FSLIC's 1988 actions to close or merge State-chartered institutions, \$16.7 billion—or 72 percent—can be attributed to Texas S&L's.

While the State of Texas is responsible for 72 percent of these costs, the 18 States of the Northeast-Midwest region are only responsible for 2 percent of such costs. As the bailout bill now stands, the taxpayers in our 18

States will eventually pay an estimated \$7.6 billion as a result of FSLIC's 1988 actions, while only causing \$561 million in costs. In my State of Michigan, taxpayers will pay an estimated \$646 million in such costs while only causing \$52 million in costs.

For every \$1 that a Northeast-Midwest taxpayer sends to Washington to pay for the bailout of State chartered institutions, only 7 cents will be spent to bail out thrifts in our region. For every dollar that a Texas taxpayer sends to Washington to pay for the bailout, \$6.50 will be spent to bail out thrifts in that State. It is not hard to understand why the taxpayers in our States are outraged by this bailout.

But I must emphasize that this is not just a Northeast-Midwest issue. There are 22 States outside of our region—such as South Carolina, Tennessee, Missouri, and Idaho—which are not responsible for a single dollar of these bailout costs that I have been describing.

In light of the obvious unfairness of this situation, I have been joined by Representatives HORTON, KANJORSKI, KAPTUR, LAFALCE and ROTH in asking the Rules Committee to make in order a bipartisan amendment to the bailout bill to address the issue of State responsibility for State-chartered institutions. Our amendment will shift a small portion of the burden to States which bear substantial responsibility for excessive costs due to inadequate regulation of State-chartered thrifts.

AN ABUSED PARTNERSHIP

For the last 50 years, the United States has enjoyed the benefits of a dual banking system which has been based upon a partnership between the Federal and State governments. The States have regulated State-chartered thrifts, which have played a key role in the industry by introducing innovations which have benefited consumers. The Federal Government has supplied deposit insurance for these institutions, which has provided confidence and stability.

Unfortunately, in recent years this Federal-State partnership has been badly abused in some cases. State regulators, particularly in Texas, have allowed thrifts under their supervision to stray far from the industry's traditional role of providing mortgages to homeowners. Such thrifts have offered high rates of return to depositors to attract capital to finance wildly speculative commercial real estate ventures. When these speculative investments in office buildings and shopping centers soured, loan obligations could not be met, State-chartered S&L's which engaged in this high-risk lending plunged into insolvency, and now the American taxpayer is left holding the bag.

Defenders of Texas will no doubt argue that the huge costs resulting from the collapse of the State's S&L

industry are the result of macroeconomic forces beyond their control. They will blame either first, troubles plaguing the thrift industry across the Nation in the 1980's; or second, the economic distress caused by the dramatic drop of oil prices in 1986. Neither of these arguments holds much water.

First, a comparison of the health of the thrift industry in Texas with the rest of the Nation demonstrates that the decline of Texas S&L's far exceeds that of the industry as a whole. Second, if economic distress were the primary factor, a similar rash of S&L failures would have spread across the Nation following the 1982 recession. However, a comparison of unemployment rates and net worth as a percentage of assets in thrifts in Texas and Michigan in the 1980's disproves this argument. Due to its role in providing home mortgages, the S&L industry has traditionally been sensitive to increases in the unemployment rate. While Michigan's S&L industry faltered when the State led the Nation with an unemployment rate of 15.5 percent in 1982, it was never in danger of insolvency. In Texas, where the unemployment rate never exceeded 8.6 percent, the crash of the S&L industry came so fast that it clearly had little to do with a cyclical downturn of the State's economy.

In short, this disaster was not caused by bad times; it was caused by irresponsibility during the good times that preceded the bad times.

EASY CREDIT

The boom in America's oil-producing States began with the jump in world oil prices that followed the OPEC embargo of 1973. The boom was further fueled when the second oil shock hit in 1979 when the price of oil soared from \$16 per barrel to \$30 per barrel following the fall of the Shah of Iran. While these high-oil prices crippled the economies of oil consuming States, they fueled rapid economic growth in Texas. From 1972 to 1986, the Gross State Product [GSP] of Texas grew by 362 percent in unadjusted dollars—one of the highest rates of growth in the Nation.

This robust economic growth—coupled with an unshakable faith in ever-increasing oil prices—led to a very relaxed attitude toward commercial lending by both Texas' thrift industry and its State regulators. The following excerpt from a column in the Washington Post by Robert J. Samuelson captures this attitude:

EASY CREDIT, HARD LESSONS

Some years ago I interviewed a Dallas businessman named Ira Corn, Jr.—This was back when Texas was booming, and I asked: what made the Texas economy grow? After listing some of the obvious reasons—oil and gas, low taxes—Corn got to the point. Credit, he said. People were more relaxed than in the East. Banks loved to lend, busi-

nesses loved to borrow. Easy credit was great. "You go where you can borrow—where people (banks) lend on people, not on assets," he said.

The story comes to mind now—because the Texas passion for easy credit has reached its logical, if destructive conclusion. A sizable part of the federally insured savings and loan industry is bankrupt, and the largest concentration is in Texas.

To meet the high demand for "easy credit," Texas thrifts offered interest rates to depositors that were among the highest in the Nation. As a result, between 1980 and 1985 deposits in State-chartered S&L's in Texas grew by a staggering 186 percent, while such deposits in the rest of the Nation grew by only 26 percent. By 1985, 85 percent of deposits in FSLIC-insured institutions in Texas resided in State-chartered institutions; the comparable figure for the rest of the nation was only 32 percent.

This massive influx of federally insured deposits was treated in a remarkably cavalier and irresponsible manner by the S&L industry and State regulators in Texas. Tens of billions of dollars were invested in highly speculative real estate ventures which depended upon optimistic forecasts of ever-increasing oil prices for economic viability. In addition, there is growing evidence that billions of dollars were channeled into schemes that were nothing less than outright fraud.

Federal statute specifically limits the types of investments that federally chartered institutions can make, and it places limits on such investments in terms of percentage of assets. The regulation of State-chartered S&L's in Texas appears to be among the most lenient in the Nation. A recent Congressional Research Service report entitled "Powers of Federally Chartered Thrifts Compared With Those of Thrifts Chartered by the Various States" found that:

Texas statutes provide little elaboration on the powers of thrifts chartered by the state. The investment and loan powers of Texas state-chartered thrifts, unlike those of other states that we have mentioned, are not delineated in statutory law except for a general provision pertaining to investment in securities. . . . Delineation of lending and investment powers of Texas thrifts is within the authority of the Texas Savings and Loan Commissioner.

The powers of State-chartered thrifts in Texas are not spelled out in law. In Texas, the authority to determine limits upon loans and investments made with funds backed with the full faith of the U.S. Government resides in a State official who may or may not believe that Government has a legitimate role in restraining the excesses of the private sector. In looking at the record for the 1980's, it is difficult not to conclude that the State regulators in Texas were—at best—asleep at the switch and that taxpayers across the country will pay tens of

billions of dollars in the years ahead as a result.

It is certainly reasonable to require any States which have flagrantly abused the Federal-State partnership that has been the basis of our dual banking system to accept an additional portion of the cost of the bailout. Doing so would somewhat ease the burden on States which have not contributed to such cost through irresponsible regulation.

OUR PROPOSAL

Our amendment is straightforward and reasonable. A State which is responsible for egregiously excessive costs to bailout State-chartered S&L's will be required to pay 25 percent of such costs if its State-chartered S&L's are to continue to receive Federal deposit insurance in the future.

