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

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

Mr. BURTON of Indiana. 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 Speaker's approval of the Journal. The vote was taken by electronic device, and there were—yes 241, nays 149, not voting 43, as follows:

[Roll No. 457]

YEAS—241

Baker (CA)  Goodlatte  Ridge
Becerra  Hersger  Rockenbach
Brown (CA)  Hinchey  Slaughter
Brown (FL)  LaRocco  Slaughter
Byrne  Maloney  Starks
Collins (GA)  McKeon  Stokes
Collins (MD)  Mica  Studds
Conyers  Meyers  Tauschin
Cunningham  Miller (CA)  Torres
English (CA)  Molinari  Venevision
Farr  Nadler  Washington
Foglietta  Owens  Whiteman
Ford (MI)  Pelosi  Wilson
Gibbons  Quinn

NOT VOTING—43

Baker (CA)  Goodlatte  Ridge
Becerra  Hersger  Rockenbach
Brown (CA)  Hinchey  Slaughter
Brown (FL)  LaRocco  Slaughter
Byrne  Maloney  Starks
Collins (GA)  McKeon  Stokes
Collins (MD)  Mica  Studds
Conyers  Meyers  Tauschin
Cunningham  Miller (CA)  Torres
English (CA)  Molinari  Venevision
Farr  Nadler  Washington
Foglietta  Owens  Whiteman
Ford (MI)  Pelosi  Wilson

Mr. SMITH of Michigan and Mr. CLAY changed their vote from "yea" to "nay."

Mr. TAYLOR of Mississippi changed his vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. OBEY), Will the gentleman from California [Mr. DOOLITTLE] please come forward and lead the House in the Pledge of Allegiance?

Mr. DOOLITTLE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.
APPOINTMENT AS MEMBER OF BOARD OF TRUSTEES FOR JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT

The SPEAKER pro tempore laid before the House the following communication from the Honorable Bob Michel, Republican leader:

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that he will entertain 15-minute speeches from each side.

THE TRAGEDY OF INADEQUATE HEALTH INSURANCE BENEFITS

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

Mr. DERRICK. Mr. Speaker, this morning I would like to talk about Mr. Clarence Stevens, his wife, Elizabeth, and their 11-year-old daughter, Krystal. Mr. Stevens suffered from colon and liver cancer which ultimately took his life about a week ago. He had worked for many years as a loom fixer at a textile plant in my district until 1985, when he was forced to quit because of his illness. Mr. Stevens had to take a leave of absence from his job to care for him at home because the insurance did not cover home care.

The family's insurance also did not cover all the medical costs. And as the family fell further and further into debt, their health insurance premiums went from $142 to well over $400 a month. Their entire life savings soon disappeared. They were able to get by only with help from local church groups and charities.

Mr. Stevens’ pain is over now. But, throughout his illness the family’s pain and fear were not limited to concerns about his cancer. A great deal of it was caused by the uncertainty of not knowing how the bills would be paid or if they would have to sell their home if his illness continued for much longer.

Under our current health care system, the Stevens family is among the lucky ones. Relatively speaking, they had good health insurance. Many other Americans find that when they need their health insurance benefits, on which they have paid premiums for years, the security they expected—and had a right to expect—was simply not there.

Mr. Speaker, the President’s plan is not perfect. But it is a very good start. The Congress and the country realize that now is the time for the obstacles which have prevented us from dealing with the problems in our health care system to be overcome.

SUNSHINE AND REFORM

(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, we shall deal today with changing the rules on the discharge petition. After 30 years of Democrat rule we have an opportunity today for sunshine. It is time to let the public rule the process and reform to change the way this House operates.

With this simple reform—one that should be the first in a long series—other reforms people clearly want will be able to reach the light of day. Needed reforms like, term limits, line-item veto, balanced budget will get past the brier patch of committee chairmen.

If Members are afraid to vote for this simple reform, do not go back to your constituents and promise health care reform and congressional reform. This measure today is only the tip of the iceberg. Opponents claim this will make Congress work harder. Good. It’s about time.

MENTAL HEALTH UNDER CLINTON HEALTH PLAN

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

Mr. WISE. Mr. Speaker, yesterday in visiting the first health care provider in my State since the President’s speech proposing comprehensive national health care, I chose to visit a community mental health clinic. In West Virginia, almost 42,000 people receive some sort of direct mental health services. One out of five Americans will have some sort of emotional or addictive disorder within the next 6 months. One-third of us during our lives will require some sort of mental health services.

The President’s proposal makes a good first step for mental health in my State. Outpatient visitors are included. Inpatient hospitalization is covered up to 30 days a year. General long-term care provisions also benefit mental health. The fact that every citizen will have a national health security card means new resources, as well as coverage.

Additionally, there must be incentives for mental health practitioners to practice in rural areas. We need psychiatrists, psychologists, and therapists.

MR. DERRICK, Mr. Speaker, some people are wondering whether health care reform will cost them more money. The fact is, it will cost everyone a lot more if we do not reform health care.

Health care inflation costs all of us—in higher insurance premiums; higher deductibles and copayments; higher prices for goods and services; and lost wages. Health care costs have been rising at 2 to 3 times the inflation rate.

They are the fast-growing part of the Federal budget.

Employers who provide health insurance have seen their premiums skyrocket—almost double for each employee in the last 5 years. That is money that could have gone for higher wages or new jobs.

We know what happens, when we do nothing—health care costs went through the roof in the 1980’s.

Now it is time to rein them in.

CLINTON HEALTH CARE PLAN MEANS MORE UNEMPLOYMENT

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, after President Clinton’s health care address, I found that people have just one question: How is this going to affect me? I have one answer: Many Americans will lose their jobs.

Last Friday I held a small business conference in Dallas with over 125 businesses. Their message was loud and clear: no more Government mandates. First it was the Americans With Disabilities Act; then the Family Medical Insurance Act. Next it will be the Clinton health care plan. The country is voting with their feet. Like the Speaker, I take a good look at my district every 2 minutes and to revise and extend his remarks.

[Mr. DOOLITTLE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]
Leave Act; then the largest tax increase in American history; and now health care, the straw that breaks the camel's back.

Shout it from the rooftops: The primary result of these health mandates will be a reduction in work force. Businesses are already planning for layoff.

Mr. Speaker, it is a good thing the President's plan provides coverage for the unemployed, because that plan puts so many people out of work. But, take heart, America; there are only 1,200 days left in this President's term.

NAFTA AND AMERICAN JOB LOSSES

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

Mr. TRAFICANT. Mr. Speaker, the top 100 American companies already have plants in Mexico, 50,000 percent. The biggest employer in Mexico is General Motors of Detroit, MI. The biggest employer in America is Manpower Temporary Employment Services, that hires substitute part-time workers.

Mr. Speaker, the fact is, American companies are also getting ready for NAFTA. They are unloading American workers big time, General Motors announced another 100,000; IBM has announced another 85,000; and on and on and on. And what is Congress doing? Congress is getting ready to pass another unemployment compensation bill for American out-of-workers. Meanwhile, the Mexican Government will spend $100 million to lobby Congress.

Mr. Speaker, when it is all over, I will tell you this: I am going to have a little investigation, and print the names of who is getting the Mexican money on this lobbying campaign.

ACTION NOW

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

Mr. HEFLEY. Mr. Speaker, last week, the President gave us a compelling statement on the need for immediate health care reform.

For that reason, I urge him to support the House Republican Affordable Health Care Now Act of 1993.

The President spoke eloquently about the problems that many families have with the health care system: those who fear losing their health care benefits, those who can't afford health care treatments, and those who don't qualify for health care insurance.

These real problems mentioned by the President would be addressed by our bill immediately.

Our legislation does this without establishing a national health board, without fundamentally changing the doctor-patient relationship, without using the mysterious global-budgeting scheme, and without adding layers of Government bureaucracy.

I urge the President to act now on health care by working with Republicans to pass the Affordable Health Care reform legislation.

AMERICA'S HEALTH CARE CRISIS

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

Mr. BARCA of Wisconsin. Mr. Speaker, I rise today to applaud the action of the Senate, which last week pledged to abide by the same rules on health care that we approve for the public. Today I am introducing a resolution to express the sense of the House that we too agree that Congress deserves no special treatment in the health care field. This would be one more important step to ensure Congress lives by the laws we pass.

The time is overdue to deal with our country's health care crisis. The President and Hillary Clinton have offered us an opportunity to move forward to tackle what I believe is one of the most important issues facing the United States today.

This is an issue that affects every single American. Working families are being priced out of coverage. Over the next 2 years, 1 out of 4 will be without health care coverage at some point.

American businesses are at a disadvantage in the global market because our companies are forced to absorb higher health care costs than their overseas competitors.

The people are demanding that we address this problem now. I believe Democrats, Republicans, and Independents can join together to pass a meaningful, comprehensive health care bill for all Americans, including Congress.

C 1040

WAIT 'TIL YOU TAKE IT FOR A TEST DRIVE

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

Mr. EWING. Mr. Speaker, last week the President finally unveiled his fully loaded health care plan, even though they haven't gotten a model into the showroom yet.

In contrast to the Democrats, Republicans have had a model on the road for over a year. It has got all the features America wants in its health care model: Choice, quality, security, and best of all it won't drive you to the poorhouse.

America must remember President Clinton is a consummate salesman. However, sales isn't service. Never has been, never will be. We must all be careful of a sales pitch, when we have not seen the sticker price. Before America buckles itself into a purchase as big and important as this, we must look at all our options. Because if we buy the Clinton there won't be a trade in later or no warranty and no guarantee.

We all need to remember lots of models look like peaches in the press but drive like lemons off the lot. Republicans believe that just because you don't like everything about what you're driving now, you don't have to go so far as reinventing the wheel.

MAURICE ABRAVANEL

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

Ms. SHEPHERD. Mr. Speaker, last week Utah and the Nation lost one of its most gifted artists. Maurice Abravanel was the director of the Utah Symphony Orchestra from 1947 to 1979, when he resigned to recover from massive heart surgery. But the irreplaceable Abravanel was unable to stay in retirement. By 1982 he had become the acting artistic director of the Berkshire Music Center in Tanglewood, MA, the summer home of the Boston Symphony. He has returned there each succeeding year as an artist in residence. This year, at 90, Maurice Abravanel died. His passing brings to a close a remarkable story of personal triumph and historic musical achievement.

As a very young man, Maestro Abravanel fled Germany to escape the emerging Nazi government and became the music director of George Balanchine's Paris Ballet. When he came to the United States in 1936, he was named, at 33 years old, the director of the Metropolitan Opera and became the youngest person ever to hold that post. The breadth of his musical interests later extended to Broadway where he conducted several musicals, ultimately winning, in 1950, a Tony Award for his work on Mark Blitzstein's "Regina."

Utah has lost a historic connection to its musical history with the passing of Maurice Abravanel. All of us who love music have lost a friend, a joyous interpreter of those carefully orchestrated sounds that have the power to lift our souls. Under his baton, the Utah Symphony gained national prominence which he perpetuated by Maestro Joseph Silverstein.

Mr. Speaker, the world is a poorer place for the passing of this great artist and personality. I wish to dedicate these words to his wife Carolyn and to the Utah community which mourns his loss.
GUN CONTROL LEGISLATION

Mr. CRAPO. Mr. Speaker, today is a special day for America, as we vote on the discharge petition and move forward to reform movement in the Congress. It is also the day that I have chosen to introduce another new reform measure for our budgetary system in Congress. I call it the make our cuts count bill.

Imagine my surprise, as a new Member, after voting on many bills to cut budgets and to trim back, to find out that when the House and the Senate both vote to cut the same project, program, or activity, all that dies is the project or the program.

The money goes back into a special account that the committees can then reallocate in the conference bill to meaningful spending outside of specific public review.

This bill makes it so that when both the House and the Senate cut the same project, program, or activity, not only does the project go but the money goes.

The cap is reduced and the allocations taken away so that the subcommittees cannot simply reallocate that spending in the conference committee.

Let us make our cuts count.

SOMALIA: THE TIME IS NOW TO BRING OUR TROOPS HOME

Mr. MAZZOLI. Mr. Speaker, I have spoken often in recent weeks about what I consider to be a lack of United States national interest in Somalia.

What began as a laudable humanitarian mission has become, in my judgment, a combination peacemaking, peacekeeping and nation-building exercise.

Those missions are not part of the U.N. mandate under which we are in Somalia. I think that the possibility of our accomplishing these missions is near zero.

Because of my concern about our presence in Somalia, I am happy that later today we will debate an amendment which has two phases. One would require the President, by October 15, to announce the goals and the achievements to be made and the length and duration of the deployment of troops in Somalia and then, by November 15, the President must ask and secure congressional authorization for that continued deployment.

I have already said I believe the time is now to bring our troops home. But at least I am pleased that Congress and the country are coming to grips with what could be a quagmire which we are in Somalia.

THE DEATH PENALTY

Mr. GEKAS. Mr. Speaker, we have introduced legislation that would call for the imposition of the death penalty in cases where tourists or international visitors are gunned down or otherwise murdered in our country. We need to send a signal to the international community, to the world at large that their citizens who come to enjoy the hospitality of our Nation have that added measure of protection and concern.

Over the past generation, we have valiantly tried in this Chamber to pass a comprehensive death penalty statute that would cover these types of killings and drive-by killings and tourist killings and rape murders and robberies and all those vicious things that are happening almost every day in our country, only to see the opponents of the death penalty in this Chamber and the other always combining to defeat us at the last moment. And still we are without a death penalty except for drug dealers.

It is time that we pass a comprehensive death penalty. Protect tourists, protect our citizens, protect our society.

ON THE MEEHAN AMENDMENT

Ms. WOOLSEY. Mr. Speaker, I rise today to urge my colleagues to support the Meehan amendment on gays in the military, to leave the decision regarding gays and lesbians in the military to the administrative branch.

Twenty-five years ago, Mr. Speaker, as a human resources manager of a high-technology manufacturing firm, I instituted a policy of nondiscrimination on the basis of sexual orientation. I am appalled that after all these years I find myself in the Halls of Congress trying to the same thing and not getting anywhere.

I say, do not ask me to support this ban on gays and lesbians. Do not tell crimes must themselves be targeted.

Mr. Speaker, a bad directive is better than a bad law. So I am here today to support the Meehan amendment.

I urge my colleagues to join me in requesting that the Pentagon deal with the real issue of sexual misconduct, not homosexuals in our military.

A vote for the Meehan amendment will make this possible.

GAYS IN THE MILITARY

Mr. ROGERS. Mr. Speaker, later today, the House is expected to vote on a bill to lift the ban on homosexuals serving in the military.

I am opposed to such a change in our military policy, and believe that keeping the ban intact is the best thing for our soldiers.

Whether you talk to our highest ranking military leaders at the Pentagon, or rank-and-file soldiers on our submarines, there is widespread agreement that the ban should stay just as it is.

Worries over discipline, cohesion, and unit morale are real concerns and should not be scoffed at by those who want to change existing policy.

There is widespread opposition to the change, Mr. Speaker. In my congressional district alone, over 81 percent of the people want the ban to remain in place.

Our opponents are not only concerned about the effect that lifting the ban will have on our military but about the precedent that is being set.