Our amendment contains four elements to ensure fairness to States which might bear responsibility. First, a State is found to have "excessive costs" only when its percentage share of the total bailout costs of State-chartered institutions is more than double its percentage share of national deposits in State-chartered institutions in 1980—1980 was chosen as the base year because it predates the explosion of deposits in State-chartered thrifts in the 1980—second, a State will only be held accountable for 25 percent of excessive costs, with the Federal Government paying the balance. Third, States will be permitted to meet 50 percent of any potential obligation through the purchase of federally repossessed property within the State. This will give the State the ability to control the release of this property into the marketplace and thereby reduce the possibility of a "fire sale" of repossessed assets which could threaten real estate values in the State. And fourth, the amendment is voluntary; States only have to pay for excessive costs if they want their State-chartered institutions to continue to receive Federal deposit insurance.

CONCLUSION

The primary premise behind our amendment is fairness. We seek to reduce the cost to Federal taxpayers in States which have not inordinately contributed to the cost of the bailout through irresponsible regulation at the State level. In addition, we have made every effort to be fair to any State with potential liability.

A secondary premise behind our amendment is accountability. We must send a clear message to State government that the Federal Government will not allow future abuse the Federal-State partnership without seeking accountability.

Our effort will no doubt be attacked as an exercise in Texas bashing. We assure you that is not our intent. Nothing in our amendment is structured so as to treat Texas differently

than any other State. The fact that the burden of our amendment may fall heavily on Texas is simply a result of that State's contribution to the problem.

National polls indicate that the American people are cynical about government in general and outraged by the bailout in particular. A successful effort to introduce a small measure of accountability and fairness into the savings and loan bailout bill will be a positive step toward dispelling such feelings.

I hope that our colleagues on the Rules Committee will make our amendment in order when the S&L bailout comes to the floor of the House. If given the opportunity, I hope the Members of this body will support our efforts on behalf of fairness and accountability.

□ 1920

IS FREEDOM IN PERIL?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi [Mr. PARKER] is recognized for 10 minutes.

Mr. PARKER. Mr. Speaker, we live in dangerous times. On all sides freedom is assailed. There is a statute that stands atop the dome of our Nation's Capitol. Many people think that it is the image of an Indian. It is not. It is Armed Freedom. I feel that it is significant that Freedom stands at the center of our seat of Government. When the new dome was being built during the late 1850's and early 1860's, much was said concerning stopping the construction because of the Civil War. President Lincoln made the decision to continue with the construction because he wanted to be sure the American people understood that symbolically the Union would continue even after all the fighting. In 1863 the statue Freedom was placed in her present position. The statue is held securely in place by large bolts and since it is so high—there are 10, platinum tipped lightning rods which ground her. It is interesting to note that she is the tallest statue in Washington—19½ feet tall and weighs some 7½ tons. By law, no other statue in the District can be as tall. Even the statue in the Jefferson Memorial is only 19 feet high.

There was a great deal of question as to her stability when she was put into place. Therefore, in 1865, the Smithsonian Institution ran some tests to see just how stable she was. They found that with the change from the heat of the day to the cool of the night, the statue moves some 3 to 4 inches. Freedom is indeed in a precarious position in this Capitol.

Since I have been here, which is only a few short months, I have been fascinated by the tactics which have been utilized by some elected officials of this country. I have known for a long

time that many people consider politics a game. I do not. I have seen individuals, some with very large egos, behave as spoiled children when they do not get their way. I have seen people manipulate the system, manipulate their constituencies, manipulate the American people and even manipulate the press. We live in dangerous times.

A situation occurred recently which I feel is or should be the final straw. If there is one adjective which can best describe the American people—it is a four letter word spelled f-a-i-r. No matter who or why one is accused, I believe in the basic fairness of the American people. We, as Americans, have more empathy when we see a fellow citizen wronged than any other society on the face of this planet. It is unfortunate that there are some who have forgotten that the American people only want what is right, not what one can manipulate from them.

There is no individual who would not fear when the FBI comes to his front door. Is there any citizen who would not fear for themselves and for others when the power of the state is brought to bear against a person accused of no wrongdoing? America was founded by people who were persecuted by those who used the power of the state for sinister political purposes. I believe the American people resent actions of this type.

The incident which Congressman BILL GRAY, our colleague, was subjected to recently demands some answers.

First, I have called upon Attorney General Thornburgh to investigate this matter to determine the source of these illegal leaks. Who made the accusations? What accusations were made? Why were they made? Why were uninformed FBI agents sent to supposedly interrogate Congressman GRAY and what is the justification for their procedures? These are simple questions, they require simple answers. It is only fair.

Second, I call upon President Bush to utilize the power of his office over the executive branch of our Government to make sure that those departments which are involved in this situation do their work quickly and fully and report to the American people.

It is important that he do so, I have the utmost respect for President Bush. I feel that this is a good and decent man. But having a good and decent man in the White House does not guarantee that a misuse of power can not occur. President Eisenhower was a good and decent man. While he was on watch, McCarthyism ruled this Hill.

The answer to the questions I have posed must come quickly.

We as Members of this body cannot allow the situation to remain as it is. It is our responsibility to bring some sanity, some reason, yes, some fairness

to this process. We cannot sit idly by and let this continue. Only we can stop this misuse of power.

Power is like strong drink. The more you imbibe, the more invincible you think you become. The more blatant your actions become. The more dangerous your thought processes become.

The central issue at stake is the same as the statue sitting above the rotunda. The central issue is Freedom. We must force the issue because I believe, in a real way, Freedom is at stake.

Yes, Freedom is in a precarious position. Through the years it has stood tall and gazed down over the city. It has viewed our successes and our failures. It has seen us utilize power for the good of our fellow human beings and it has seen us use power to make a political name for the likes of Senator Joseph McCarthy, a poor, lowly, degraded alcoholic in the 1950's.

Freedom does move a little. It's position is not stable. It has been struck by lightning from time to time. It does indeed shudder sometimes.

That is why we are called to protect her. Only we can make sure that Freedom is kept at the center of this Government. Only we can be the force which prevent those who wish to harm her. Only we can make sure that Freedom is protected. And the reason is simple. As every American knows, only by protecting Freedom, will she protect us.

HOUSE OF REPRESENTATIVES,
Washington, DC, June 6, 1989.

HON. RICHARD L. THORNBURGH,
Attorney General, 10th Street, and Constitution Avenue NW, Washington, DC.

DEAR MR. ATTORNEY GENERAL: I have been alarmed by events that occurred on May 29 and May 30, 1989, concerning Representative William H. Gray, III (Penn. 2nd Dist.) and unnamed Federal Bureau of Investigation (F.B.I.) agents. At a meeting at a local Washington hotel on May 29, 1989, Mr. Gray was informed that the F.B.I. was investigating certain allegations concerning an employee or employees on his congressional staff. More detailed information was not made available to Mr. Gray.

I am extremely disturbed that information concerning the allegations was illegally leaked by Justice Department officials to the press. Due to these leaks, Mr. Gray has been required to defend unsubstantiated allegations. I call upon you to determine who is responsible for the leaks and take appropriate action. By leaking confidential information to the press, the agents violated both the spirit and the letter of the law. Such misuse of power must be brought to an end. I call upon you to conduct an investigation into this matter immediately.

I look forward to your speedy reply.

Sincerely,

MIKE PARKER,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, June 6, 1989.

HON. GEORGE BUSH,
President of the United States, the White House, 1600 Pennsylvania Avenue NW, Washington, DC.

DEAR MR. PRESIDENT: On May 29 and May 30, 1989, my friend and colleague, Congressman William H. Gray, III (Penn. 2nd Dist.) was presented with unsubstantiated allegations concerning a "ghost" employee by agents with the Federal Bureau of Investigation. After giving initial details of the investigation, the agents were unable or unwilling to provide additional information.

However, on May 30, 1989, information was illegally leaked to the press concerning these allegations. I have called upon Attorney General Richard Thornburgh to conduct an investigation as to who leaked the information. I support your commitment to ethics in government and I ask that you use the Executive Office of the President to assure that a thorough investigation is conducted in locating the source of the leaks. As a former Member of the House, I believe that you will agree that a Member of Congress should not be required to respond to unsubstantiated allegations leaked to a newspaper.

I look forward to your personal participation in the resolution of this matter.

Sincerely,

MIKE PARKER,
Member of Congress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BUECHNER (at the request of Mr. MICHEL) for today on account of official business.

Mrs. COLLINS (at the request of Mr. FOLEY) for today through June 13 on account of illness.

Mr. SCHEUER (at his own request) on account of taking his wife to the hospital for surgery.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

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

Mr. GRANT, for 60 minutes, on June 7.

Mr. BILIRAKIS, for 60 minutes, on June 13.

Mr. GUNDERSON, for 60 minutes, on June 8.

Mr. UPTON, for 60 minutes, on June 8.

Mr. SHAW, for 5 minutes, today.

Mr. FISH, for 5 minutes today.

Mr. BURTON of Indiana, for 5 minutes, today.

Mr. BURTON of Indiana, for 60 minutes, on June 7.

Mrs. BENTLEY, for 60 minutes each day, on June 7 and 8.

Mr. McEWEN, for 60 minutes, today.

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

Mr. ANNUNZIO, for 5 minutes, today.

Mr. PARKER, for 10 minutes, today.

Mr. FRANK, for 60 minutes, on June 13.

EXTENSION OF REMARKS

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

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

Mr. DORNAN of California.

Mr. SOLOMON in three instances.

Mr. GILMAN.

Mr. SAXTON.

Mrs. MORELLA.

Mr. DOUGLAS.

Mr. BARTON of Texas.

Mr. SHAW.

Mr. FISH.

Mr. MARTIN of Illinois.

Mr. HAMMERSCHMIDT.

Mr. PORTER.

Mr. DEWINE.

Mr. YOUNG of Arizona.

Mr. BUECHNER.

Mr. BEREUTER.

Mr. SHAYS.

Mr. DAVIS.

Mr. LAGOMARSINO.

Mr. ROWLAND of Connecticut.

Mr. GREEN in two instances.

Mr. CLINGER.

Mr. CRAIG in three instances.

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

Mr. PAYNE of Virginia.

Mr. DOWNEY.

Mr. MRAZEK.

Mr. ROE.

Mr. HAWKINS.

Mr. RICHARDSON.

Mr. MATSUI in three instances.

Mr. FORD of Michigan in two instances.

Mr. LEVINE of California.

Mr. LELAND.

Mr. TORRICELLI.

Mrs. SCHROEDER.

Mr. NOWAK.

Mr. DELLUMS.

Mr. DORGAN of North Dakota.

Mr. TRAFICANT.

Mr. STARK.

Mr. LEHMAN of California.

Mr. BORSKI.

Mr. STALLINGS in two instances.

Mr. MANTON.

Mr. HOYER.

Mr. DONNELLY in three instances.

Mr. COLLINS.

Mr. HUBBARD.

Mr. BERMAN.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 o'clock and 34 minutes p.m.), the House adjourned until tomorrow, Wednesday, June 7, 1989, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

1309. A letter from the Assistant Secretary of the Army for Financial Management, transmitting a draft of proposed legislation to amend chapter 19 of title 37, United States Code, relating to the administration of pay for members of the uniformed services, to provide for payment during times of war, hostilities, or national emergency; to the Committee on Armed Services.

1310. A letter from the Deputy General Counsel, Department of Defense, transmitting a draft of proposed legislation to provide the service Secretary concerned the option to order a cadet or midshipman to reimburse the United States without first ordering such cadet or midshipman to active duty; to the Committee on Armed Services.

1311. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 8-34, "Revenue Amendment Act of 1989," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

1312. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 8-35, "Closing and Dedication of Public Alleys in Square 66, S.O. 86-119, Act of 1989," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

1313. A letter from the Chairman, Council of the District of Columbia transmitting a copy of D.C. Act 8-33, "District of Columbia Solid Waste Disposal Act of 1989," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

1314. A letter from the Secretary of Education, transmitting a copy of final regulations for Chapter 1 program in local educational agencies, pursuant to 20 U.S.C. 1232(d)(1) to the Committee on Education and Labor.

1315. A communication from the President of the United States, transmitting the bimonthly report on progress toward a negotiated settlement of the Cyprus question, pursuant to 22 U.S.C. 2373(c); to the Committee on Foreign Affairs.

1316. A letter from the Acting Administrator, National Aeronautics and Space Administration, transmitting the semiannual report of the inspector general of the National Aeronautics and Space Administration for the period ending March 31, 1989, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1317. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to amend section 516 of title 44, United States Code, with respect to the prosecution of defaulting contractors by the general counsel for the De-

partment of the Treasury; to the Committee on House Administration.

1318. A letter from the Deputy Associate Director for Collection and Disbursements, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

1319. A letter from the Board of Directors, Tennessee Valley Authority, transmitting a report on TVA's activities during the fiscal year beginning October 1, 1987, and ending September 30, 1988, pursuant to 16 U.S.C. 831h(a); to the Committee on Public Works and Transportation.

1320. A letter from the Acting General Counsel, Federal Emergency Management Agency, transmitting a draft of proposed legislation to authorize assessment of user fees by the Federal Emergency Management Agency; jointly, to the Committees on Interior and Insular Affairs and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 1101. A bill to extend the authorization of the Water Resources Research Act of 1984 through the end of fiscal year 1993; with amendments (Report 101-76). Referred to the Committee of the Whole House on the State of the Union.

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. GILMAN (for himself and Mr. FORD of Michigan):

H.R. 2544. A bill to amend title 5, United States Code, to allow degree training for Federal employees in critical skills occupations, to allow for repayment of student loans for certain Federal employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GILMAN:

H.R. 2545. A bill to amend title 38, United States Code, to provide that persons considered to be Commonwealth Army veterans by reason of service with the Armed Forces during World War II in the Philippines shall be eligible for full veterans' benefits from the Department of Veterans' Affairs; to the Committee on Veterans' Affairs.

By Mr. APPLEGATE (by request):

H.R. 2546. A bill to amend title 38, United States Code, to increase the amount of mortgage life insurance available to veterans who qualify for the specially adapted housing grant; to the Committee on Veterans' Affairs.

By Mr. BONIOR (for himself, Mr. JACOBS, Mr. WEISS, Mr. MATSUI, Mr. GEJDENSON, and Mr. EVANS):

H.R. 2547. A bill to amend the Internal Revenue Code of 1986 to repeal the supplemental Medicare premium and to provide funding for Medicare catastrophic benefits from general receipts by extending the maximum individual income tax rate of 33 per-

cent; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. BOSCO (for himself, Mr. ANDERSON, Mr. BATES, Mr. BEILSON, Mr. BERMAN, Mr. BILBRAY, Mrs. BOXER, Mr. BROWN of California, Mr. COELHO, Mr. DELLUMS, Mr. DIXON, Mr. DYMALLY, Mr. EDWARDS of California, Mr. FAZIO, Mr. HAWKINS, Mr. HERTEL, Mr. HUGHES, Mr. LANTOS, Mr. LEHMAN of California, Mr. LEVINE of California, Mr. LIPINSKI, Mr. MARTINEZ, Mr. MATSUI, Mr. MILLER of California, Mr. MINETA, Mr. PANETTA, Ms. PELOSI, Mr. ROYBAL, Mr. STARK, Mr. TORRES, and Mr. WAXMAN):

H.R. 2548. A bill to provide for the establishment of the Laguna de Santa Rosa National Wildlife Refuge in Sonoma County, CA; to the Committee on Merchant Marine and Fisheries.