By lifting the ban, the Federal Government would be putting its stamp of approval on the alternative homosexual lifestyle—a lifestyle that most Americans find morally wrong.

Mr. Speaker, I urge my colleagues to vote with the American people on this one. Keep the ban in place.

SUPPORT H.R. 1833 AND H.R. 1834

GUN CONTROL LEGISLATION

Ms. NORTON. Mr. Speaker, yesterday in this city, the seventh Asian-American shopkeeper this year was killed during a robbery in what are clearly attacks targeted at Asians who serve many communities.

The viciousness of these domestic guerrilla war-like attacks go beyond guns. Yet, surely the guns used in these crimes must themselves be targeted.

We must pass the Brady bill at once. But the crimes we increasingly see can only be cut if we, in April I introduced H.R. 1833 to regulate the private sale and transfer of handguns because criminals more often get their guns from relatives or street sales than from licensed dealers. Only 18 States regulate the private sale and transfer of firearms.

More important, I have also introduced H.R. 1834, a bill to bar the private transfer of handguns and ammunitions to minors and to prohibit the possession of handguns by minors. Although homicides by juveniles rose 93
MAKING A SPENDING CUT A SPENDING CUT

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

Mr. INGLIS of South Carolina. Mr. Speaker, I do not know about the people in the rest of the districts of this country, but I know the people of my district expect common sense out of this body. And common sense to them means that a cut is a cut, and that when this body votes to cut some spending program, that it will result in money going back to the Treasury.

That common sense result does not obtain in this House. I was very surprised and I wonder if many other Members are aware that that is not what happens, that in the conference committee it could go sliding off into spending, so a cut actually becomes spending.

This is not commonsensical, and this is not what the American people want. Today my colleagues, MIKE CRAPO, JOHN KASICH, JOHN BOEHNER, KENNY HASTERT, and ROD GPHAMS, and I will be introducing a bill called make our cuts count. That bill will do the common sense thing of making certain that when we make cuts, those cuts are cuts, they are not excuses for additional spending.

I would request support of the rest of the Members of this body for this common sense act.

RETIREEMENT OF SENATOR DONALD W. RIEGLE, JR.

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

Mr. CARR of Michigan. Mr. Speaker, life is filled with many tough decisions, but for some people two of life’s tough decisions are first to enter public service, and then the second is to leave it.

As we are person in Michigan I was helped and encouraged to make the decision to enter public service by a good friend. That good friend later became the U.S. Senator from our State, and is today our senior Senator. And I have never regretted that decision to enter public service.

Today our senior Senator announced that he would not seek re-election, and he made the tough decision to leave public service. Personally, I regret that. He has done so much for our State and our Nation, and I know that he is going to give it his all in the last 15 months.

But the House of Michigan political history has been changed, and I regret his decision to leave the U.S. Senate.

CONGRESS NEEDS A COHERENT STATEMENT OF PURPOSE ON SOMALIA

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

Mr. STEARNS. Mr. Speaker, on August 11 of this year, Army Specialist Keith Pearson of Tavares, FL was ambushed and killed with three other American peacekeepers in Somalia. It was one of the most difficult things I have had to do as a Member of Congress to call Keith’s family and extend my sympathy to them for their terrible loss.

I have grave concerns about the continued presence of our American forces in Somalia. We cannot accept more American casualties in Somalia while our mission there is undefined.

Today we will have a resolution which offers President Clinton the opportunity to present Congress with a coherent justification for the continued presence of American forces in that troubled land. The American people need to know the goals, objectives, and anticipated duration of this operation if they are going to support further peacekeeping operations in that nation.

All Americans, and especially, the families of those who have already lost their lives as part of this operation deserve that. I congratulate the distinguished majority leader and ranking Republican of the Foreign Affairs Committee for bringing this resolution to the floor and ask my colleagues for their support.

CODIFYING THE BAN ON GAYS AND LESBIANS IN THE MILITARY

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

Mr. DEUTSCH. Mr. Speaker, as the gentlewoman from California [Ms. WOOLSEY] mentioned several minutes ago, today we are going to have an opportunity to make defense policy in the right direction or the wrong direction. In front of us is in amendment not to codify the ban and the changes that the President has issued in terms of gays and lesbians in our military.

The issue today in terms of the amendment, the Meehan amendment, is no longer a question of the Executive order that the President has issued. The status of the condition of gays and lesbians will not change whether or not we pass the legislation in Somalia. The Executive order will enforce the ban.

The question really is whether it makes sense for this country’s defense policy to do that. What appears in terms of hysteria that has been brought up throughout this country, throughout today, might change in several months, or for that matter in several years, and clearly it would be far more difficult to change that policy.

I ask my colleagues what is the purpose when so many other defense issues are left to our Commander in Chief because the very well might need that flexibility in time of war and national crisis, that we are starting a precedent if we codify that legislation today.

I urge support of the Meehan amendment.

CLEARING THE WAY FOR HEALTH CARE REFORM

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

Mr. HOBBSON. Mr. Speaker, I know of no who disputes the idea that we have serious problems with paperwork in the health care industry. Our Nation is literally choking on it. We have to correct this problem if we are to deliver better health services to our citizens and if we are to halt health care’s rising cost.

Last Wednesday, President Clinton told Congress and the Nation that he wants everyone to have a health care security card like this that would provide a lifetime package of guaranteed benefits. But to make that possible—or to make any health reform possible—we must eliminate the waste and the tons of paperwork that burden our patients, hospitals, and doctors.

Yesterday, I introduced a bill with fellow Ohio Congressman TOM SAWYER to reduce paperwork in the health care industry through an electronic information system. The plan provides for strict patient privacy and will slow the growing costs of billing and manual recordkeeping.

This plan has bipartisan support. An identical bill was introduced last Friday in the other body by Senators KIT BOND and DON RIEGLE.

This technology is available now. And the time is now to lay the foundation for health care reform. Please join me with your support.

DO AS I SAY, NOT AS I DO

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

Mr. MICA. Mr. Speaker, yesterday the President of the United States addressed the United Nations in a speech we must entitled “Don’t do as I do, Do as I say.”

Unfortunately, the President and Congress have failed to ask the same
CONGRESSIONAL RECORD—HOUSE
September 28, 1993

SOMALIA AMENDMENT TO H.R. 2401, DEFENSE AUTHORIZATION ACT

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

Mr. GILMAN. Mr. Speaker, I rise to alert my colleagues that later today the House will address the continued deployment of our military forces in Somalia. It will come before us as an amendment to the Authorization for the Defense Authorization Act for fiscal 1994.

This amendment—which is offered by myself and my distinguished colleague, the majority leader, the gentleman from Indiana, Mr. SPEAR, is identical to the amendment passed in the Senate by a substantial vote of 90 to 7.

While this amendment is not as strong as some of us would like, it does set the stage for a debate by November 15 on setting a firm deadline for withdrawing our troops from Somalia.

I urge my colleagues to support this amendment when it comes up later today.

Mr. Speaker, as we approach the vote tomorrow, let me say, I understand the majority leader, the gentleman from Missouri, Mr. DORAN, is requesting unanimous consent for a 5-minute tribute to him at the end of the legislative business today.

Mr. Speaker, pursuant to the unanimous consent requests of the President and the Joint Chiefs of Staff, I call up House Resolution 134 and ask for its immediate discharge petition.

PUBLICATION OF MEMBERS SIGNING A DISCHARGE PETITION

Mr. INHOFE, Mr. Speaker, pursuant to the unanimous consent requests of Thursday, September 23, and Monday, September 27, 1993, and to House rule XXVII, clause 3, I call up House Resolution 134 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

TRIBUTE TO THE LATE LT. GEN. JAMES H. DOOLITTLE, WORLD WAR II HERO

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

Mr. DORAN. Mr. Speaker, yesterday a truly great American hero passed on, Gen. Jimmy Doolittle. I have had his book out and have been reading it just the past few days. It is a coincidence in the last month and it has such a wonderful title. He was so well known and so beloved, his book just simply could have been titled "Doolittle," the first great American of that name. There would have been no confusion.

But he titled his book simply, "I Could Never Be So Lucky Again."

Fifty years ago, with the great, amazing, courageous raid on Tokyo, a year behind him, he was commander of the 15th Air Force in the Mediterranean, when the Luftwaffe, the German Air Force, was still a superior fighting force. It was really a flight in 1943.

Then he went on to command the great 8th Air Force in England. He had so many firsts as a young man, it just staggers the mind.

His family and all of America will truly miss this recipient of our Congressional Medal of Honor. I will do a 5-minute tribute to him at the end of the legislative business today.

Mr. Speaker, I rise to address the House for 1 minute and to revise and extend her remarks.

Mr. MEEHAN. Mr. Speaker, I have an amendment today that will be voted on on the floor of the House of Representatives. I think it is important that Members read that amendment because there is a lot of misinformation about what that amendment does; a lot of blue smoke and mirrors, red herrings.

What my amendment does is simply keep the law the way it has been; that is important. And I think it is important that Members read that amendment because there is a lot of misinformation about what that amendment does; a lot of blue smoke and mirrors, red herrings.

What my amendment does is simply keep the law the way it has been; that is important.

Mr. Speaker, I urge Members not to be susceptible to other arguments of blue smoke and mirrors or red herrings.

Mr. Speaker, pursuant to the unanimous consent requests of Thursday, September 23, and Monday, September 27, 1993, and to House rule XXVII, clause 3, I call up House Resolution 134 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

NORMALIZING RELATIONS WITH VIETNAM

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

Mr. BURTON. Mr. Speaker, Mr. Speaker, 2,200 POW's-MIA's have not been accounted for by Vietnam. We were not going to normalize relations with Vietnam until we had a full accounting for those 2,200 families that have loved ones that were left behind over there.

Now the Clinton administration has taken two giant steps to normalize relations with Vietnam. And now we find that it has been alleged that Ron Brown, President Clinton's Commerce Secretary, took $700,000 to influence the decision of this administration.

Three meetings that were denied by a spokesman for Mr. Brown at the Commerce Department have now been admitted to. Mr. Brown has admitted that he has met with a spokesman and contact for the Vietnamese Government on three separate occasions.

Now there are differences of opinion because there is so much involved in here that is important to the American people and to the families of the POW's-MIA's. I have written a letter to the gentleman from Indiana, Mr. Lee Hamilton, chairman of the Committee on Foreign Affairs, asking for a complete investigation by our committee into these allegations.

A grand jury is investigating this in Miami, so some people say, "Why not wait until the grand jury has concluded its investigation?" We should not wait, because decisions are being made by the administration involving normalizing relations with Vietnam right now.

And this Congress should take action to investigate these allegations before any further steps are taken. Steps should be suspended until there is an investigation of these allegations by the Congress of the United States.
September 28, 1993

H. RES. 134

Resolved, That clause 3 of rule XXVII of the Rules of the House of Representatives is amended in the following manner, inserting the following sentence: "Once a motion to discharge has been filed, the Clerk shall make the signatures a matter of public record." * * *

The SPEAKER pro tempore (Mr. OBEY). The gentleman from Oklahoma [Mr. INHOFE] is recognized for 1 hour.

Mr. INHOFE. Mr. Speaker, for the purposes of debate only I yield 30 minutes to the distinguished chairman of the Committee on Rules, the gentleman from Massachusetts [Mr. MOAKLEY] pending which I yield myself such time as I may consume.

During the consideration of the resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, I ask unanimous consent to insert certain extraneous matters.

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

There was no objection.

Mr. Speaker, I will be very brief in the opening remarks. I would like to put this properly framed, and that is, the history of the discharge petition goes back to 1910. It was there that would be some vehicle for the will of the majority in Congress and, therefore, the will in America to be considered.

John Nance Garner, in 1931, is the man who introduced the secrecy.

And I say this because I have been very critical over the past few weeks of a number of people and yet I have hastened to say each time that there is not one person, whether it is Mr. MOAKLEY or anyone else who is serving today, who was serving back at the time in 1931 when John Nance Garner put in the rule of secrecy.

The secrecy rule, in my opinion, is a rule that is a cover rule, it is a rule of fraud, it is a rule of hypocrisy. And I think probably the best way to explain that is to remember what happened in 1986 when Joint Resolution 268 was introduced and the discharge petition was placed in order and we were only able to get 140 signatures on the discharge petition, yet we had 246 co-sponsors to the resolution. Now, what does that tell you? It tells you that 106 people are going home saying things, they were representing they were in favor of positions they really were not.

So I am going to reserve the balance of my time. At the conclusion of the debate, I will answer all objections, real and imaginary, and then we will vote to destroy this 83-year veil of secrecy forever.

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

Mr. MOAKLEY. Mr. Speaker, I want to thank the gentleman from Oklahoma [Mr. INHOFE] for yielding me the time, and I yield myself such time as I may consume.

Mr. Speaker, I would like to thank the distinguished gentleman from Oklahoma for informing everybody here that I did not serve with John Nance Garner. But after reading some of the statements going on, I would not be too sure if some people thought I had.

Mr. Speaker, it is clear that a majority in this House want to be on record supporting Mr. SCHEPERD'S discharge petition proposal. And today Members will have a chance to do just that.

I will oppose this measure. I will not—I repeat—I will not—plead with other Members to join me in casting a "No" vote.

Mr. Speaker, I oppose this resolution because I believe it will fundamentally alter the delicate balance that has existed over the past 60 years in the discharge process. It is a proven mechanism that allows a determined majority to bring a measure to the floor even if it is opposed by the leadership and the committee.

More unfortunately, beyond altering a basically sound procedure, are the consequences of the change. It will contribute to the decline of the deliberative process and will allow narrow special interest pressure groups to exert enormous leverage on Members.

To me the issue is one of institutional integrity and upholding the committee system, not one of secrecy versus hypocrisy. And I believe that when the words secrecy, hypocrisy, and Congress are uttered in the same sentence, the alarm bells go off, the press gets self-righteous, the public becomes aroused and enraged, and it becomes virtually impossible to engage in thoughtful, reasoned debate.

I am disturbed that this issue has been so miscast—the facts so distorted and overblown.

As Thomas Mann of the Brookings Institution said at the Rules Subcommittee hearing:

I do think * * * that a routine and perfectly good procedure has become inflated with party and ideological agendas in ways that confuse the public and threaten to undermine the deliberative quality of this institution. I think most unfortunate is the portrayal of Congress as closed, secretive, dominated by committee chairmen, unresponsive to the public. I know of no serious student of Congress who believes this characterization has any basis in reality.

If anything, Congress is too sensitive—too easily and too quickly moved by every shift in the political winds. Gridlock is the usual result.

Under the new discharge process anyone seeking his political fortune can exploit our hypersensitivity with issues of raw emotional appeal, demanding immediate action without the scrutiny hearings and committee review.

The current discharge rule, in effect since 1935, has worked to the advantage of the House. That is not only my opinion. Many of the scholars and experts on Congress that testified before Mr. BEILENSON'S subcommittee confirmed this. As Mr. Rick Beth, specialist in congressional procedure at the Congressional Research Service, testified:

"The House has reached an implicit judgment in favor of a discharge rule. * * * The rule the House has settled on offers a way for Members to get their issues on the floor as a matter of right."