By Mr. BUECHNER (for himself and Mrs. COLLINS):

H.R. 2549. A bill to amend the Hazardous Materials Transportation Act to authorize grants for improving emergency response planning and training activities, to establish a hazardous materials transportation registration fee to fund such grants, and to provide for designation of hazardous materials transportation routes and permitting of hazardous materials motor carriers; jointly, to the Committees on Energy and Commerce and Public Works and Transportation.

By Mr. HAMILTON (for himself, Mr. FASCELL, Mr. ROSTENKOWSKI, Mr. BROOMFIELD, Mr. GILMAN, Mr. LANTOS, Mr. ARCHER, Mr. KLECZKA, and Mr. LIPINSKI):

H.R. 2550. A bill to provide for certain forms of assistance to Poland and Hungary to encourage the process of democratic reforms in those countries; jointly, to the Committee on Foreign Affairs and Ways and Means.

By Mr. DELLUMS:

H.R. 2551. A bill to amend chapter 119 of title 18, United States Code, to eliminate the one-party consent exception to the prohibition on eavesdropping in non-law-enforcement cases, and for other purposes; to the Committee on the Judiciary.

By Mr. DORNAN of California:

H.R. 2552. A bill to amend title 10, United States Code, to allow certain retired members of the Armed Forces to elect to be covered under the military survivor benefit plan; to the Committee on Armed Services.

H.R. 2553. A bill to provide for the issuance of visa numbers to certain former political prisoners in the Socialist Republic of Vietnam; to the Committee on the Judiciary.

By Mr. DYMALLY:

H.R. 2554. A bill to establish a United States Commission on Southern Africa; to the Committee on Foreign Affairs.

By Mr. FRANK:

H.R. 2555. A bill to amend the Immigration and Nationality Act to waive the Government knowledge requirement for the naturalization of persons over age 50 who have resided in the United States as permanent residents for at least 20 years; to the Committee on the Judiciary.

By Mr. GREEN:

H.R. 2556. A bill to amend the Federal Election Campaign Act of 1971 to provide for financing of general election campaigns for the House of Representatives; to the Committee on House Administration.

By Mr. HAMMERSCHMIDT (for himself, Mr. MONTGOMERY, Mr. STUMP,

Mr. FLORIO, Mr. SMITH of New Jersey, Mr. PALLONE, Mr. RINALDO, Mr. ROE, Mr. TORRICELLI, Mr. PAYNE of New Jersey, Mr. GALLO, Mr. SAXTON, Mr. GUARINI, Mr. COURTER, Mrs. ROUKEMA, and Mr. DWYER of New Jersey):

H.R. 2557. A bill to designate the outpatient clinic of the Department of Veterans' Affairs to be located on New Jersey State Route 70 in Brick Township, NJ, as the "James J. Howard Veterans' Outpatient Clinic"; to the Committee on Veterans' Affairs.

By Mr. HOYER (for himself and Mr. WILLIAMS):

H.R. 2558. A bill to authorize financial assistance to the Washington Research Library Consortium, and for other purposes; to the Committee on Education and Labor.

By Mr. KENNEDY:

H.R. 2559. A bill to authorize the Cambridge Redevelopment Authority to acquire and redevelop land within the Kendall Square Renewal Project Area for housing and accessory uses and to direct the Secretary of Transportation to reconvey certain disposable real property in the project area to the Cambridge Redevelopment Authority for such purpose; to the Committee on Banking, Finance and Urban Affairs.

By Mr. LELAND (for himself, Mrs. COLLINS, Mr. LANTOS, and Mr. WEISS):

H.R. 2560. A bill to provide for a White House Conference on Homelessness; to the Committee on Banking, Finance and Urban Affairs.

By Mrs. MARTIN of Illinois:

H.R. 2561. A bill to require the Environmental Protection Agency to increase the number of criminal investigators in its Office of Criminal Investigations, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. RUSSO:

H.R. 2562. A bill to amend the Internal Revenue Code of 1986 with respect to the taxation of employee's annuities in cases where employee contributions are recoverable in 1 year; to the Committee on Ways and Means.

By Mrs. SCHROEDER:

H.R. 2563. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to provide for more equitable treatment of part-time and temporary workers under pension plans and group health plans, and to ensure treatment as employees under such title of certain individuals whose services are leased or contracted for by employers; to the Committee on Education and Labor.

By Mr. SHAW (for himself, Mr. SMITH of Florida, Mr. LEWIS of Florida, Mr. RHODES, Mr. STUMP, and Mr. KOLBE):

H.R. 2564. A bill to amend the Fair Housing Act to remove the prohibitions with respect to discrimination because of familial status, and to require a study of discrimination based on familial status; to the Committee on the Judiciary.

By Mr. STALLINGS (for himself, Mr. JOHNSON of South Dakota, Mr. DORGAN of North Dakota, and Mr. CRAIG):

H.R. 2565. A bill to amend the Agricultural Act of 1949 to require the Secretary of Agriculture to exclude the malting barley price from the national weighted market price for barley in determining the payment rate used to calculate deficiency payments for the 1989 crop of barley, and to require the Secretary to establish the target price

of barley for the 1990 crop based on all feed and food uses; to the Committee on Agriculture.

By Mr. SWIFT:

H.R. 2566. A bill to direct the Secretary of the Interior to transfer all right, title, and interest of the United States in certain property on San Juan Island, WA, to those persons who own such property because of an erroneous survey; to the Committee on Interior and Insular Affairs.

By Mr. THOMAS of Wyoming:

H.R. 2567. A bill to authorize additional appropriations for the construction of the Buffalo Bill Dam and Reservoir, Shoshone Project, Pick-Sloan Missouri Basin Program, Wyoming; to the Committee on Interior and Insular Affairs.

By Mr. TRAXLER:

H.R. 2568. A bill to amend title 10, United States Code, to allow military retired pay for nonregular service under chapter 67 of that title to be paid—on an actuarially reduced basis—without regard to the otherwise applicable age requirement in the case of persons eligible for such pay who are fully disabled; to the Committee on Armed Services.

By Mr. TRAXLER (for himself and Mrs. BOXER):

H.R. 2569. A bill to designate the Department of Veterans' Affairs medical center in Saginaw, MI, as the "Aleda E. Lutz Department of Veterans' Affairs Medical Center"; to the Committee on Veterans' Affairs.

By Mr. EDWARDS of California (for himself, Mr. COELHO, Mr. MICHEL, Mr. FISH, Mr. FOLEY, and Mr. ESPY):

H. Con. Res. 141. Concurrent resolution to designate June 21, 1989, as Chaney, Goodman, and Schwerner Day; jointly, to the Committees on Post Office and Civil Service and the Judiciary.

By Mr. DORNAN of California:

H. Con. Res. 142. Concurrent resolution expressing the sense of the Congress regarding the return of the Khmer Rouge to power in Cambodia, and technology transfer to the People's Republic of China; to the Committee on Foreign Affairs.

By Mr. GRAY:

H. Res. 166. Resolution to inform the Senate that Thomas S. Foley, a Representative from the State of Washington, has been elected Speaker of the House of Representatives; considered and agreed to.

H. Res. 167. Resolution authorizing the Clerk of the House to inform the President that the House of Representatives has elected Thomas S. Foley, a Representative from the State of Washington, Speaker of the House of Representatives; considered and agreed to.

ADDITIONAL SPONSORS

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

H.R. 6: Mr. CRAIG, Mr. LAGOMARSINO, Mr. BEREUTER, Mr. HANSEN, Mr. RITTER, Mr. McMILLAN of North Carolina, Mr. MOORHEAD, Mr. COUGHLIN, Mr. LENT, Mr. DANNEMEYER, and Mr. DENNY SMITH.

H.R. 21: Mr. DYSON, Mrs. KENNELLY, Mr. MATSUI, Mr. STUDDS, and Mr. YATES.

H.R. 33: Mr. ECKART, Mrs. LOWEY of New York, and Mr. ROBINSON.

H.R. 66: Mr. BROWN of Colorado.

H.R. 94: Mr. ECKART, Mr. DYMALLY, Mr. McMILLEN of Maryland, Mr. AU COIN, Mr. MCHTLEY, Mr. FISH, Mr. MEYERS of Kansas, and Mr. SHARP.

H.R. 145: Mr. BOSCO, Mr. HAWKINS, Mr. MOLLOHAN, and Mr. MOODY.

H.R. 148: Mr. HERGER.

H.R. 155: Mr. BORSKI.

H.R. 201: Mr. BUSTAMANTE.

H.R. 211: Mr. OLIN.

H.R. 215: Mr. HATCHER, Mr. DYSON, Mr. SAWYER, Mr. BORSKI, Mr. ESPY, and Mr. GEJENSON.

H.R. 220: Mr. MARTINEZ and Mr. BUSTAMANTE.

H.R. 292: Mr. NATCHER.

H.R. 293: Mr. NEAL of Massachusetts, Mr. THOMAS A. LUKEN, and Mr. MARKEY.

H.R. 418: Mr. BUSTAMANTE.

H.R. 500: Ms. SNOWE, Mr. BRYANT, and Mr. ANNUNZIO.

H.R. 532: Mrs. BENTLEY, Mr. SMITH of New Hampshire, and Mr. MACHTLEY.

H.R. 594: Mr. BILBRAY, Mr. SANGMEISTER, and Mr. HOAGLAND.

H.R. 595: Mr. BUNNING, Mr. UPTON, Mr. SHAYS, Mr. CONTE, Mr. LAGOMARSINO, Mr. PENNY, Mr. RAHALL, Mr. PAXON, Mr. COLEMAN of Missouri, Mr. BALLENGER, Mr. WYDEN, Mr. BUSTAMANTE, Mr. RAY, Mr. SKELTON, Mr. COMBEST, Mr. DYMALLY, Mr. DENNY SMITH, Mr. FISH, Mr. ESPY, Mr. PACKARD, Mr. BROWDER, Mr. LaFALCE, and Mr. RAVENEL.

H.R. 636: Mr. BATES.

H.R. 638: Mr. BERMAN and Mr. EDWARDS of California.

H.R. 646: Mr. YOUNG of Florida.

H.R. 675: Mr. RICHARDSON.

H.R. 680: Mr. GLICKMAN, Mr. SHARP, Mr. PENNY, Mr. ROGERS, Mr. SOLOMON, Mr. PARRIS, Mr. HERGER, Mrs. MARTIN of Illinois, Mr. SKELTON, Mr. SMITH of New Hampshire, Mr. DURBIN, and Mr. HORTON.

H.R. 814: Mr. PERKINS.

H.R. 819: Mr. COX.

H.R. 928: Mr. ROWLAND of Georgia.

H.R. 951: Mr. BERMAN, Mr. BROWN of California, Mr. MARTINEZ, Mr. MATSUI, Mr. SABO, Ms. SLAUGHTER of New York, Mr. SPRATT, Mr. STOKES, and Mr. WYDEN.

H.R. 979: Mr. WAXMAN, Mr. VENTO, Mr. RICHARDSON, Mr. LANCASTER, and Mr. HORTON.

H.R. 987: Mr. MILLER of California and Mr. MCCURDY.

H.R. 995: Mr. BLILEY and Mr. FEIGHAN.

H.R. 1024: Mr. DYMALLY.

H.R. 1028: Mr. HAYES of Louisiana, Mr. CARDIN, Mr. NAGLE, Mr. PARKER, Mr. CLEMENT, Ms. LONG, Mr. FOGLIETTA, Mr. JACOBS, Mr. CAMPBELL of Colorado, Mr. LEWIS of Georgia, Mr. CLARKE, Mr. BATES, Mr. OWENS of Utah, Mr. EVANS, Mr. HOCHBRUECKNER, Mr. LANCASTER, Mr. PANETTA, Mr. HEFNER, Mr. HARRIS, Mr. LEATH of Texas, Mrs. PATTERSON, Mr. NELSON of Florida, Mr. STALLINGS, Mr. DYSON, Mr. HALL of Texas, Mr. SKELTON, Mr. GEPHARDT, Mr. HOYER, Mrs. UNSOELD, Mr. BILBRAY, Mr. DURBIN, Mr. WYDEN, Mr. NEAL of North Carolina, Mr. MRAZEK, Mr. MONTGOMERY, Mr. PAYNE of Virginia, Mr. UDALL, and Mr. WEISS.

H.R. 1046: Mr. GREEN and Mr. GRANDY.

H.R. 1068: Mr. CLAY, Mr. FAWELL, Mr. MFUME, Mr. KYL, Mr. HYDE, Mr. DEWINE, and Mr. GINGRICH.

H.R. 1074: Mr. SCHEUER, Mr. EMERSON, Mr. TALLON, Mr. BRYANT, Mr. SMITH of Mississippi, Mr. PAYNE of New Jersey, and Mr. ANDERSON.

H.R. 1095: Mr. BOUCHER and Mr. McDADDE.

H.R. 1111: Mr. EVANS.

H.R. 1113: Mr. SAXTON.

H.R. 1181: Mr. SMITH of New Jersey, Mr. HERGER, Mr. BALLENGER, Mr. NIELSON of Utah, Mr. BURTON of Indiana, Mr. SMITH of New Hampshire, Mr. SLAUGHTER of Virginia,

Mr. GUNDERSON, Mr. SENSENBRENNER, Mr. BUECHNER, Mrs. VUCANOVICH, Mr. MILLER of Washington, Mr. DENNY SMITH, Mr. WALKER, Mr. ROHRBACHER, Mr. GRANDY, Mr. GINGRICH, Mr. HUNTER, Mr. KASICH, Mr. McEWEN, Mr. HANSEN, Mr. WOLF, Mr. HORTON, Mr. MARTIN of New York, Mr. FAWELL, and Mr. BEREUTER.

H.R. 1199: Mr. JONTZ, Mr. KOLBE, Mrs. ROUKEMA, and Mr. YOUNG of Florida.

H.R. 1200: Mr. WELDON, Mr. GOODLING, Mr. MORRISON of Washington, Mr. PANETTA, Mr. BOUCHER, Mr. GALLO, Mr. FASCELL, Mr. STALLINGS, Mr. FORD of Michigan, Mr. MILLER of Ohio, Mr. SKEEN, Mr. HUTTO, Mr. HANCOCK, Mr. JOHNSON of Florida, Mr. WHITTEN, Mr. YOUNG of Florida, Mr. KILDEE, and Mr. CRAIG.

H.R. 1205: Mr. BROWN of California, Mr. ESPY, Mr. KOSTMAYER, Mr. ROWLAND of Connecticut, Mr. SMITH of New Jersey, Mr. SOLARZ, and Mr. WILLIAMS.

H.R. 1206: Mr. BROOMFIELD.