Thomas Mann stated it somewhat differently:

"The fact is, majorities rule in the House of Representatives. * * * Virtually all serious legislative proposals with a majority sign support discharge * * * flush their way to the floor. The discharge petition is an important weapon in the hands of majority Members, without the threat of political pressure, believe the leadership is inappropriate to the floor action."

My argument with the resolution before us is that it alters the time-proven balance that exists in the current system. That is, a determined majority of 218 Members have been able to bring legislation to the floor, such as line-item veto and balanced budget amendment.

If the historical evidence demonstrates that the current procedure works as intended, why is a change warranted?

Proponents of the resolution argue that public signatures are required because many Members mislead voters. Specifically, the allegation goes, Members cosponsor legislation and do not support the discharge petition. This, in effect, is an act of hypocrisy of horrific proportions. Witness after witness at our subcommittee hearing dispelled this misconception in my mind.

This allegation shows a complete misunderstanding between two distinct propositions—signaling support for a bill versus compelling floor action. As Rick Beth stated in his testimony:

"Position taking has * * * legitimate legislative functions, but a discharge petition has formal consequences in procedural terms for the conversion of a debate of a discharge petition into the processes of committee and floor deliberations."

Mr. Speaker, Members should be wary of the implications of the "hypocrisy" line of reasoning. If sincerity requires signing a discharge petition—if cosponsorship is not enough to show support—every time you cosponsor a bill you are being forced to be besieged to sign the discharge petition. If you do not, your motives will be questioned—your sincerity placed under a cloud. Under this line of reasoning can a Member merely introduce a bill? No. True sincerity will require you to introduce the companion discharge petition, and if you truly believe, you should discharge petition a special order of business, as well. My colleagues, we should be more careful when we attempt to divine Members sincerity.

Mr. Speaker, many Members, including myself, cosponsor legislation to...
register support without signing a discharge petition. Is that hypocrisy? No. I want the committees of jurisdiction—those with the detailed knowledge on the issues—to hold hearings and mark up in order to let all sides of the public be heard.

Now, there are certain Members who support this legislation saying that the issue of public accountability is the only way to avoid the continued repression and I certainly take them at their word.

But there is another element of support behind this resolution that is impossible to deny. There are many Members, especially on the other side of the aisle, who see this as a way to influence the agenda of the Congress.

Some will say this change is necessary because popular legislation is being bottled up in committees. Typically mentioned in this argument are line-item veto, constitutional amendments to balance the budget and term limits on elected budget过关 elements and line-item veto this argument falls apart. The House has twice in the previous two Congresses considered constitutional amendments to balance the budget, once under the current discharge process. Moreover, the leadership has committed to bringing up the balanced budget amendment again this Congress. The House has twice in the last 2 years considered forms of a line-item bill.

I contend that some Members want to find those issues with a certain raw emotional appeal and replicate the successful high-pressure lobbying effort that took place on this resolution. At their disposal are radio talk-show hosts, ready made grass roots organizations, and conservative media who can whip up a frenzy of public sentiment based on irresistible sloganeering.

Mr. Speaker, to some this is an issue of secrecy. I do not see it that way. I believe in openness, sunshine, and accountability. Of course the people have a right to know. But these truisms are not limitless in their reach.

In any collective decisionmaking, there must be small, limited zones of quiet confidentiality. There must be an arena for Members to ask questions, state their concerns, and candidly assess their stands—of the record. This House is the most open legislative body in the world and we ought to take pride in that fact.

The discharge process is simply a formal mechanism designed to let the House calmly and quietly assess where the majority of its Members stand on certain issues. Under the klieg lights, it will no longer serve its intended function as well.

Mr. Speaker, this resolution will undercut the deliberative process that serves this institution well. Making it easier—or preferable—to bypass committees—to avoid hearings—and to avoid committee scrutiny—is a bad idea. Former minority counsel for the House, Hyde Murray observed in his testimony, “The committee structure in the House is basically designed to deliberate the issues in the depth and breadth of expertise, and the persistence within the committees to formulate sound law—and then I would add this—and to kill bad legislation.”

Changing the discharge process so that special interests will look to the House that first resort rather than one of last resort, will make it more likely that complicated issues will reach the floor without the benefit of the committee process.

During Mr. BEILSTOCK's subcommittee hearing we heard scholar after scholar, expert after expert testify as to the negative effects this resolution may occasion.

Not one witness disputed the fact that making the names public will increase the amount of special interest, pressure group lobbying on Members to sign discharge petitions. As Peter Robinson, former assistant parliamentary officer of the House, stated:

On something like the notch issue and particularly on other tax or financial matters, that might affect particular industries, where public support can be galvanized in a certain area I do see it as a big opportunity for the special interest groups.

As Thomas Mann said, the discharge process “was never—and never should be—designed as another means by which outside groups can pressure Members into forcing action on a piece of legislation.”

But no one denies that this is what will happen. Outside groups will be able to pressure Members into forcing action on a bill. Can anyone dispute that to a large extent what is exactly what happened on this particular resolution?

A likely consequence of this change and the emphasis on discharge petitions is that Members will likely be judged, not on their support of a measure, but rather on their support of an extraordinary method to bring that bill to the floor—bypassing all committee consideration and input. This again blurs the distinction between substance and process that is vital to maintain.

When a bill, or in a large number of instances a rule, is discharged from committee, there is little opportunity for the committee to respond—to hold public hearings, to exercise its expertise and judgment and hold markup. In short, to subject a bill to the balancing and refining deliberative process. Many times a rule is discharged, not only precluding the competent committee from considering the bill but also establishing a process for floor consideration that forecloses alternate propositions from being considered. Norm Ornstein, resident scholar of the American Enterprise Institute testified:

What I fear out of this process, this small change that seems so trivial in many ways on the surface, is that it is going to create a great deal of difficulty to continue to have the kind of trade-off and deliberative process that we have had where you can put things forward and bring them out, and try and do a balancing test of interests. Because balances will no longer be allowed in this case.

Mr. Speaker, I realize that I have gone on for some time now, but I want to try to apply for my majority for my colleagues to read into the record the fact that those of us who oppose this resolution don’t do so because we support secrecy. To us, secrecy is not the issue, the issue is institutional integrity, upholding the committee system and the deliberative nature of this body.

Mr. Speaker, the Subcommittee on Rules held hearings on Mr. ENOCHS' proposal and a number of very prominent congressional scholars and experts on government—Norm Ornstein from the American Enterprise Institute; Tom Mann from Brookings; Roger Davidson, professor of government at the University of Wisconsin; Steve Smith, professor of political science at the University of Minnesota; Hyde Murray, former minority counsel for the House; former assistant House parliamentarian Pete Robinson; and Rick Beth from the Congressional Research Service—testified as to their concerns on this measure. I would ask at this time that their statements be printed in the Record.

Mr. Speaker, I hope that everyone in this House will read these statements carefully. They are the opinions of people who are not involved in partisan politics—but who are dedicated students of government. The statements probably won’t change the votes of anyone today—but, if nothing else, they will demonstrate that this issue is a lot more complicated than a 30-second sound bite. And, I should add, that most issues are.

Mr. Speaker, when Clarence Cannon, former Member and parliamentarian, wrote his commentary on the difficulties of formulating a workable discharge procedure, he said that it is one of the oldest and most perplexing problems in the history of the House. It took the House from 1910 to 1935 to arrive at a system that worked and served this House for nearly 60 years. I hope that it does not take us another 25 years to reestablish the balance that maintains the integrity of the committees and the deliberative nature of the process while preserving the ability of 218 Members to bring measures to the floor.

STATEMENT OF RICHARD S. BETH, SPECIALIST IN THE LEGISLATIVE PROCESS, CONGRESSIONAL RESEARCH SERVICE

Under the “discharge rule” of the House of Representatives (now clause 3 of House Rule XXVIII), it is not in order to move to discharge a committee from considering a measure referred to it by the House, an absolute majority of the House’s statutory membership, first sign a petition for the purpose. When the requisite signatures are obtained, the petition is entered on
September 28, 1993

CONGRESSIONAL RECORD—HOUSE 22701

a "Calendar of Motions to Discharge Committees," and a list of signers is published in the Congressional Record. Ever since the petition requirement to a discharge was established in 1924, Members have always been held free to petition the Speaker and the Committee on Rules to investigate discrimination in the House restaurant, and a list of signers is published in the signatures a matter of public record as soon as a petition is entered. Nevertheless, use of this device does not appear to have been replaced. Also, in response to these situations, House practice with regard to pending discharge petitions appears to have changed. Today, clipping days, distribution of Bureau of Budget dis­closure. Nevertheless, it appears that Members are still permitted to look at, though not take notice of, documents which the House subsequently adopted. It seems likely that these actions were not released in an attempt to encourage additional Members to sign, for each of the petitions lacked fewer than 25 signatures of the number then required.

Responding to complaints raised on the floor, Speaker Henry Rainey (D., Ill.) ruled that releasing the names was improper, but said he could do nothing about it on his own motion. He indicated that the proper course of action would be for the Committee on Rules to investigate the disclosures. In the second incident, such a resolution was offered, but withdrawn. Speaker Rainey provided the fullest possible account of the proceedings of the rationale for keeping signatures confidential: "There is a reason for not publishing the names, of course. Publishing the names in the newspaper invites people generally in the United States to bring pressure on those who have not signed the petition to sign it, and pressure upon those who have signed it to take their names off."5 This explanation reflects the same concerns about the rights of Members as was expressed in the 1924 debates. Later, in 1946, a Member of the Committee on Un-American Activities referred in debate to a newspaper advertisement in support of a motion to discharge the Committee on Rules from a resolution abolishing the Committee, and asked the Clerk to hand him the petition in question. A point of order was immediately raised against "giving out any thing contained in a petition on the Clerk's desk" (H. Res. 59, 79th Cong., 1st Sess.) ruled that "The gentleman has the right to look at it but he does not have the right to read (presumably meaning, to the House) any of these names."

In 1960, signatures were again disclosed to the press, this time on a petition to discharge the Committee on Rules from a special committee to consider a constitutional amendment for a balanced budget. This approach does not appear to violate the practice of the House, since Members have always been held free to take their own actions. Nevertheless, use of this device does not appear to have been replaced. Also, in response to these situations, House practice with regard to pending discharge petitions appears to have changed. Today, clipping days, distribution of Bureau of Budget disclosure. Nevertheless, it appears that Members are still permitted to look at, though not take notice of, documents which the House subsequently adopted. It seems likely that these actions were not released in an attempt to encourage additional Members to sign, for each of the petitions lacked fewer than 25 signatures of the number then required.

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Footnotes at end of article.
The potential effects of abolishing the confidentiality requirement may usefully be examined in light of the rules followed in practice. The history of the discharge rule and its use revolves around the issue of leadership rank and file control over proceedings. More generally, the entire history of the House, especially for the past century, may be read as a search for an appropriate balance between the chamber's institutional capacity to manage its activities effectively, and its Members' capacity to work their legislative will.

Normally, the House relies on its committees to refine legislation into a form that allows the chamber to make coherent policy choices. It relies on the leadership, implicitly the leadership of the majority party, to arrange the floor schedule and agenda. Discharge is the only form of proceeding in the House that permits a voting majority to bring a measure to the floor without the cooperation either of the Speaker, the committee of jurisdiction, or the Committee on Rules. The leadership has in general opposed the use of discharge as disruptive of orderly proceedings and scheduling. It has typically emphasized that discharge brings measures to the floor without benefit of judgment, refinement, and explanation of the committee of jurisdiction.

"A quarter century of experiment." The first discharge rule, in 1910, was one result of "revolutionary" and "revolutionary" Republicans against a system that effectively placed total control of the floor agenda in the hands of Speaker Joseph Cannon (R., III.), in part through his chairmanship of the Committee on Rules. This rule, amended in 1911 and 1912, did not provide for a discharge petition, but permitted a single Member to place a discharge motion on the calendar. This procedure proved unworkable for several reasons. First, it could be used to force many dilatory votes on discharge even when the measures involved had little support. Second, leading members of the Republican leadership--usually immediately filed numerous discharge motions; because motions were to be called up in the order filed, these could be used to prevent votes on any minority or file motions. Third, a later Republican minority filed a series of discharge motions on Democratic party measures before the Chamber adjourned sine die so as to force the majority to vote against bringing their own program to the floor.

Accordingly, when Progressives again held the balance of power in the House in 1914, the rule was amended in an attempt to institute a more workable form of discharge. This version of the discharge rule, primarily by Charles R. Crisp (D., Ga.), a former Parliamentarian of the House and the son of a Speaker, was the first to require that a discharge petition be supported by a majority vote of the House. It was also the first to permit discharge of the Committee on Rules from special rules and other resolutions, including those amending the rules. Previously, the committee could avoid discharge by reporting a measure and then not calling it up, because it could not thereby be discharged in any session. Since 1924, Members can seek discharge on a special rule bringing an unreported measure to the floor; if the committee reports the measure, the special rule may still be adopted and executed.

One bill, to regulate railroad labor, reached the floor under the 1924 rule, but relentless dilatory tactics by opponents prevented a final vote. As a result of this experience, together with the recovery of effective control of the House by the majority party, to arrange the floor schedule and obtaining the requisite signatures to force the measure to the floor, and obtaining the requisite signatures to force the measure to the floor, and obtaining the requisite signatures, three additional measures were introduced and discussed in the House during the 1924 session. Of the seven on which petitions were entered in the past 20 years, five were introduced in the 93rd Congress. Of the remaining eight measures that did not come to the floor through the discharge procedure, even after the discharge petition was entered, four were introduced in the 93rd Congress. Of these:

- Two became public law: the first minimum wage act, and a Federal pay raise that was signed into law before the House adjourned sine die. The only two measures that received final approval.
- Eight became public law: the first minimum wage act, and a Federal pay raise that was signed into law before the House adjourned sine die. The only two measures that received final approval.
- Eleven did not even receive floor consideration. Of the 42 measures on which discharge petitions were entered from 1931 through 1992, 11 were introduced in the 93rd Congress. Of these:

- Six of the eight measures, on a variety of subjects, became public law; the only two that failed were both proposed constitutional amendments (to require a balance budget).
- In summary, although a discharge effort is often referred to as "successful" when the petition is entered, in fact the committee is not discharged unless the motion to discharge is made and adopted on the floor, and obtaining the requisite signatures has not always assured further legislative success. Of the 42 measures on which discharge petitions were entered from 1931 through 1992, 11 were introduced in the 93rd Congress. Of these:

- Eleven did not even receive floor consideration, frustrating the intent of the discharge effort.
- Nine reached the floor only by means other than discharge.
- Twenty-two received floor consideration pursuant to discharge, but only 18 of these passed the House, and only three received final approval.
- The House agreed to only one of the eight proposed constitutional amendments on which discharge petitions have been entered. It rejected the discharge motion.
- Further, the House agreed to only one of the eight proposed constitutional amendments on which discharge petitions have been entered. It rejected the discharge motion.
- Of the 24 other measures on which petitions were entered during this period, the House passed sixteen after discharge, thirty from the 1930s through the 1960s. Of these:

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By contrast, of seven measures other than constitutional amendments, on which discharge petitions were entered but that were later withdrawn (or on which all seven received final approval. In these cases, the discharge effort could be said to have succeeded in bringing about action, even if the petitioners did not get the discharge procedure itself. The discharge procedure has been more effective when it provides a means for the House to arrive at a position regarding the petition even if it were not able to bring the matter to the floor through the regular procedures even when the petition was not entered on the agenda for consideration. Without a discharge the committees and their chairs are generous to Members for whom, as with other avenues of influence, those desiring their considered support are more likely to add more to the voices desiring expansion of the floor agenda than to those desiring its limitation.

The other hand, presumably the publication of signatures would not lead Members to sign who were not already inclined to do so, either by conviction or out of constitutency pressure. A signature directed to a measure, or who considered discharge unnecessary on a measure, would likely be led to sign a petition simply because the act was not considered especially important. The confidence that would not affect the current abilities of the leadership to recover control of the floor agenda. For these reasons, the proposed change would be expected not to make any very large difference in the frequency or nature of discharge actions.

Position taking. Some have supported the position that discharge petition signatures should be made public by using an analogy with cosponsorship. This analogy seems to view both cosponsorship and discharge petitions principally as expressions of support for a measure. It thus raises the possibility that publicizing discharge signatures might render Members more inclined to use them more as a means of taking a position on a measure than of impelling floor consideration.

The starkest use of this analogy has been an argument that the confidential character of signatures permits Members publicly to declare their support of legislation while privately opposing it. In this situation, cosponsorship seems precisely the analog of a petition and discharge procedure as mechanisms of self-defense. In practice, however, such a conclusion could be overdrawn. It seems clearly possible that Members might take a sympathetic position toward the purposes of the measure, and wish to command it to the committee’s consideration, while not being convinced of its virtue as to be willing to press its enactment if the committee of jurisdiction, on the basis of its knowledge of the policy area, could not in its considered judgment support it. Few Members who strongly favor a proposed might not be convinced that the committee would fail to act, and might wish to see the measure considered and refined by committee deliberations before enactment.

The analogy between discharge and cosponsorship is, however, by using an analogy with cosponsorship. The analogy seems to view both cosponsorship and discharge petitions principally as expressions of support for a measure. If a Member, or who considered discharge unnecessary on a measure, would likely be led to sign a petition simply because the act was not considered especially important. The confidence that would not affect the current abilities of the leadership to recover control of the floor agenda. For these reasons, the proposed change would be expected not to make any very large difference in the frequency or nature of discharge actions.
acts would be confidential unless the full complement of names was obtained. The Committee may wish to consider whether this would lead to a retroactive disclosure of the confidentiality from those signatures.

OTHER POSSIBLE CHANGES

If the discharge rule is now to be changed for the first time in sixty years, the question has also been raised of what other changes in the rule it might be appropriate to consider at this time. Few proposals to amend the discharge rule have been actively discussed in recent years; most of those fall into the categories of altering signature requirements, altering the categories of measures to which discharge may be applied, or dealing with the effects of considering a measure without benefit of committee recommendations.

Signature requirements. The House's earlier experience with signature requirements lower than a majority resulted in frequent consideration by discharge of measures that could not pass. On this point there seems no reason to think that circumstances would differ today. The House might nevertheless reconsider such a provision if it now conceives a different judgment of the value to the deliberative process of considering such measures.

Earlier in this decade, on the other hand, suggestions were made in the Democratic Caucus for the introduction of special petition requirements, including requiring a two-thirds' vote for passage allowing a two-thirds vote for request of discharge. The present agreement may encourage efforts to consider discharge efforts to file petitions both on the House floor and in the Committee of the Whole. This procedure might make discharge more complicated without necessarily decreasing the likelihood of success; if supporters of discharge have to sign two petitions instead of one, they probably will not get the signatures needed.

The House might also wish to consider whether a two-thirds' vote for passage allowing a two-thirds vote for request of discharge might be appropriate to consider at this time. Few proposals to amend the rule as an incentive toward responsiveness of the majority party's leadership to its own members can implicitly maintain leadership responsiveness. Adoption of such a proposal would represent a reversal of the apparently hitherto settled judgment of the House that a discharge rule capable of being effectively used on rare occasions promotes an appropriate balance between leadership and representation.

A less sweeping change would require all discharge efforts to file petitions both on the House floor and in the Committee of the Whole for its consideration. Such a provision would guarantee that the committee of jurisdiction could not simply have three days to report the measure. It would also tend to guarantee that, if the measure came to the floor by discharge, its consideration would be of a non-disruptive and government business-like character. On the other hand, this procedure might make discharge more complicated without necessarily decreasing the likelihood of success; if supporters of discharge have to sign two petitions instead of one, they probably will not get the signatures needed.

An alternative might be to permit discharge only of special rules for the consideration of measures, retaining only the "second one of two" provisions for motions to instruct a committee to report. A rule of this sort might once again tend to foster leadership responsiveness of the majority party's leadership to its own members while maintaining overall leadership agenda control. It might also be possible to offer the extra time only if the committee was actively proceeding with hearings and markup.

FOOTNOTES

1 U.S. Library of Congress, Congressional Research Service, Background on the House Precedent that Signatures to a Pending Discharge Petition May not Be Made Public. CRS typed report, March 30, 1984, by Richard Murray, Beth Washington, Beth Deatherage. "The following discussion is drawn largely from Beth, "Background of the Precedent That Signatures May Not Be Made Public.""


STATEMENT BY HYDE MURRAY

Mr. Chairman. Thank you for this opportunity to discuss the discharge rule and precedents relating to discharge petitions and the Discharge Calendar.

Mr. Murray. Many "reformers" have usually a conflict between two or more reasoned and rational purposes.

Finally, the current discharge rule prohibits the discharge of a subject under the discharge rule during the session in which a measure on the subject has reached the floor by discharge. This provision was designed to reduce repetitive votes, although it does not prohibit action on bills on the same subject reported from committee. Under contemporary House practice, a majority vote of the Committee of the Whole is the only consideration given to extending this prohibition from the single session to the entire Congress. The practical impact would in any case, however, be small.
to modify, ratify, or reject the work of its committees, but as some point the House must decide where the balance exists between what is delegated in Committee and legislating on the Floor.

Many House Rules are biased toward committee power, limiting the individual member's ability to deliberate or, in the words of James Madison, "to refine and enlarge public views." Those who speak out against the institutionalization of a closed, secretive system are regulators of this legislative system, not its subjects. A discharge petition is a way of dealing with the Situation in question.

In drafting the current discharge petition rule, I have been guided by my commitment to reform current legislative procedure. I am convinced that current law severely handicaps House members to do more than just rubber-stamp the tax bill without even allowing it to be considered by the House. The combination of punches, one from the right, one from the left, might result in even less fiscal discipline than is now the case. In other words, the "law of unintended consequences" may be invoked by legislative affections for more reform.

CONCLUSION

As these hearings demonstrate, a good argument can be made on both sides of the question of publishing members names on a discharge petition. Yet, in my view, the leadership and the individual members will have to decide which technique will produce the best results. If a discharge petition is drafted, it must be a compromise between subcommittee, party, and committee deliberation (and in some cases, interment) or more participatory, open but less thorough consideration by the Committee of the Whole and the House itself.

TESTIMONY OF THOMAS E. MANN, DIRECTOR OF GOVERNMENTAL STUDIES, THE BROOKINGS INSTITUTION

I'm saddened and discouraged by the reaction inside and outside the Congress to the proposal by Rep. Inhofe to make public the names of members who sign discharge petitions before a majority of members have signed the petition. A procedure that has served the House well for over half a century—by providing a safety valve that allows a majority of members to bring a legislative measure directly to the floor—now brings with it the dread of evasion. Ross Perot and the Wall Street Journal editorial page writers would have us believe that the precedent is crucial to the future of our Republic. But publicizing the signatures on discharge petitions before a majority is achieved would provide a way of dealing with the arbitrary exercise of power inside the chamber.

Publicizing the signatures on discharge petition before a majority is achieved would provide a way of dealing with the arbitrary exercise of power inside the chamber. It was never (and should never be) designed as another means by which outside groups can pressure members into forcing action on a piece of legislation; it was a way of dealing with the arbitrary exercise of power inside the chamber.

The rhetoric on this matter has been passionate and misleading. A routine and perfectly reasonable legislative procedure has been stigmatized with the labels of secrecy, hypocrisy, special interests, even of the dread "establishment."

What I find most unfortunate about the debate on this issue is the portrayal of Congress as a closed, secretive institution, dominated by party leaders and party barons and committees, mortally invested in the ability of the majority party to control the agenda, to legislate in ways that are not open to public view and disempower the minority party leaders. In my view, the discharge petition rule can provide a balance among competing principles to which most Members would subscribe. Several principles are in partial conflict in recent discussions of the discharge petition rule.

The first principle is public accountability. Members' should be held accountable for the manner in which they pursue their official duties to which most Members would subscribe. Several principles are in partial conflict in recent discussions of the discharge petition rule.

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statements and formal actions made in party councils, even if decisions made in those places are not formal actions made in the House. Most people would agree that it is more important to publish a record of Members' actions when those actions are open to public inspection. The authorization of discharge petitions by the House or at earlier stages that are considered essential to official House action—voting in the Committee of the Whole or in committees and subcommittees.

In the absence of other considerations, I would favor H. Res. 134. Signing a discharge petition would require a vote in which Members vote to bring a measure to the floor. Both actions set the floor agenda and are essential preliminary steps to final action by the House. But there are other considerations.

The second principle is republicanism. Madison emphasized the importance of avoiding the pitfalls of direct democracy and the wisdom of establishing republican government in a large and diverse country. His point was that some distance between the people and policy makers is essential to good government. His hope, of course, was that the public interest, not public demands, would be the driving force behind policy changes. He trusted Members to resist the temptation to make early policy commitments. But Members are besieged by competing interests that are too often hyper-sensitive to public opinion and distracted from the public interest.

It is clear that Madison enjoyed a privileged position that modern elected officials do not. His ability does. Also at issue is the appropriate balance of party and individual responsibility. In Congress, informed decision making has required reliance on committees to conduct hearings, sift through competing arguments, and distill choices. Some proponents of the Inhofe resolution argue that little damage to the role of committees because petition signatures are not required. But there are a few issues, those where the majority party is flexing its muscles to bury important measures. I disagree. The temptation to use a discharge petition to gain leverage or publicity has prevented the House in recent Congresses from acting on measures that a majority of Members personally believed should be adopted. Some Members have argued that the House would have met the public demand for a strong form of the line-item veto by using that rule to pressure their colleagues.

Clearly, both supporters and opponents of the current rule offer theories of the House that are not consistent with the original design. Supporters' emphasis on majority party responsibility is quite foreign to the principle of individual responsibility found in the Constitution. In fact, the principle would preserve the short-fifth of the way there as it is. If a change is inevitable, I would propose a somewhat different balance than those suggested in the Republican proposals. I would seek to provide limited public disclosure, to protect of signatories' identity in the short-run, to establish a higher threshold for discharging constitutional amendments, and to preserve some individual responsibility in the long-run. A reasonable balance might be achieved by a rule that:

Proposed for disclosure of signatories' names at the end of each Congress for all petitions that have been signed by at least 100 Members.

More fully protected the identity of signatories, even from Members, by using numbered cards and prohibiting Members from inspecting them during a Congress (Members would withdraw their signatures).

Set the threshold for House action on a discharge motion at the level required for passage of the measure—two-thirds for constitutional amendments and a simple majority for most other measures.

Disclosures of signatories' names at the end of a Congress for all petitions that are reduced to signatures at least in the long run. Members would have to explain their positions on important issues.

I see nothing that can be done to prevent a Member from tracking the number of signatures who choose to disclose their identity. But I believe that there will be times when these Members who choose to disclose their identity from all others, at least in the short run. The process should allow them to do so in order to reduce the influence that other Members would otherwise have on public leaders, the administration, and lobbyists.

Finally, I support a threshold for forcing a vote on a discharge motion should be the same as for passage of the measure that is the subject of the motion. In practice, this means that constitutional amendments will be given special status under the discharge rule. Here, more than anywhere, we should create a decision-making environment that allows Members to exercise their best personal judgment about the long-term public interest.

STATEMENT BY MR. ROGER H. DAVIDSON,
UNIVERSITY OF MARYLAND, COLLEGE PARK

Mr. Chairman and members of the Sub-committee: I appreciate your invitation to discuss the discharge petition process and its implications for the deliberative process in the House. Although I make no claim to be expert in the details of parliamentary procedure, I have devoted a life to studying the organization and workload of Congress, especially its committee system. This study was undertaken in the 1970s. I was privileged to serve as a staff member on both chambers. In 1973-1974, I served with the Boling-Martin Committee and was asked by Vice Chairman David Martin of Nebraska, the ranking minority member of this Committee, to join his staff in that bipartisan effort to reorganize the House committee system. From 1989 to 1988 I served as Senior Specialist in American National Government and Public Administration at the Congressional Research Service.

The specific proposal before you, H. Res. 134, is a seemingly limited, innocuous proposal to make signatures on discharge petitions a matter of public record. But we have learned from experience that even the most innocuous procedural adjustments can have far-reaching effects, some of them wholly unexpected. Moreover, we must apply historical perspective to procedural changes: those very same trends that have taken away our traditional responsibility to pressure their colleagues. I think that the House would be moving perilously close to government by public opinion poll. I think that the House is four-fifths of the way there as it is. If a change is inevitable, I would propose a somewhat different balance than those suggested in the Republican proposals.

The Michel proposal implicitly recognizes the principle of party responsibility. Its requirement of disclosure upon the accumulation of 100 signatures does not mean that a majority of the minority party would generally be required in the absence of significant bipartisan support for discharging a committee. Discharge petitions supported by smaller minorities—a majority of the minority party—would result in the passage of measures. The Inhofe proposal compels disclosure for all petitions and will occasionally enhance the leverage of small groups of Members. Does anyone deny the principle of individual responsibility and favor party responsibility? It probably does. To do so would require protecting the individual Member from pressure from any source. However, the absence of public complaint about the discarnation of the influence of those Members—particularly majority party and committee leaders—who can inspect petitions and marshal resources for their preferred legislation.

Clearly, both supporters and opponents of the current rule offer theories of the House that are not consistent with the original design. Supporters' emphasis on majority party responsibility is quite foreign to the principle of individual responsibility found in the Constitution. In fact, the principle would preserve the short-fifth of the way there as it is. If a change is inevitable, I would propose a somewhat different balance than those suggested in the Republican proposals. I would seek to provide limited public disclosure, to protect of signatories' identity in the short-run, to establish a higher threshold for discharging constitutional amendments, and to preserve some individual responsibility in the long-run. A reasonable balance might be achieved by a rule that:

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quite impossible for a large body of lawmakers to write complex pieces of legislation. A key part of the committees' duties is to review legislative proposals, in the process keeping the measures referred to them. In the 102nd Congress, 6,775 bills and 632 resolutions were introduced in the House, fewer than 12 percent of these were reported by the committees to which they were referred. (Additionally, a number of unreported measures are adopted through administrative procedures.)

As a citizen and a taxpayer, I submit that the committees perform a necessary service by eliminating the vast majority of proposals without consideration. Congress, which is the people's best hope for compelling the executive branch to yield to the will of the people, fails to stanch the spread of legislation by eliminating the vast majority of measures referred to them. Many unwise, unnecessary, and costly schemes lie dormant in the committee rooms; some of these are politically beguiling and might even garner a majority on the House floor.