H.R. 1249: Mr. WOLPE, Mr. EVANS, Mr. JACOBS, Mr. PEASE, and Mr. MRAZEK.

H.R. 1280: Mr. LEACH of Iowa.

H.R. 1281: Mr. RIDGE, Mr. TOWNS, Mr. DYMALLY, Mr. GILMAN, Mrs. COLLINS, Mr. YATES, Mr. PACKARD, Mr. HAWKINS, and Mr. MRAZEK.

H.R. 1292: Mr. DEFazio, Mr. STAGGERS, and Mrs. ROUKEMA.

H.R. 1293: Mr. SLAUGHTER of Virginia, Mr. JONES of North Carolina, Mr. WEISS, Mr. MURTHA, Mr. DAVIS, Mr. CLINGER, Mr. ECKART, and Mr. LEWIS of Georgia.

H.R. 1295: Mr. GOODLING and Mr. BILIRAKIS.

H.R. 1299: Mr. STALLINGS.

H.R. 1333: Mrs. PATTERSON and Mr. CAMPBELL of Colorado.

H.R. 1334: Mr. JONTZ and Mr. STAGGERS.

H.R. 1383: Mr. MAVROULES.

H.R. 1393: Mr. CLINGER and Mr. FOGLIETTA.

H.R. 1396: Mr. MOORHEAD.

H.R. 1425: Mr. EVANS.

H.R. 1439: Mr. BRUCE.

H.R. 1476: Mr. BARTON of Texas, Mr. BRYANT, and Mr. COMBEST.

H.R. 1499: Mr. OLIN, Mr. WHITTAKER, Mr. FISH, Mr. ROWLAND of Connecticut, Mr. CLINGER, Mr. GINGRICH, Mr. OXLEY, Mr. McCANDLESS, and Mr. PACKARD.

H.R. 1525: Mr. CLINGER.

H.R. 1526: Mr. THOMAS of Georgia and Mr. DAVIS.

H.R. 1530: Mr. BATES.

H.R. 1561: Mr. ROE.

H.R. 1564: Mr. GOODLING, Mr. SMITH of Mississippi, Mr. BUSTAMANTE, and Mr. CAMPBELL of Colorado.

H.R. 1588: Mr. RAVENEL, Mrs. VUCANOVICH, Mr. WALSH, Mr. LANTOS, Mr. GRANDY, Mr. COLEMAN of Missouri, Mr. CONYERS, Mr. LEWIS of Florida, Mr. BLAZ, Mr. RAHALL, Mr. HATCHER, Mr. SHUMWAY, Mr. WEBER, and Mr. BROWDER.

H.R. 1605: Mr. SKAGGS, Mr. ESPY, Mr. MILLER of Washington, Mr. VOLKMER, Mr. HOCHBRUECKNER, Mr. PACKARD, Ms. SLAUGHTER of New York, and Mr. BROWN of Colorado.

H.R. 1632: Mr. BORSKI, Mr. BATES, and Mr. CAMPBELL of Colorado.

H.R. 1648: Mr. ROWLAND of Connecticut, Mr. DURBIN, Mr. ESPY, Mr. DYMALLY, Mr. RIDGE, Mr. BATES, and Ms. KAPTUR.

H.R. 1652: Mr. WOLPE.

H.R. 1664: Mr. HERGER.

H.R. 1733: Mr. AU COIN, Mr. BERMAN, Mr. ATKINS, Mr. McNULTY, Mr. WEISS, Mr. WOLPE, Mr. FAUNTROY, Mr. LANCASTER, Mr. MARTINEZ, Mr. FRANK, Mr. HOCHBRUECKNER, Mr. ECKART, and Ms. PELOSI.

H.R. 1769: Mr. CLEMENT.

H.R. 1780: Mr. LANCASTER, Mr. HARRIS, Mr. STAGGERS, Mr. FRANK, and Mr. MORRISON of Connecticut.

H.R. 1782: Mr. PACKARD, Mr. FAZIO, Mrs. COLLINS, Mr. McEWEN, and Mr. NIELSON of Utah.

H.R. 1899: Mr. GRAY, Mr. LEWIS of Georgia, Mr. MARTINEZ, Mr. MORRISON of Connecticut, Ms. PELOSI, and Mr. WEISS.

H.R. 1931: Mr. SAVAGE, Mr. FOGLIETTA, and Mr. RIDGE.

H.R. 2022: Mr. McEWEN, Mr. PANETTA, Mr. FAZIO, Mr. JONTZ, Mr. STUDDS, Mr. VENTO, Mr. CAMPBELL of Colorado, Mr. HENRY, Mr. DEFazio, and Mr. LANTOS.

H.R. 2044: Mrs. BOXER, Mr. SMITH of Florida, Mr. LIPINSKI, and Mr. HOLLOWAY.

H.R. 2055: Mr. THOMAS of Wyoming.

H.R. 2060: Mrs. BOXER.

H.R. 2078: Mr. COBLE and Mr. CLINGER.

H.R. 2095: Mr. POSHARD, Mr. TRAFICANT, Mr. DEFazio, Mr. WISE, Mr. APPEGATE, Mr. LEWIS of Georgia, Mr. CLINGER, Mr. VENTO, Mr. STAGGERS, Mr. LEHMAN of California, and Mr. EVANS.

H.R. 2098: Mr. McNULTY, Mr. SOLOMON, Mr. BUNNING, Mr. HALL of Ohio, Mr. SAVAGE, Mr. LEHMAN of California, Mr. GALLO, Mr. ACKERMAN, Mr. ECKART, Mr. DYMALLY, Mr. FAUNTROY, Mr. YATRON, Mr. KILDEE, Mr. HUGHES, Mr. GARCIA, Mr. TALLON, Mr. DEWINE, Mr. WEISS, Mr. PALLONE, and Mr. McEWEN.

H.R. 2156: Mr. HAWKINS.

H.R. 2158: Mrs. SAIKI, Mr. HERTEL, Mr. PALLONE, Mr. MILLER of Washington, Mr. LAUGHLIN, Mr. HERGER, Mr. DAVIS, Mr. CLEMENT, and Mr. BENNETT.

H.R. 2181: Mr. AU COIN.

H.R. 2190: Mr. ANDREWS, Mr. BILBRAY, Mr. CARPER, Mrs. COLLINS, Mr. DARDEN, Mr. DEFazio, Mr. DWYER of New Jersey, Mr. EDWARDS of California, Mr. EVANS, Mr. FAZIO, Mr. GRANT, Mr. HOCHBRUECKNER, Mr. JACOBS, Ms. KAPTUR, Mr. KOSTMAYER, Mr. LANTOS, Mrs. LOWEY of New York, Mr. MARTINEZ, Mr. MAZZOLI, Mr. MILLER of Washington, Mr. MINETA, Mr. MOAKLEY, Mrs. MORELLA, Mr. OWENS of Utah, Mr. POSHARD, Mr. PRICE, Mr. RAHALL, Mr. SANGMEISTER, Ms. SCHNEIDER, Mr. SPRATT, Mr. SCHEUER, Mrs. UNSOELD, Mr. WALGREN, Mr. WISE, Mr. YATES, and Mr. MORRISON of Connecticut.

H.R. 2191: Mr. FLAKE.

H.R. 2192: Mr. DEFazio, Mr. PARRIS, Mr. NEAL of North Carolina, Mr. TOWNS, Mr. ECKART, Mr. EMERSON, and Mr. BARNARD.

H.R. 2197: Mr. COOPER, Mr. SMITH of Mississippi, Mr. BEVILL, and Mr. ERDREICH.

H.R. 2212: Mrs. BOXER, Mr. EMERSON, and Mr. LANCASTER.