The troubled aspects of member's position-taking, in my judgment, center more on cosponsorship than on discharge petition signatures. It is my distinct impression that the current system of determining the legitimacy of cosponsorship is not as effective a form of position-taking as a bill or resolution by no means implies complete agreement with everything in the bill, nor should it. Members may introduce measures to state out jurisdiction for a committee or to pave the way for hearings and deliberations that will air a public problem. Even if a legislator is strongly committed to the issues embodied in the measure, he or she will invariably anticipate that hearings and markups will result in modifications or amendments. Bill introduction is the beginning of the deliberative process; it gets the issues on the table, which is a long way from agreement upon a finished product.

The troubling aspects of member's position-taking, in my judgment, center more on cosponsorship than on discharge petition signatures. It is my distinct impression that the current system of determining the legitimacy of cosponsorship is not as effective a form of position-taking as an expensive form of position-taking, while the chief sponsoring members and allied interest groups seek to interpret cosponsorship as a signal of unqualified support. One result of the present controversy, I would hope, would be greater restraint among members about agreeing to cosponsor measures.

The history of the present discharge rule has shown it to be a limited but useful tool for imposing the chamber's will upon committees. It is invoked rarely and has produced very few statutes. Between 1931 and 1992, only 400 petitions have been filed to discharge committees from legislation referred to them. That is about one petition for every 100,000 bills and resolutions introduced. Of those petitions, only 41 received the required 218 signatures. In the calendar year 1992, 29 of those were called up on the floor. Committees were discharged in 21 instances. Eighteen of the discharged measures passed (117 votes), and two (117 and 111 votes and two rules change) became effective.

The discharge mechanism is more effective as a safety valve. Although the rule rarely produces enactments, it serves as a reprimand when the majority wishes to assert control over the political issues. Under the current rules, the discharge petition is a useful device as a device to promote public knowledge, as it is the law.
There is no surer way to induce an editorial knee to jerk than to evoke the word "secrecy." And knees jerked all over the country, as Mr. Inhofe has noted, to publicize the signatures on discharge petitions in the House of Representatives before a majority is reached. George F. Will's endorsement of "Smoking Out the Barons," op-ed, Sept. 19, is understandable, given his unrivaled animus toward the contemporary Congress and his single-minded pursuit of term limits, but the argument advanced by The Post's editorial [Sept. 14] was uncharacteristically superficial.

The Inhofe proposal is very likely to pass the House, now that it has obtained the requisite 218 signatures on the discharge petition. Indeed, given the terms by which it was defined for the public—sending secrecy, increasing accountability, restraining the arbitrary exercise of brute power—an overwhelming majority will probably climb aboard the bandwagon when faced with a recorded vote.

Once the seemingly inevitable occurs, it is worth reflecting on how the discharge petition came to be the cause celebre of congressional reform, what it tells us about the American electoral system, and how this change might reinforce and worsen some disturbing trends in our political life.

Inhofe's proposal is a solution in search of a problem, a reform based on a wildly inaccurate portrayal of Congress as a closed, secretive institution dominated by committees and party barons and unresponsive to popular sentiment.

Inhofe argues that Congress today is remarkably open—probably the most open political institution in the world—permeable to outside interests and opinion and relatively unconstrained by autonomous committees and party leaders. Members are if anything hypersensitive to public opinion and unduly solicitous of intense opinions from a sliver of the electorate, however ephemeral they may be.

The problem with Congress is not insula
tion and unresponsiveness—it is pandering and symbolic posturing. Congress and its leaders are less inclined and less equipped to cool the temporary passions of the public, or to regulate intense views with the kind of disciplined, organized special interest minority, than ever before. The confidentiality provision of the discharge petition rule has been a modest shield against those forces; the Inhofe change would turn the discharge process into a weapon for them.

In this case lawmakers and their leaders were putty in the hands of Rush Limbaugh, Rush Limbaugh and the Wall Street Journal. It is not a matter that almost all serious legislative proposals that have genuine support among a majority of members find their way to the floor; that the discharge petition has worked as a noncontroversial safety valve enabling a majority of members to bring legislation to the floor; that for a majority of the full House and deserved floor consideration and passage—the discharge petition.

If a bill has spent more than 30 days in a standing committee, any member can file a motion to discharge the bill for direct consideration on the floor; if a majority of members, 218, sign the petition, the bill gets privileged consideration. Members can add or withdraw their signatures at any time until a majority of votes is secured. Under rules that are more than 50 years old, the names on the petition are not disclosed until at least 218 signatures are obtained (at which point the names appear in the Congressional Record). It is this latter provision that has so exercised Mr. Inhofe and his allies.

The discharge petition was designed to be a last resort. Fewer than one bill per Congress on average has actually been discharged. It is designed for that kind of case—that lawmakers would want to defer to a process that lets committees immerse themselves in the details of bills in a way that a collective chamber of 435 individuals cannot. They wanted a strong and stable committee system.

And in the tradition of the Framers, they wanted a system that would stop legislation as much as—or more than—it would expedite it. Congress was designed by the Founders as a deliberative body—designed not to reflect public opinion, but to create a broader, reasoned public judgment from the mix of narrower interests. Congress was supposed to cool public passions and temper public emotions, to block or delay bad but popular ideas as much as to enact new public policies.

Forcing members under pressure from special interests or a tide of public emotion to go along with a bill that lets committee chairs and party leaders to block popular but unwise bills from coming to the floor. The result will be a spate of foolish laws and even larger deficits.

Consider one of the rare contemporary instances when a discharge petition actually led to a bill's passage—in 1983, when a bill emerged to repeal the 1926 tax provision requiring withholding of income on interest and dividends. The 1982 provision, engineered by Bob Dole to reduce the deficit, had been immediately attacked by banking lobbyists, who mounted a massive repeal campaign, falsely warning widows and orphans that charitable contributions would be snatched by the government. The scare tactics worked. Congress was flooded with outraged mail, telephone and phone calls. Unfortunately, the discharge petition rule was an inadequate lever and the provision was repealed, adding billions to today's deficit.

Now consider an area where the discharge petition rule has kept bad legislation at bay.

**Cannon had unilaterally appointed—and "unappointed"—members and chairs to committees and abolished the majority party caucus and the floor. When the House rebelled, it created a more decisive role for the majority party leader. Cannon wanted to be sure they did not react against a dictatorial speakership only to create dictators who would dominate their party, or their chamber, or legislative affairs. The majority party leader's powers and balances included a "false" provision to keep a committee from unreasonably killing a bill. Cannon wanted a majority of the full House and deserved floor consideration and passage—the discharge petition.

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The "notch babies" are voters born between 1917 and 1921 who were caught in the middle in 1977, when Social Security benefit formulas were changed and the changes phased in. The changes reduced an overly generous benefit formula, enacted by mistake in 1972.

The notchers, a big cadre of largely affluent, Social Security-dependent elderly activists, have been emotionally vocal and adamant about the need to right a terrible wrong done to them. But the notch babies didn't lose anything. They actually got more than they in 1917 and 1921 who were caught in the middle. The changes reduced an overly generous benefit formula, enacted by mistake in 1972. The changes reduced an overly generous benefit formula, enacted by mistake in 1972.

Mr. Speaker, contrary to the claims of those who have defended this reloasis of the congressional budget, it was public pressure, rather than narrow, special interest pressure, that was feared in those days. That remains the greatest real fear of opponents today, that we will be too sensitive, too responsive to the popular will.

Whoever heard of such a thing? Mr. Speaker, I strongly reject this elitist, political popula-phobia—this fear of the people. We were sent here to serve and represent the people. We should be willing to do so, using our best judgment, no matter what the issue is. With the congressional dark ages, it was feared in those days. That remains the greatest real fear of opponents today, that we will be too sensitive, too responsive to the popular will.

Mr. Speaker, finally this House, the people's House, is going to have the opportunity to debate these critical issues that have been bottled up in congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that congressional leaders, recognizing the fact that con...
names public upon the adoption of my resolution. I was willing to accept that for the sake of fairness, even though it runs contrary to the ideal of full disclosure.

Mr. MOAKLEY. Mr. Speaker, after looking at the resolution, I saw that there was no reference to whether it was retroactive, so I thought it would probably be retroactive, since there was no ban on retroactivity.

Mr. INHOFE. Mr. Speaker, if the gentleman will yield further, I think, as I say, it is not going to be our decision anyway. It is going to be the chair's decision. I would certainly abide by that decision.

Mr. Speaker, let me just say that while the gentleman from New York [Mr. SOLOMON], the gentleman from Tennessee [Mr. QUILLEN], the gentleman from Florida [Mr. Goss], and I worked diligently on the Committee on Rules, I want to congratulate my friend from the Sooner State [Mr. INHOFE], for having such great influence over the distinguished chairman of the Committee on Rules.

Mr. Speaker, let me say that this whole process has come down to one word, and that word is "accountability." It is due to a lack of accountability that 218 Members have courageously joined the gentleman from Oklahoma [Mr. INHOFE] in signing this discharge petition. But the lack of accountability stems not just from the problem with the discharge petition. There are a wide range of other institutional issues which need to be addressed here, such as 266 committees and subcommittees in both Houses of Congress.

Mr. Speaker, if you look at the fact that we have a very confusing budget process, constantly we are faced with restrictive rules. This is a first step toward dealing with the major institutional problems that we must face here.

Mr. Speaker, I congratulate my friend, the gentleman from Oklahoma [Mr. INHOFE], for having pursued this as diligently as he has, and I look forward to seeing its success this morning.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Maryland [Mr. CARDIN].

Mr. DREIER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, whatever the historical justifications for keeping secret the names of those Members who sign discharge petitions, those arguments no longer carry much weight. The American people have no patience with arcane and outdated explanations. Today we will vote to open the discharge petition process of public scrutiny. I believe we should have done so long ago, and I will vote for this proposal.

At the same time, I must voice my very strong concerns regarding the use of the discharge petition to advance legislative objectives. I wish this bill had come to the floor under the regular legislative process. The discharge petition is an antidemocratic tool. It should be used only in circumstances when the legislative process has been blocked and frustrated. That's not the case with this bill. The bill was introduced for the very first time in March of this year. The discharge petition was filed in May. I believe the public has a right to know who has signed petitions to discharge committees from consideration of legislation. I frankly believe constituents have a right to ask whether their Representative has signed a petition. Under those circumstances, I can't believe most Members would refuse to answer. I have never signed a discharge petition and I hope I will never need to sign one.

I hope my colleagues will not see the passage of this proposal as an opportunity to expand the use of the discharge petition as a substitute for normal legislative procedures. The discharge petition does violence to the legislative process. The fundamental philosophical basis for our Federal system is that government should act only after careful deliberation.

The entire structure of our Government—the division of authority and responsibility among legislative, executive, and judicial branches, the further division of the legislative branch into two Houses, the protections of the rights of the States and the individual—is summed up in the words "checks and balances." The idea is, to prevent hasty, ill-considered actions, even when they have strong popular support.

The proponents of this legislation have made arguments that betray an ignorance of and a lack of respect for the workings of a representative legislative body. Some have argued that Congress was made up of Members who cosponsor legislation but refuse to sign a discharge petition do so to deceive their constituents. But surely every Member must understand the difference between cosponsoring a bill and seeking its immediate consideration on the floor.

When Members cosponsor legislation, it expresses interest in the issue and support for the proposal. But to do our work here, we must engage in a public process, at which concerned Americans have the chance to come forward and tell us what they think of the proposal. Congress is engaged in making public policy. For this process to succeed, the public must have ample opportunity for input.

The discharge petition, far from being a means to achieve open government, undermines the opportunity for the people to participate in the writing of the laws we pass. The discharge petition effectively shuts the American people out of the process after the sponsoring member has introduced the bill. There's no hearings, no amendments, no possibility to accommodate concerns that the sponsor may not have considered.

So let us make the signatures public. We can do it. Let us keep in mind that the hard work of turning public policy objectives into good law must take place in the committees of the Congress, not on radio talk shows or editorial pages.

Mr. INHOFE. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Mr. Speaker, it is rare for a technical detail of House rules and procedure to attain the level of public interest that this resolution has, but I think this tells us something about how Americans have lost faith in Congress. For too long, Congress has taken the attitude that what the American public doesn't know about the way laws are made won't hurt them. The majority in this House continues to hide behind the technical details, committee inaction, and closed rules to prevent the will of the people from taking place.

As a result, Americans are demanding more openness and greater accountability on the part of their elected officials. That's what this resolution is all about. They are tired of a Congress that says one thing and does another. They are tired of a Congress that sweeps important issues under the rug. They are tired of a budget deficit that has grown so large it seems as though Congress is waiting for divine intervention to address it seriously.

This is a very simple issue, but one with great potential to change the way Congress works. We can either continue the way we have been doing things for decades, choosing excuses over accountability, deception over openness, and politics over policy.

Or, we can begin instituting the long-overdue reforms that will restore the faith of the
American people in this institution. Reforming the discharge petition process will allow Ameri-
cans to ask their elected officials one simple question: Do you really mean what you say? I urge my colleagues to support the Inhofs proposal.

Mr. INHOFE. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. Goss].

Mr. GOSS. Mr. Speaker, Members and Americans who believe moderate exposure to sunshine is a healing agent are grateful to our colleague Jim Inhofe for his perseverance. As a new member on the Rules Committee, I know firsthand how important procedure is to substance—and I also know how hard it is to energize the public into demanding procedural changes to improve the substance of legislation. Procedure is pretty ho-hum stuff. But our friend Jim Inhofe made the case for openness, and with the help of a majority of Members and some enlightened media he has brought us to the threshold of significant reform.

The gentleman from Oklahoma, Jim Inhofe, and I, as Members of the House, request that we be allowed to debate the modest proposal to expand information from the House to the American people. This proposal is a very small step to unlocking institutionally secret information in exchange for an open, bipartisan public debate.

Mr. Speaker, this is a measure to allow the American people to be informed. We only work here and our constituents will now be able to participate, their representative. But how can they participate, if they do not know how and to what extent their representative is participating?

When the gentleman from Oklahoma [Mr. Inhofe] came to me, I was very skeptical that the public would understand this highly technical amendment. But I am glad to say that after visiting people back home this week, the end, the public does understand. They want to know what's going on. They want to participate. They want to be involved.

This change in the way the House of Representatives does business will allow the American people to be informed and get involved. Let's listen to our constituents, lift the veil of secrecy, and open the process to the people.

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

Mr. TORKILDSEN. Mr. Speaker, I thank the gentleman from Oklahoma for yielding time to me, and commend him for his leadership in bringing this reform measure to the floor. I rise today to speak in favor of opening up one key part of our legislative process. This reform is part of the package of reforms proposed by the freshman Republican reform task force, which Congresswoman Tillie Fowler and I chair.

Anytime a Member cosponsors legislation, his or her name, as a cosponsor of that bill, becomes available to the public at anytime. But the way the rules are written now, a private citizen cannot learn from any published source whether or not his or her Member of Congress has signed a discharge petition. Even more incredible is the fact that even Members of Congress are prevented from disclosing the names of Members who have signed a discharge petition.

If a bill is bottled up in committee, often times the only way to move it to the floor for debate would be by discharge petition.

Mr. BACHUS of Alabama. Mr. Speaker, this body has been talking all year about change. The President has also been talking about the need to be courageous and make changes. But both Mr. Speaker and the President have agreed that this change can only come with the participation of the American people.

Today, we have a perfect opportunity to do just that: to ensure public involvement by repealing one of the rules that has restrained this body for so many years from making real change and reform. This rule has effectively discouraged the public from participation and involvement through an essentially secret process.

Ask yourself: How does the public participate? They participate through their representative. But how can they participate, if they do not know how and to what extent their representative is participating?

The public cannot demand and direct change and reform unless they are aware of what goes on here in Washington.
This reform is so basic, some people may find it hard to believe we even have to debate it. All we are asking is that the names of members who sign a discharge petition be made public, the same way that the names of members who cosponsor legislation have their names made public.

This change is important because it will allow us to bring other significant legislation to the House floor, including a line-item veto, legislation to make all laws apply to Congress, and many other reforms. It does not guarantee any of those reforms will become law, but it will allow public debate on issues that have been held hostage in committee for far too long.

This is not a radical change. It will not solve all the problems we face. But it will be a giant step toward opening up the process here in Washington, and helping restore some confidence that the people might have in the Congress of the United States.

Mr. INHOFE. Mr. Speaker, I yield such time as the majority consumes to the gentleman from Virginia [Mr. ROGDALTT].

Mr. GOODLATTE. Mr. Speaker, I rise in support of the gentleman's bill.

Many of us in Congress have been reform-minded Members of the House have won a tremendous victory. The fact that we are even debating this resolution on disclosure of discharge petition signatures is a sign of things to come in this institution. The "old-boy" network that has repeatedly buried good bills in committees with like-minded chairmen has been dealt a blow.

The American public will now discover the true reformers in Congress. Constituents have the right to know whether their members are just talking the talk when they go home and say they support reform. If they haven't signed a discharge petition to get up or down vote on reform issues they aren't reformers. Until now constituents would never discover those who will say one thing and do another in Congress. Members could talk all they wanted, safe with the knowledge that reform bills would never come to a vote.

We all know how it works. A much needed reform like term limits is introduced. The leadership opposes the bill, but knows if a vote on the floor occurs it will likely pass because the vast majority of Americans favor limiting terms in office.

So the term limits bill gets sent to an unfriendly committee where the committee chairman simply buries the bill—not allowing public hearing and certainly not allowing a vote. The only way to get a bill out of the committee is a discharge petition, but the "old-boy" rules of the House made absolutely certain that the signers would never be made public. That's how Members could say they supported something when they never would have to vote on it.

Now those times have changed. Soon we will be calling those days of backroom screening and secrecy the dark ages. We are about to enter the bright light of disclosure in Washington. Because of this resolution the Capitol Hill power barons won't have such an easy time protecting their cronies behind a veil of enforced secrecy. It's about time.

Mr. INHOFE. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. ZIMMER].

Mr. ZIMMER. Mr. Speaker, I would like to commend my colleague, the gentleman from Oklahoma [Mr. INHOFE] on his success in forcing a vote to end the secrecy of discharge petitions. This kind of secrecy has allowed Congress to operate like a self-contained ecosystem, sealed off from the rest of the world. It is time to open the airlocks of this biosphere and let in some sunlight and fresh air.

We need to remember that this House does not belong to its Members, it belongs to the people who sent us here. After all, the name of our job is "Representative."

This bill, along with measures like the Zimmer-Baucus open meetings bill, will make us more accountable to our constituents. Only when we open our activities to public scrutiny will we be able to restore the public's faith in Congress.

Mr. INHOFE. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Speaker, this resolution is this year's ultimate reform battle.

Unfortunately, most freshmen Democrats were A.W.O.L. in this fight. The freshmen Democrats ran on a reform platform, but they have run away from it once they got to Congress.

The voters who put these folks in office should be outraged at these Members who suggested that they were going to be reformers and have now turned their back on reform, once they have gotten into Congress.

Note these facts: Only 12 of the 66 Democrat freshmen, less than one-fifth, signed the discharge petition that got this resolution to the floor. Of those 12, 7 were among the last 11 signers, signing after the August recess ended, more than 4 months after the petition was filed, suggesting they were not willing to do so until they were pressured.

And the first Democrat freshman to sign did not sign until weeks after the Zimmer-Baucus open meetings bill, will make us more accountable to our constituents. Only when we open our activities to public scrutiny will we be able to restore the public's faith in Congress.

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while hiding behind a cloak of official secrecy.

It is high time to cast that cloak aside and let the sun shine on the discharge petition.

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Mr. INHOFE. Mr. Speaker, I yield 1 minute to the gentleman from Georgia [Mr. LINDER].

Mr. LINDER. Mr. Speaker, as Winston Churchill once said, this is not the end; this is not even the beginning of the end, but it is, perhaps, the end of the beginning, the beginning in this House to end the process, to end secrecy, and open up the actions of this House to the American people.

No longer will a handful of powerful Members be able to thwart the will of the majority of Members of this House. No longer will Members be able to talk one way at the desk and act quite differently in Washington, DC. This House, more than any other institution of Government, is primarily the people's house.

Finally, we [Mr. INHOFE] will have access to important information that had been denied them for too long.

Mr. INHOFE. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. BARTON].

Mr. BARTON of Texas. Mr. Speaker, we are here today to pass one of the most important openess-in-Government laws in the history of Congress. I want to commend the gentleman from Oklahoma [Mr. INHOFE] for his courageous support of this legislation, and I hope that the House endorses it by roll call vote overwhelmingly. I would like to point out that once we pass the Inhofe bill, that it is still necessary to get 218 signatures on any discharge petition to bring it before the House.

Mr. MOAKLEY. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. BEILENSON], the chairman of the Subcommittee on Rules of the House of the Committee on Rules.

Mr. BEILENSON. Mr. Speaker, I thank the chairman for yielding time to me.

Mr. Speaker, as the chairman of the subcommittee which held a hearing on House Resolution 134 2 weeks ago, I would like to share with our colleagues some of the thoughts that we were pressed upon about the potential consequences of disclosing the names of signers of discharge petitions.

Before I do that, I would like to express my own views on this matter. Although I have serious concerns about the changes in our legislative process that might be set into motion as a result of House Resolution 134, I intend to vote for this resolution. I believe that Americans have the right to know what actions their elected representatives take, including whether or not they sign a discharge petition. In an age when virtually every other official action a Member of Congress takes is public information, we simply cannot justify retaining a 1930's-era decision that requires the names of Members who sign a discharge petition to be kept secret until the requisite 218 signatures have been obtained, no matter what we think the consequences might be.

At the same time, at the same time, I hope that we act with the understanding that there is much more to this issue than just secrecy versus openness. By heightening the visibility of the discharge process—and, presumably, its use—we risk seriously undermining the deliberative process that is essential to sound lawmaking. It is my hope that we will open the question of whether other changes should be made in the discharge process in the weeks or months ahead, to ensure that it remains the last-resort procedure it has been throughout its history.

We cannot say with any certainty whether the discharge process will be used more frequently when signatures are public, but I believe it is likely that special-interest groups—especially those with the resources to mobilize their followers and obtain time on the floor—will begin routinely urging Members not just to cosponsor bills, but also to sign discharge petitions on them. A Member might want to co-sponsor a bill to show support and urge action on a proposal, but might not want to sign a discharge petition on it because he or she wants committee consideration of it before it goes to the floor. But groups supporting a bill are likely to demand that Members do both to show that they are truly committed to a proposal.

Legislating by discharge on a routine basis is something that I would think even the most enthusiastic proponents of disclosure would not want to see. By bypassing committee consideration, hearings, input from experts, amendments, the work done by the Members who know the issue in more depth than the rest of us do, and, most important, giving members of the public sufficient time to make their views known, we would be bypassing the process that is so essential to producing a good legislative product. The result of short-circuiting the process in this manner is likely to be laws that are not well thought out, or that benefit special interests at the expense of other Americans. Many Americans think that these are already problems with the laws we pass; if discharge is used more frequently they will find these problems to be much, much worse.

I would like to share some of the thoughts expressed about the likely effects of disclosure by the witnesses at the September 14 hearing of the Subcommittee on Rules of the House.

Hyde Murray, who served as counsel to the Republican leadership here in the House for many years, warned that there would be unintended consequences of publicizing the signatures on discharge petitions, and noted that Republicans as well as Democrats have an interest in preserving the deliberative quality of legislation that are special interest oriented. He predicted that disclosure of signatures would lead to intense politicization and lobbying and expressed the fear that liberals would use the discharge process to obtain votes on popular social programs, while conservatives would use it to push popular tax breaks, and that the result would be less fiscal discipline than there is now. Peter Robinson, who served as a top aide to Democratic leaders here in the House, also expressed fears that costly legislation benefiting special interests would be easier to get through the House if names on discharge petitions are public.

Thomas Mann, a noted congressional scholar from the Brookings Institution, said that the discharge petition "was never, and never should be, designed as another means by which outside special interest groups can forcing action on a piece of legislation: it was a way of dealing with the arbitrary exercise of power inside the chamber." He warned:

"To publicize the signatures on discharge petitions before a majority is achieved would increase the pressure on Members to take the politically safe action in the face of intense outside lobbying. It could well lead to the routinization of the discharge petition as an alternative agenda-setting mechanism in the House, diminishing the deliberative role of committees and weakening the ability of the majority party leadership to manage the floor. It would encourage Government by petition, a far cry from the republican form of government designed so brilliantly by the Framers.

Norman Ornstein, the American Enterprise Institute's leading congressional scholar who shared the views of Mr. Robinson and Mr. Murray, expressed concerns about disclosure of signatures creating a referendum-type process resulting in horrific debate which doesn't focus on tradeoffs, and where there is no opportunity for amendment. He predicted
that special interest groups would quickly learn how to use the discharge process and that, as a result, the House would pass legislation which increases the burden of deficit.

Roger Davidson, professor of government and politics at the University of Maryland, pointed out that the discharge procedure is ill suited for the process of legislative deliberation. It bypasses the crucial and time-consuming phases of hearings, negotiations, and markups that are needed to turn raw proposals into acceptable legislation, or to expose a proposal's fatal flaws or narrow support. The procedure itself provides inadequate debate and short circuits amendments. It also fails to address the phenomenon of multiple referrals, which apply to more than a third of all legislation introduced in the House.

Steven Smith, a professor of government from the University of Minnesota who has written extensively on congressional procedures, said that he saw "the essence of our current legislative process" prevented the House in recent Congresses from acting on measures that a majority of Members personally believe should be adopted." He expressed the concern that by disclosing names of discharging Members, the House would be moving perilously close to government by opinion poll. The Congress is four-fifths of the way there as it is.

There were also witnesses who felt otherwise—that disclosing signatures would bring positive changes to the House, including greater accountability and democracy to the internal procedures of the House. David Mason of the Heritage Foundation said that discharge petitions are more often a means to induce deliberation than to cut it short. He also said that "the best way to combat special interests is through the inherent power and openness in its exercise."

The president of Citizens Against Government Waste, Thomas Schatz, countered the predictions of witnesses who said that disclosing names of signers would result in less fiscal discipline, saying that "most of the legislation that will come from filing discharge petitions will be reform legislation that will favor taxpayers and work against special interests." And James Gattuso, representing Citizens for a Sound Economy, echoed his comments, stating that disclosing signatures would decrease, rather than increase, the power of special interests.

Mr. Speaker, in conclusion, the gentleman from Oklahoma [Mr. INHOFE], the sponsor of House Resolution 134, who also testified in our hearings, predicted that discharge petitions would not be used routinely, even when names are disclosed; that it was such an arduous task to get 218 signatures on a petition that successful discharge efforts would continue to be infrequent. Let us hope that he is right and that our worst fears about this change to not come to pass.

If they do, however, if the discharge process is used frequently, even routinely, to obtain floor votes on bills, I do hope that we will respond by making the necessary changes to restore the process to its historic role as a means of last resort to obtain floor consideration of a measure that a majority of Members want to vote on.

Mr. INHOFE. Mr. Speaker, I thank the gentleman from California [Mr. BEILenson] for his remarks.

I yield 1 minute, Mr. Speaker, to the gentleman from Indiana [Mr. BUYER].

Mr. BUYER. Mr. Speaker, I came here to compliment the gentleman from Oklahoma [Mr. INHOFE] for his reform-minded measures to open up the House to more democratic measures, and I am also touched by the words of the chairman of the subcommittee. I want him to know as a very reform-minded new Member to this institution that we do not want to see the discharge petition process be used as an end run around the committee process. If that ever happens, I will jump in and help lead a fight with the gentleman to stop that form of process.

I want to let the gentleman know that when he mentions special interests, and now looks at who are on those petitions, and if he wants to say, "Steve, you are representing a special interest,," the special interests I represent are now are those who want term limitations, a true line-item veto, and a balanced budget amendment, which I see as the interests of the American people, and not any particular special interests.

The gentleman has me on some of the issues, and I look forward to working with him on them.

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

Mr. BUYER. I yield to the gentleman from New York.

Mr. QUINN. Mr. Speaker, I join with other speakers this morning in thanking the gentleman from Oklahoma [Mr. INHOFE] for his efforts. I have learned of this through the line-item veto work a number of us have done this coming year with the gentleman from New York [Mr. SOLOMON] and other freshmen.

As I talked to people back home in Buffalo and western New York, they are astounded that this law existed. The gentleman from Oklahoma [Mr. INHOFE] and others, and all that we are working for, will lift the veil of secrecy. Today I want to thank everybody involved, and especially the gentleman from Oklahoma [Mr. INHOFE].

Mr. INHOFE. Mr. Speaker, I thank the gentleman from New York [Mr. QUINN] for his comments.

Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. BILIRAKIS].

Mr. BILIRAKIS. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, as we all know, in recent years, the public's confidence in their Representatives has plummeted. It is clear that the American people are dismayed at the workings of Congress. They want reform in many ways, and particularly a National Legislature that acts responsibly and in the open.

The Florida Sunshine Law requires that meetings of all elected officials at all levels be held in open forums. Floridians at least have the benefit of accountability because their legislators do not meet behind closed doors. There is no reason to think that the American public would be negatively impacted by lifting an arcane House rule that keeps the names of Members who sign discharge petitions secret.

We must restore the public's confidence in Congress. I urge my colleagues to support House Resolution 134. It is a good first step toward true reform of the Congress.

Mr. SOLOMON. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. MCKEON].

Mr. MCKEON. Mr. Speaker, today, history is being made. I commend the gentleman from Oklahoma [Mr. INHOFE] for his, tireless efforts which have brought us to this momentous occasion today. I came to Congress as a member of a class which had, and continues to have, hope to reform this institution. Unfortunately we have found that Congress doesn't always function in the best interest of the American people and that's not easy to change. I am pleased to note that of the first 35 Members to sign discharge petition No. 2 to bring House Resolution 134 to the House floor, 29 are members of the Republican freshman class.