H.R. 2228: Mr. KOLTER, Mr. GEJDENSON, Mr. JOHNSON of South Dakota, and Mrs. JOHNSON of Connecticut.

H.R. 2237: Mrs. SAIKI.

H.R. 2257: Mr. JONES of North Carolina.

H.R. 2285: Mr. EMERSON, Mr. McEWEN, Mrs. COLLINS, Mr. MARTIN of New York, Mr. DORNAN of California, and Mr. TOWNS.

H.R. 2287: Mr. FAZIO, Mr. HOCHBRUECKNER, and Mr. McCURDY.

H.R. 2291: Mr. LAGOMARSINO and Mr. DWYER of New Jersey.

H.R. 2307: Mr. CAMPBELL of Colorado, Mr. FRANK, Mr. FEIGHAN, and Mr. WEISS.

H.R. 2318: Mr. ACKERMAN and Mr. DERICK.

H.R. 2319: Mr. HATCHER, Mr. SHAYS, Mr. MACTHLEY, Mr. MOAKLEY, Mr. BOEHLERT, Mr. MOODY, Mr. SWIFT, Mr. PRICE, Mr. ROE, Mr. SAVAGE, Mr. KILDEE, Mr. PORTER, Mr. DYSON, Mr. FORD of Tennessee, Mr. McDERMOTT, Mr. UPTON, and Mr. MATSUI.

H.R. 2327: Mr. ROYBAL, Mr. CHAPMAN, and Mr. DYMALLY.

H.R. 2350: Mr. MURPHY, Mr. THOMAS of Georgia, Mr. TAUZIN, and Mr. LAGOMARSINO.

H.R. 2360: Mr. LIVINGSTON, Mr. HYDE, Mr. MADIGAN, Mr. CRANE, Mr. MONTGOMERY, and Mr. DOUGLAS.

H.R. 2361: Mr. NEAL of North Carolina, Mr. FAWELL, Mr. TOWNS, Mr. BATES, and Mr. GEJDENSON.

H.R. 2362: Mr. NEAL of North Carolina, Mr. FAWELL, Mr. TOWNS, Mr. BATES, and Mr. GEJDENSON.

H.R. 2373: Mr. JONTZ, Mr. OLIN, Mr. MARTINEZ, Mrs. COLLINS, and Mr. LANCASTER.

H.R. 2380: Mr. SUNQUIST, Mr. DORNAN of California, Mrs. MEYERS of Kansas, Mr. SAXTON, Mr. HAWKINS, Mr. IRELAND, Mr. RANGEL, Mr. YATES, Mr. OLIN, Mr. JONTZ, Mr. CAMPBELL of Colorado, Mr. HUGHES, Mr. BATES, Mr. WHITTEN, and Mrs. COLLINS.

H.R. 2401: Mr. EVANS and Mr. HARRIS.

H.R. 2406: Mr. EVANS, Mr. ECKART, and Mr. FROST.

H.R. 2426: Mr. MOODY, Mr. VALENTINE, Mr. LEWIS of Georgia, and Mr. PRICE.

H.R. 2437: Mr. RANGEL, Mr. LANCASTER, and Mr. HENRY.

H.R. 2466: Mr. McHUGH.

H.R. 2469: Mr. JOHNSON of South Dakota.

H.J. Res. 1: Mr. BOEHLERT, Mr. BONIOR, Mr. GORDON, Mr. SANGMEISTER, and Mr. TORRICELLI.

H.J. Res. 47: Mr. BILBRAY, Mr. BILIRAKIS, Mr. BORSKI, Mr. COBLE, Mr. COUGHLIN, Mr. EVANS, Mr. GARCIA, Mr. HALL of Ohio, Mr. HOYER, Mr. KANJORSKI, Mrs. KENNELLY, Mr. KOSTMAYER, Mr. LIGHTFOOT, Mr. OBERSTAR, Mr. OWENS of Utah, Mr. PICKETT, Mr. RAVENEL, Mr. SPENCE, Mr. UPTON, Mr. VOLKMER, Mr. WILSON, and Mr. WOLPE.

H.J. Res. 138: Mr. WAXMAN and Mr. LANCASTER.

H.J. Res. 160: Mr. WILLIAMS, Mr. OWENS of New York, Mr. DEFazio, and Mr. MAVROULES.

H.J. Res. 164: Mr. GALLEGLY, Mr. BILIRAKIS, Mr. NEAL of North Carolina, Mr. PRICE, Mr. ESPY, Mr. WHITTEN, Mr. THOMAS A. LUKEN, Mrs. JOHNSON of Connecticut, Mr. MOLINARI, Mr. WHITTAKER, Mr. WISE, Mr. EMERSON, and Mr. STOKES.

H.J. Res. 168: Mr. ROBERTS.

H.J. Res. 178: Mr. TRAFICANT, Mr. BROWN of California, Mr. BILIRAKIS, Mr. RUSSO, Mr. SCHAEFER, Mr. HALL of Ohio, Mr. HANCOCK, Mr. DARDEN, Mr. KILDEE, Mr. ENGLISH, Mr. PANETTA, Mr. WALGREN, Mr. DEFazio, and Mr. TORRICELLI.

H.J. Res. 181: Mr. PACKARD.

H.J. Res. 204: Mr. JONES of Georgia, Mr. RINALDO, Mr. DORGAN of North Dakota, Mr. PANETTA, and Mr. CRANE.

H.J. Res. 221: Mr. BILBRAY, Mrs. BOXER, Mr. DINGELL, Mr. FAZIO, Mr. HERTEL, Mr. HILER, Mr. NEAL of North Carolina, Mr. RAVENEL, Mr. SCHUETTE, Mr. SISISKY, Mr. THOMAS of Georgia, and Mr. YOUNG of Alaska.

H.J. Res. 223: Ms. KAPTUR, Mr. ANDREWS, Mr. GOSS, Mr. DYMALLY, and Mr. GARCIA.

H.J. Res. 227: Mr. BERMAN, Mr. BLILEY, Mr. BRENNAN, Mr. CHAPMAN, Mrs. COLLINS, Mr. CONYERS, Mr. DE LA GARZA, Mr. DORGAN of North Dakota, Mr. DYMALLY, Mr. EMERSON, Mr. FALCOMA, Mr. FUSTER, Mr. HATCHER, Mr. HORTON, Mr. HUTTO, Mr. KENNEDY, Mr. LANTOS, Mr. LEACH of Iowa, Mr. LEHMAN of Florida, Mr. LEVINE of California, Mr. LEWIS of Florida, Mr. MARTINEZ, Mr. MATSUI, Mr. McDERMOTT, Mr. MRAZEK, Mr. OWENS of Utah, Mr. RICHARDSON, Ms. SNOWE, Mr. TALLON, Mr. TOWNS, Mr. VOLK-

MER, Mr. WALGREN, Mr. WOLF, Mr. WEBER, and Mr. YOUNG of Alaska.

H.J. Res. 228: Mr. LEWIS of Georgia, Mr. YOUNG of Florida, Mr. CONYERS, Mr. SAXTON, Mr. LANTOS, and Mr. CLINGER.

H.J. Res. 231: Mr. FRANK, Mr. CROCKETT, Mr. MARTIN of New York, Mr. STOKES, Mr. WHEAT, Mr. FALEOMAVAEGA, Mrs. JOHNSON of Connecticut, Mr. ACKERMAN, Mr. BLILEY, Mr. MARTINEZ, Mr. FAZIO, Mr. MRAZEK, Ms. KAPTUR, Mr. LEHMAN of Florida, Mr. EVANS, Mr. BUECHNER, Mr. HUGHES, Mr. CLINGER, Mr. JONTZ, Mr. MATSUI, Mrs. BOXER, and Mr. VENTO.