This resolution is one of 19 items our Republican freshman class is included in its congressional reform package. As a result of this breakthrough, we may now see the opportunity to bring other issues of vital importance to the floor; such as a balanced budget amendment, term limits, and a true line-item veto.

Mr. Speaker, today brings a hope that we can continue to enact congressional reforms desired by the American people. With this victory, the Congress will hopefully begin to regain its trust with the citizenry it governs.

Mr. INHOFE. Mr. Speaker, I would like to inquire from the majority side if they would like to use any of the remainder of their time. I would like to conclude debate, and I would advise the gentleman that at the conclusion of my remarks I will move the previous question.

Mr. MOAKLEY. Mr. Speaker, evidently some of my speakers have been persuaded by the gentleman's eloquence. I am our only remaining speaker.

CONGRESSIONAL RECORD—HOUSE September 28, 1993

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Mr. MOAKLEY. Mr. Speaker, evidently some of my speakers have been persuaded by the gentleman's eloquence. I am our only remaining speaker.
Mr. INHOFE. Mr. Speaker, I yield myself my remaining time.

Mr. Speaker, I have tried to like to make one comment about the quote by Chairman Moakley from the Boston Herald. The Boston Herald also editorialized in favor of this, and I quote: "Inhofe may be right that this gives us the ability to circumvent this system by opening the discharge petition process to public scrutiny." So I appreciate the gentleman bringing up the Boston Herald.

Mr. Speaker, there have been three basic objections that have come to our attention. One is if we do, then the lobbyist and special interests will find out what this is all about, and what we are doing around here. If we carry that to its logical conclusion, Mr. Speaker, we would turn off those cameras, we would say let us lock the doors. We do not want anybody in the galleries to find out what we are doing in here. We would close our committee rooms so they would not know what was going on. We would close all of our hearings so that the public could not go in there, and then lobbyists would not know what we are doing around this place.

I would suggest that lobbyist are the last ones who want this reform, because it is a lot easier to lobby one individual who happens to be a Member than it is some 30 Members out there wandering around. Special interests flourish on two things: secrecy and concentration of power. And this simple one-sentence resolution ends both.

Second, they say somehow this is going to impair the committee system. You know, I hope it does. We need to change the committee system. It needs shaking up a little bit.

I think a system that allows the chairman to dominate the agenda and shut out certain causes from even being heard, even when it is not one that is healthy. But this will not circumvent the process, and the best evidence of this, and the gentleman from California [Mr. BEILENSON] mentioned this in his remarks, is the House Resolution 134. House Resolution 134 is the first resolution really to be using the new system, because I made it abundantly clear when I introduced it, and when I filed my discharge petition that I was going to violate the House precedent and release to the Wall Street Journal the names of those who did not sign.

Now I introduced this House Resolution 134 on March 18. Then we went the requisite 30 legislative days, even though it was not necessary because it was the Committee on Rules. But I went ahead and did it anyway to make this point. Then on May 27 we filed the discharge petition. Here it is. September 28, more than 6 months later, and this is as quickly as it could happen.

I would suggest, Mr. Speaker, that if a chairman is not willing to give a hearing and report out a bill in 6 months, then perhaps we do need to change the system a little bit.

But I am concerned about one thing, and that is that there have been some rumors floating around that if this passes, or I should say when it passes because it will today, certainly with the newfound support of the gentleman from California [Mr. BEILENSON], which I do not doubt, and the leadership may meet in January 1995 and offer some type of dramatic restrictions to the discharge-petition process. If that happens, yes, there will be a rush to get in the next 18 months or 15 months, to get discharge petitions in under the system we are going to adopt today. So I would like to emphasize that. And I think the gentleman from California [Mr. BEILENSON] mentioned this too as something that could happen, and I am today, and want the RECORD to clearly report this, I am asking the leadership to give us their assurance that they will not consider massive changes in the discharge-petition process in January 1995, which would set off an unhealthy flow of discharge petitions because of the very impairment of the committee system that seems to be so concerned about today.

Third, the objection is of that bad law. I do not quite understand this, because bad law is in the eyes of the beholder. Is a budget-balancing amendment to the Constitution bad law? Is a true line-item veto bad law? Is true tort-liability reform bad law?

Right now we are concerned about the flight of jobs into other countries, and one of the speakers, I do not remember which one, addressed this, and it is true. Product liability causes us to be noncompetitive in a global environment. And we are going to have to do something about product liability. Yes, I think that is good law, and that could very well come out with this.

We are talking about health reform. Again, the President said that is a glorious speech the other day he did not say anything other than restricting attorneys to 33 percent on real medical and malpractice reform.

Last year we spent $29 billion on judgments and for defensive costs. And that is passed on to all the people. So is that bad law? No, I do not think that is bad law. I think that is good law and we should do it. Who knows, we may even come up with term limitation.

Now, that may be bad law in the eyes of the majority, in the eyes of the leadership, but I think and I know the gentleman from Florida [Mr. MCCOLLUM], who has been working this cause for many years—we have been working together on this cause for many years—agrees that it is good law, and the vast majority of the people in America want it.

Who knows, we may even have a school-prayer amendment.

The fallacy of bad law, the bad-law argument, is that of definition. It is
what in the eyes of the leadership is bad law. Now, four times in history this process has been used, once in 1938 for a labor law, once in 1946 for a rule. In 1960—and I have to mention this because it was done during the very founding of the Democrat Study Group, the liberal branch of the Democratic Party—this happened in 1960. So you see today is not the first time in history a Member has openly and admittedly violated the House precedent by disclosing the names. I am the second one, the first one is Emmanuel Celler, who in 1960 could not get his bill out of the House Committee on Rules. He filed a discharge petition and he tried everything possible, and finally, with the help of the Democrat Study Group, they were able to go right up there to where the locked drawer is and memo­rize the names, one went up after the other until they finally had all the names on the discharge petition in 1960, and they released those names to the New York Times, and the New York Times published all those names.

The next day, they came down and they got the 218th signature. So that released, by the way, the bill that is known today as the civil rights bill of 1960.

So, Mr. Speaker, I have to make one address to the fact that people are talking about passing bills by radio talk shows. I wish there were time to name all the editors of all the 100 newspapers who have editorialized for this. We have over 100 associations who are behind this, not just the obvious ones, like the American Family Association, the American Taxpayers Union, United We Stand America, who is very big and helpful, but many others.

So, in this remaining minute I would like to share with you something that I feel very strongly about. Quite often on this floor a great Democrat is quoted; his name is Thomas Jefferson. Thomas Jefferson said, “Never suffer a thought to be harbored in your bosom which you would not wish to have avowed.” When tempted to do anything in secret, ask yourself if you would do it in public. If you would not, be sure it is wrong.

The other day I was down at the House recording studio doing a show with the gentleman from Illinois (Mr. EWING), and I noticed on the wall was a poster. The poster had two silhouettes. The silhouette, one of them was of the Capitol and the other was of a great American Alexander Hamilton. In­scribed on that it said, “In this Nation, sir, the people govern.” It did not say that the people govern in secrecy, it did not say that the chairman of the Rules Committee governs, it did not say that the Speaker governs. They said, “In this Nation, sir, the people govern.”

That is what this is all about today. We are going to return the agenda of Government to the people of America and destroy the 63-year-old veil of secrecy forever.

Ms. BROWN of Florida. Mr. Speaker, I rise today in opposition to House Resolution 134.

Although this resolution will mean good headlines for the Members who support the bill, there are few among us who think this legislation is good. In fact, just the other day Mr. Speaker, House Resolution 134 will send bills directly to the House floor for a vote and bypass any and all committee review. One of the best ways to learn about legislation is to sit through a committee hearing and hear, first hand, how certain legislation is passed by the House.

Moreover, the groups that are most likely to use the new discharge procedure are those seeking greater Federal largess, both in the form of outlays and special tax breaks. In the last six sessions of Congress, one-third of the bills that were passed without a committee hearing increased the deficit by more than $300 billion.

I don’t know how any responsible Member of Congress can support that.

Mr. Speaker, House Resolution 134 represents a good sound bite but bad public policy. In all good conscience Members cannot support this irresponsible legislation.

Ms. VELAZQUEZ. Mr. Speaker, I rise in strong opposition to House Resolution 134, a measure that purports to promote more openness in this Chamber, but will actually compromise the deliberative process of this Institution.

As Members elected to this Congress, we cannot be afraid to explain, to illuminate, and to clarify the distortions promoted by an irresponsible media and grandstanding Members who want to ride the wave of reform merely for the publicity it will generate.

If this measure is adopted, we will see discharge petitions pushed by big-money special interest who want to circumvent the commi­tee process. I am proud to be a member of the Committee on Banking, Finance, and Urban Affairs. I selected that committee because it has jurisdiction over many of the issues that affect families in my congressional dis­trict, such as housing, economic development, and consumer protection. I do not wish to partake in any alleged reform that will weaken my position as a member of that committee, weaken my standing as a member of Congress, and therefore compromise my ability to serve my constituents and their otherwise voiceless views.

By exposing to public pressure a very ex­ceptional vehicle that allows measures to come directly to the floor, without the benefit of committee debate, we endanger thoughtful and full consideration of policy proposals.

I would have supported an alternative that was floated by some Members which would have allowed the disclosure of names on a discharge petition pushed by big-money special interests, with the committee process. Under this proposal, when a discharge petition acquired the mandatory 218 cosponsors, the Committee with jurisdic­tion for the legislation would have been re­quired to act on that legislation within a prompt but reasonable timeframe, such as 60 days. This approach would have lifted the so-called veil of secrecy and would have un­covered the bottled-up opposition, but it would have protected committee deliberation and the pub­lic debate of legislation.

Unfortunately, that proposal is not before us. Therefore, I am compelled to oppose this House Resolution and I urge my colleagues to oppose this bill.

Mr. GILCHREST. Mr. Speaker, I rise today in strong support of House Resolution 134 and the reform of he discharge petition process.

Throughout my brief time in Congress I have been a strong proponent of congressional accountability. Passage of discharge petition reform is necessary at this time if Members are to be truly accountable to their constituents. What better way to ensure this accountability than to require that Members work toward passage of legislation that we all tell our constituents we support?

Far too often, Members cosponsor legislation that they know will never come to the floor for a vote. They are able to outwardly support measures while simultaneously working to ward its passage through committee action or the discharge process. I think this is a sham that needs to be ended and it will be when this legislation is passed by the House today.

I am proud to cosponsor and bring this matter to the attention of the pub­lic who will benefit from the consideration of such important legislation as term limits, line­item veto, and balanced budget amendment. These are issues that have been bottled up for years at the committee level but need to be considered and passed by the House of Representatives.

I hope that my colleagues on both sides of the aisle see the importance of passage of this legislation and will join me in voting aye on House Resolution 134.

Ms. SNOWE. Mr. Speaker, I rise today in support of House Resolution 134. The dis­charge petition was adopted in 1910 to move legislation pigeon holed in committee to the House floor. Once 218 Members sign the petition, the bill can proceed to the floor for a vote. However, the discharge petition rarely achieves its purpose, largely because the names of those who sign discharge petitions are kept secret. Of the 200 discharge petitions were filed between 1937 and 1986, only 19 were ever discharged. I am proud to cosponsor and support passage of House Resolution 134 as a partial remedy for this inequity.

House Resolution 134 would make the names on a discharge public as soon as the Members sign it. This would prevent Members from engaging in the double speak of telling their constituents they support a bill while re­fraining from signing the discharge petition that would bring the bill to the floor.

Some of my colleagues argue that House Resolution 134 will increase the power of nar­row, special interests. Openness and account­ability, however, act to undermine the power of special interest groups, not to enhance that power.

I believe that this is another step toward our goal of reforming Congress to make it more
September 28, 1993

CONGRESSIONAL RECORD—HOUSE

22717

democratic and equitable. Across America, people are saying that Congress needs to be more open to the people and held accountable for its legislative activities.

For these reasons, I am proud to support House Resolution 134, which amends House rules to make signatures on discharge petitions public. Having served in this body over 6 years and watched the defeat of numerous rules changes put forward by the minority to increase accountability, I believe action on this front is long overdue.

Most Members in this body were not here in the 1970's when the House adopted sunshine rules to open committee meetings, hearings and conferences. But we know the reason they did so—to put an end to a government run in secrecy. We know from firsthand experience that the operations of this institution have not been impaired by public access to our decisionmaking process. In fact, Congress has flourished under this system which encourages maximum citizen input and involvement.

Despite the success of the sunshine initiatives, vestiges of secrecy remain in this institution. It is time for us to open the rest of the doors and complete the job which began nearly 20 years ago. If it is the will of our constituents that certain legislation be brought forward, as representatives we should have the tools to help make that happen. In a democracy, there is no basis for granting a few select House leaders the ability to thwart a majority of the American people.

Some of those leaders are opposing this resolution on the grounds that it will allow special interests to manipulate the legislative process. The truth is that special interests now have a greater say than many Members in determining the subject and structure of committee hearings and action. The special interests that channel the bulk of their lobbying resources on committee chairs have plenty of influence on the decisionmakers. House Resolution 134 offers an opportunity for increasing the American people and their representatives the ability to propel important legislation forward.

Mr. Speaker, this debate marks a historic occasion. With the appropriate support House Resolution 134 will pass and this will be remembered as one of the House's finer hours. I urge my colleagues to support this measure as a gesture of confidence in the American public and a down payment on congressional reform.

Mr. PORTMAN. Mr. Speaker, shortly after my election to Congress in May, I was the 39th Member of Congress to sign the discharge petition to force the bill before us to a vote in the full House. I am proud to stand as a cosponsor of this legislation that my colleagues in Oklahoma have introduced, because I believe it is good Government measure long overdue.

It amazes me that at a time when the American people are demanding more openness in Government, there exists a secret process that allows some Members of the House to have unfair control over whether or not a bill will be considered by Congress. Americans are tired of wondering why needed reforms never seem to make their way to the full House for a vote. And this anachronistic rule has a lot to do with why this happens.

The legislators we elect and the government today will fundamentally alter the way things work in Congress, helping to restore openness to the legislative process and make it more responsive to the American people.

Open discharge procedures have worked successfully in all 50 States legislatures without jeopardizing the committee systems. There is no reason why the same openness should not work well in Congress. No longer will a Member be able to tell his constituents "I'm for this bill" and then refuse to sign petitions to discharge it from committee. The American people have a right to know where their elected representatives stand. Secrecy on discharge petitions should not act as an easy cover for Members who do not want to vote for legislation that is already popular with the electorate. What Congress needs is greater accountability and greater openness, not secrecy.

Clearly, the current system gives more power to the 250 House chairs who exert the most influence over the process. It's high time that Congress puts an end to secrecy and begins to show its commitment to openness and accountability. Americans beyond the beltway deserve to see for themselves which Members have been holding things up in the House.

Mrs. UNSOELD. Mr. Speaker, I rise in opposition to the Inhofe resolution and do so knowing full well that many of my constituents will be angry with this decision. While the overwhelming majority of my colleagues will most likely bow to the public pressure created by the Wall Street Journal and radio showman and Congress basher Rush Limbaugh and support this measure, that does not make it a good decision for the Congress or for the American people.