H.J. Res. 254: Ms. SLAUGHTER of New York.
H.J. Res. 255: Mr. CROCKETT, Mr. COSTELLO, Mrs. COLLINS, Mr. CONYERS, Mr. HALL of Texas, Mr. VOLKMER, Mr. DEFazio, Mrs. BOXER, Mr. NELSON of Florida, Mr. OWENS of New York, Mr. LANTOS, Mr. RAY, Mr. TALLON, Mr. SAWYER, Mr. FEIGHAN, Mr. BERMAN, Mr. BILBRAY, and Mr. MOORHEAD.

H.J. Res. 274: Mr. McCOLLUM, Mr. CONYERS, Mr. VENTO, Mr. RAHALL, Mr. BRUCE, Mr. WATKINS, Mr. MFUME, Mr. WYDEN, Mr. SMITH of Florida, Mr. HERGER, Mr. NELSON of Florida, Mr. DONNELLY, Mr. DE LA GARZA, Mr. GONZALEZ, Mr. AUCOIN, Mr. AKAKA, Mr. HAYES of Louisiana, Mr. LANCASTER, Mr. HAWKINS, Mr. SAVAGE, Mr. NEAL of North Carolina, Mr. MINETA, Mr. JONES of North Carolina, Mr. GLICKMAN, Ms. KAPTUR, Mr. CARDIN, Mr. ORTIZ, Mr. BOSCO, Mr. FOGLETTA, Mr. STAGGERS, Mr. YATRON, Mr. LEVINE of California, Mr. COBLE, Mr. DARDEN, Mr. GARCIA, Mr. HALL of Ohio, Mr. MORRISON of Connecticut, Mr. HYDE, Mr. VANDER JAGT, Mr. TALLON, Mr. HORTON, Mr. DWYER of New Jersey, Mr. JONES of Georgia, Mr. KOSTMAYER, Mr. TOWNS, Mr. WOLF, Mr. LEWIS of Georgia, Mr. KASTENMEIER, Mrs. BOXER, Mr. LELAND, Mr. RINALDO, Mr. COURTER, Mr. GALLO, Mr. PAYNE of New Jersey, Mr. ROWLAND of Georgia, Mr. GUARINI, Mr. ATKINS, Mrs. BENTLEY, Mr. EVANS, Mr. CARPER, Mr. BLILEY, Mr. BUSTAMANTE, Mrs. COLLINS, Mr. ANDERSON, Mr. DYMALLY, Mr. JONTZ, Mr. ROE, Mr. FAZIO, Mr. MARTINEZ, Mr. WYLIE, Mr. SHAW, Mr. KASICH, Mr. SMITH of New Jersey, Mr. GILMAN, Mr. SOLOMON, Mr. ACKERMAN, Mr. SKEEN, Mr. APPLE-GATE, Mr. DE LUGO, and Mr. FISH.

H.J. Res. 276: Mr. MINETA, Mr. LEACH of Iowa, Mr. MARTINEZ, Mr. DWYER of New Jersey, Mr. THOMAS A. LUKEN, Mr. MADIGAN, Mr. SAWYER, and Mr. PARKER.

H. Con. Res. 6: Mr. CARPER.

H. Con. Res. 79: Mr. HUGHES, Mr. FAZIO, Mr. FOGLETTA, Mr. CAMPBELL of Colorado,

Mr. JONTZ, Mr. GILMAN, Mr. BROWN of California, and Mr. CRANE.

H. Con. Res. 107: Mr. LANCASTER and Mr. FROST.

H. Con. Res. 124: Mr. KOLTER, Mr. RAHALL, Mr. DYMALLY, Mr. FAUNTOY, Mr. PETRI, Mr. CONYERS, Mr. CROCKETT, Mr. BOEHLERT, and Mr. BATES.

H. Con. Res. 131: Mr. DELAY, Mr. BERMAN, and Mr. GILMAN.

H. Con. Res. 132: Mr. MILLER of California, Mr. HOCHBRUECKNER, Mr. KENNEDY, Ms. KAPTUR, Mrs. BOXER, Mr. SIKORSKI, Mr. FAZIO, Mr. FOGLETTA, Mr. LANCASTER, Mr. HERTEL, and Mr. MORRISON of Connecticut.

H. Res. 141: Mr. ATKINS, Mr. MINETA, Mr. CARDIN, Mrs. BENTLEY, Mr. GORDON, Mr. QUILLLEN, Mr. WILLIAMS, Mr. ROWLAND of Connecticut, Mr. CALLAHAN, Mr. WALGREN, Mr. HENRY, Mr. BROWDER, Mr. BOSCO, and Mr. ACKERMAN.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1278

By Mr. BILIRAKIS:

—Page 201, after line 22, insert the following new section:

SEC. 223. DISCLOSURES BY CLOSELY HELD OR MUTUAL INSURED FINANCIAL INSTITUTIONS.

The Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.) is amended by inserting after the section added by section 1201 of this Act the following new section:

"SEC. 34. DISCLOSURES BY CLOSELY HELD OR MUTUAL INSURED FINANCIAL INSTITUTIONS.

"(a) MUTUAL INSURED FINANCIAL INSTITUTIONS.—Any insured mutual savings bank or insured mutual savings association shall disclose, in accordance with the requirements of subsection (b), to the depositors of such institution the information described in section 7(j)(6)(A) of this Act with respect to each officer, director, or trustee of such institution and any other person who, in the determination of the appropriate Federal banking agency, controls such institution.

"(b) DISCLOSURE REQUIREMENTS.—The disclosure required under subsection (a) shall—
"(1) be mailed to each depositor at least once during each calendar year and at any time any change in control occurs with re-

spect to the insured financial institution for which such disclosures are required;

"(2) be written in clear and concise language; and

"(3) if included in any statement, notice, or other document, be placed in a prominent location in such document.

"(c) DETERMINATION OF CONTROL.—For purposes of this section, control shall be determined by the appropriate Federal banking agency in the manner provided in section 2(a) of the Bank Holding Company Act.

"(d) REGULATIONS.—Each appropriate Federal banking agency shall prescribe such regulations as may be necessary to carry out the provisions of this section."

—Page 201, after line 22, insert the following new section:

SEC. 223. DISCLOSURES BY CLOSELY HELD INSURED FINANCIAL INSTITUTIONS.

The Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.) is amended by inserting after the section added by section 1201 of this Act the following new section:

"SEC. 34. DISCLOSURES BY CLOSELY HELD INSURED FINANCIAL INSTITUTIONS.

"(a) CLOSELY HELD INSURED FINANCIAL INSTITUTIONS.—Any stock insured financial institution the shares of which are not publicly traded shall disclose, in accordance with requirements of subsection (b), to the depositors of such institution the information described in section 7(j)(6)(A) of this Act with respect to each person who, directly or indirectly, or in concert with 1 or more persons, controls such institution.

"(b) DISCLOSURE REQUIREMENTS.—The disclosures required under subsection (a) shall—

"(1) be mailed to each depositor at least once during each calendar year and at any time any change in control occurs with respect to the insured financial institution for which such disclosures are required;

"(2) be written in clear and concise language; and

"(3) if included in any statement, notice, or other document, be placed in a prominent location in such document.

"(c) DETERMINATION OF CONTROL.—For purposes of this section, control shall be determined by the appropriate Federal banking agency in the manner provided in section 2(a) of the Bank Holding Company Act.

"(d) REGULATIONS.—Each appropriate Federal banking agency shall prescribe such regulations as may be necessary to carry out the provisions of this section."