This measure is not about secrecy, as Mr. Limbaugh and other proponents would have us believe. Everyone in this body realizes that the discharge petition is a little used and rather arcane procedure that has little impact on the legislative process. I don't dispute that many Members of Congress cosponsor politically popular but dubious measures, while secretly hoping that it dies in committee. However, enacting this measure is not going to end that practice and everyone here knows that.

More important, enactment of the Inhofe resolution will be to encourage the wider and more frequent use of the discharge petition, effectively undercutting the deliberative process that has evolved over our Nation's history. The use of the discharge petition to force measures onto the floor without any public hearing or committee consideration and without the option of amendment will essentially create the ultimate closed rule. It is worth noting that many of the strongest proponents of this measure are those regularly compelling closed rules on measure they oppose.

In closing, I would like to enter into the RECORD a powerful statement of opposition to the Inhofe resolution. It is a column written by the noted experts on Congress, Thomas Mann and Norman Ornstein, which ran in the Washington Post on September 27. They point out how the adoption of this measure would likely encourage government by plebiscite. While that would serve the purposes of those who regularly bash the Congress, it could have a very negative impact on the constitutional responsibility of the Congress to study legislative proposals that have genuine support among a majority of members find their way to the floor; that the discharge petition has...
worked as a noncontroversial safety valve enabling a majority of members to prod legis­
slative action when they believe the leader­
ship is improperly thwarting action; and
and that adopting the Inhofe proposal would
make a provision designed to be a last resort
by Congress-bashers pursuing their own par­
tial interests inappropriately thwarting action; and
there was lit­
le opportunity for genuine discussion and
make a provision designed to be a last resort
that the undue sway of leadership
The Sergeant at Arms will notify ab­
sent Members.

The vote was taken by electronic de­
vice, and there were—yeas 384, nays 40,
answered "present" 1, not voting 8, as follows:

**ANSWERED "PRESENT"—**

Martinez

**NOT VOTING—8**

Brown (CA) Johnson, E. B. Sharp
Conyers McGavack Townes
Foglietta O'wens

**1238**

Ms. PELOSI and Mesars, Flake, FLANDER, and LEWIS of Georgia changed their vote from "yea" to "nay."
Mr. BARLOW and Mr. RECERRA changed their vote from "nay" to "yea."
So the resolution was agreed to.
The result of the vote was announced as above recorded. A motion to reconsider was laid on the table.

**GENERAL LEAVE**

Mr. INHOFE. 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 just adopted.

The SPEAKER pro tempore (Mr. OSEY). Evidently a quorum is not present.

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

The SPEAKER pro tempore (Mr. OSEY). Evidently a quorum is not present.

The Sergeant at Arms will notify ab­
sent Members.

The vote was taken by electronic de­
vice, and there were—yeas 384, nays 40,
answered "present" 1, not voting 8, as follows:
September 28, 1993

PARLIAMENTARY INQUIRY

Mr. INHOFE. Mr. Speaker, I have a parliamentary inquiry regarding the resolution just adopted.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. INHOFE. Mr. Speaker, is it the interpretation of the Chair that the resolution just adopted applies only to discharge motions filed after adoption or that it also applies to discharge motions already filed?

The SPEAKER pro tempore. The Chair believes that the plain reading and debate on House Resolution 134, along with standard principles of statutory construction, indicate that the language inserted in clause 2 of rule XXVII by the resolution should be read to apply to both those discharge petitions already filed as well as to those to be filed in the future.

PERSONAL EXPLANATION

Mr. SHARP. Mr. Speaker, on the vote just taken, I had intended to vote "yea," but I was in the House annex office where the bells did not ring; the paging system did reach me, and I ran, but missed the vote.

PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, during rolcall vote No. 458 on H.R. 134 I was unavoidably detained. Had I been present I would have voted "aye."

PERSONAL EXPLANATION

Mr. Conyers. Mr. Speaker, due to pending business in my district, I was unable to vote the same on rolcall No. 458, House Resolution 134. Had I been present I would have voted "no" on the resolution.

REQUEST FOR APPOINTMENT OF CONFERENCE ON H.R. 2520, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

Mr. YATES. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2520) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1994, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

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

Mr. BURTON of Indiana. Reserving the right to object, Mr. Speaker, we continue to have very restrictive rules coming out of the Committee on Rules, and, therefore, Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

CONGRESSIONAL RECORD—HOUSE 1240

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 2401, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1994

Mr. FROST. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 254 and ask for its further consideration.

The Clerk read the title of the resolution.

(For resolution, see Record of Monday, September 27, 1993, at page 22963.)

The SPEAKER pro tempore (Mr. OBSBY). The gentleman from Texas (Mr. FROST) has 30 minutes remaining, and the gentleman from New York (Mr. SOLOMON) has 5 minutes remaining.

The Chair recognizes the gentleman from New York (Mr. SOLOMON).

Mr. SOLOMON. Mr. Speaker, I yield the gentleman for yielding.

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

Mr. Speaker, yesterday, at the United Nations, President Clinton set a new course for American foreign policy. It is a break with the past and it will prove to be momentous.

The President set forth four criteria for U.N. troop involvement in trouble spots. They are logical conditions. They mirror what many of us in Congress have been urging.

What is good for the United Nations certainly should be good for the United States, too. So let us see how the criteria set forth by the President apply to Somalia.

In Somalia, is there a real threat to international peace? The answer is no.

Does the Somalia mission have clear objectives? Obviously not.

Can an endpoint be identified? No.

How much will it cost? No one knows, but we do know to this point it has cost the American taxpayer over $1 billion. The President said:

From now on the United Nations should address these and other hard questions for which they make very poor participation in Somalia. Before the mission begins, the United Nations simply cannot become engaged in every one of the world's conflicts.

So this will become the Clinton doctrine. The American people will applaud it. It is a realistic, pragmatic approach. It is a sharp turn away from the past helter-skelter policies of let's stick our noses into everybody's business.

But as we are so often reminded, actions speak louder than words.

So let us see if the President will apply the Clinton doctrine to Somalia. That is the test. Foreign entanglements are like a treadmill. It is difficult to simply stop. We do not get to the end of one intervention when some in Congress are pushing us into another. So it goes.
Mr. Speaker, we should not be sending our American troops into combat anywhere with this kind of funding for our defense budget. Members had better vote against the rule, and had better vote against the bill that will follow it.

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

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

Mr. Speaker, this is the fourth in a series of four rules on this very complicated, very important bill. The Committee on Rules has attempted to be fair to all sides and has provided in this rule the major issues to be joined on both sides of the aisle.

Mr. Speaker, I urge adoption of this rule, so we can proceed to final consideration of this very important piece of defense legislation.

Mrs. SCHROEDER. Mr. Speaker, I rise in strong support of the fourth and final rule for the National Defense Authorization Act for 1994. The rule adopted by the Committee on Rules provides full consideration for relevant amendments to the bill.

I know that the committee may come under strong criticism for not making in order amendments from the gentlemen from Indiana [Mr. BURTON] which would have eliminated the requirement in the bill to establish the Department of Women's Health Research Center. A similar amendment was offered by the gentleman from Florida [Mrs. FOWLER] during the Armed Services Committee consideration of the bill and was soundly defeated.

This provision was developed by the Subcommittee on Research and Technology of the Armed Services Committee, as a key method to advance medical research generally and to take full advantage of the growing number of women in the military. The military health care system is unique in that it provides care for patients for long periods of time and thus is an excellent method to track research subjects over the years.

But the primary reason for establishment of the center is that women's health research has been virtually ignored in both the military medical community as well as general medical community. In 1989, the GAO reported that women and minorities were not to be adequately integrated into research protocols of the National Institutes of Health.

Since then, we have learned that women's health research has been severely neglected. Women need to know why. They need to know why they are more susceptible to disease than their male counterparts. They need to know why their health is worse than their male counterparts, and why certain serious conditions, like cancer, heart disease, and sexually transmitted diseases, affect women in different ways than they affect men.

In 1991, the NIH's Office for Research on Women's Health held a major conference to identify the outstanding gaps in women's health research. The resulting 300-page report lists hundreds and hundreds of unanswered questions regarding women's health. For instance, are women more susceptible to depression? What can be done to prevent gender specific illness, like breast cancer, ovarian cancer, and cervical cancer? What exactly happens to women during menopause, and how does hormone replacement therapy, a popular prescription for perimenopausal women, affect her risks for heart disease, cancer, osteoporosis, and depression? In addition, the study isolated outstanding gaps in our knowledge of reproductive biology, women and aging, and women and heart disease.

Why is this relevant to the military? The military, although carrying a huge research budget, favors the male research subject over the female research subject. When I asked the Department of Defense about women's health

Mr. SPEAKER. The gentleman's time has expired. The question is on adoption of the rule. The Ayes have it.


discussion of the military budget for the fiscal year 1994.

Note.-Code: C-closed; MC-modified closed; MO-modified open; D-Democrat; R-Republican; PD-prior question; A-adopted; F-failed.
CONGRESSIONAL RECORD—HOUSE

September 28, 1993

research, they told me that they were not conducting any research into heart disease or cancer—the two leading causes of death among women. Nevertheless, the military is undertaking a giant and costly research project on breast cancer—but only after Congress made them do it last year. Women in the military have unique health problems that should be addressed by the military health care system.

Establishing a Defense Women's Health Research Center in the military is a natural. It will combine state-of-the-art diagnostic and treatment technology as developed by the Army and other services, with telemedicine, which provides direct links between researchers and providers around the world, to become the leader in women's health research. With women composing 11.4 percent of our military, and growing, the military population has unique needs and demands. This is just not true. Women's health care is not a specialty.

We did not include basic research in this criteria. This criteria adds to the value of the Center, and I challenge others to tell me how this would earmark the Center to a certain location.

I would like to review the criteria included in the bill. This section requires the Defense Women's Health Research Center to be located at:

An Army facility. The Army has great expertise in medical research and is presently administering the $210 million appropriated last year for breast cancer research. The Army has done a good job in implementing the program. Already in existence on July 1, 1993, with a physical plant immediately available to serve as headquarters. We don't want to spend years choosing a site and building a new building. We want this Center up and running.

With ongoing fellowship and residency programs co-located and ongoing with the Veterans' Administration, a medical school, and a city hospital. The Center should not reinvent the wheel and should benefit from ongoing graduate medical education relationships with a wide range of service providers, including:

Technologically modern laboratories, with the capability to include state-of-the-art clinical diagnostic instrumentation, data processing, telecommunication and data storage systems. Who can argue with having modern labs and the ability to expand? There exists an exciting world of technology that has the potential for creating great cost savings and better health care. This Center should fully utilize this technology to use and share information as technology evolves and improves.

Capability with capability to effectively expand its existing mission in accordance with the mission of the Center. We don't want to place a center at a facility where its presence would be inconsistent with the host hospital.

Modern patient-oriented medical care. The Center will be a national center and its host should also have broad geographic reach. We shouldn't limit our vision to a small part of the country.

An existing relationship for the provision of services to Native Americans through the Indian Health Service. This gets us more bang for our buck. Indian health has been the ignored stepchild of medical care. This would allow DOD resources to include and benefit this special group, at no extra cost to the Government.

That's it. Our only agenda is to make women's health research another priority in the Department's research portfolio. This criteria gives proper guidance to the Department of Defense to create a Defense Women's Health Research Center at an appropriate Army medical facility.

Mr. Speaker, I urge our colleagues to adopt the rule.

Mr. FROST. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered. The SPEAKER pro tempore (Mr. MAZZOLI). The question is on the resolution.

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

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

The SPEAKER pro tempore. Evidently a quorum is not present. The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 241, nays 182, not voting 10, as follows:

[Roll No. 649]
PERMISSION TO FILE CONFERECE REPORT ON H.R. 2295, FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS APPROPRIATIONS ACT, 1994; AND SUPPLEMENTAL APPROPRIATIONS FOR THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION ACT, 1993

Mr. OBERT of Indiana. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight, September 28, 1993, to file a conference report and making supplemental appropriations for such programs for the fiscal year ending September 30, 1994, and making supplemental appropriations for such programs for the fiscal year ending September 30, 1993, and for other purposes, that all points of order against the conference report and against its consideration be waived, and that the conference report be considered as read.

The SPEAKER pro tempore. Pursuant to House Resolution 254, no further amendment to the committee report may be offered only by the chair pro tem or ranking minority member of the committee.

Mr. OBERT of Indiana. Mr. Speaker, reserving the right to object, I would say that the gentleman from Wisconsin [Mr. O'Neal] is not the reason for my objection which I am about to lodge. It is the Committee on Rules and the way they have been bringing restrictive rules and violating minority rights in this House day after day, week after week, and month after month.

But it has nothing to do with the gentleman from Wisconsin, and I want to make that very clear.

Mr. Speaker, I do object.

The SPEAKER pro tempore (Mr. MAZZOLI). Objection is heard.

COMMUNICATIONS FROM THE HONORABLE STEPHEN HORN, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communications from the Honorable Stephen Horn, Member of Congress:

HOUSE OF REPRESENTATIVES,

HON. THOMAS S. FOLEY,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to inform you, pursuant to Rule L (30) of the Rules of the House, that I have been served with a subpoena issued in a criminal case pending in the United States District Court for the Central District of California.

After consultation with the General Counsel, I will make the determinations required by the Rule.

Sincerely yours,

STEPHEN HORN,
Member of Congress.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1994

The SPEAKER pro tempore. Pursuant to House Resolution 254 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2601.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2601) to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense to prescribe military personnel strengths for fiscal year 1994, and for other purposes, with Mr. DURBIN (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Monday, September 13, 1993, amendment No. 6 printed in House Report 103-293 had been disposed of.

Pursuant to House Resolution 254, no further amendment to the committee amendment in the nature of a substitute is in order except the amendments printed in House Report 103-252 and amendments on bloc described in section 3 of House Resolution 254. Pro forma amendments for purpose of debate may be offered only by the chairman or ranking minority member of the Committee on Armed Services.

Except as specified in sections 2 through 4 of House Resolution 254, each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment except as specified in House Report 103-252 and shall not be subject to a demand for a division of the question.

It shall be in order at any time to consider the amendments printed in part 1 of House Report 103-252 in the
order printed. Such consideration shall begin with an additional period of general debate, which shall be confined to section 575 of the committee amendment in the nature of a substitute and the amendments printed in part 1 of House Report 103-252.

Debate time shall not exceed 1 hour, equally divided and controlled among the chairman and ranking minority member of the Committee on Armed Services and the gentleman from Missouri [Mr. SKELTON].

If more than one of the amendments printed in part 1 of House Report 103-252 is adopted, only the last to be adopted shall be considered as finally adopted and reported to the House.

It shall be in order at any time for the chairman of the Committee on Armed Services, or his designee, to offer amendments en bloc consisting of amendments printed in House Reports 252 or 236 or germane modifications thereof. Amendments en bloc shall be considered as read, except that the modifications shall be reported.

Amendments en bloc shall be debatable for 250 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, shall not be subject to amendment and shall not be subject to a demand for a division of the question.

For the purpose of inclusion in amendments en bloc, an amendment printed in the form of a motion to strike may be modified to the form of a germane perfecting amendment to the text originally proposed to be stricken.

The original proponent of an amendment included in amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before disposition of the amendments en bloc.

The Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment made in order by House Resolution 234.

The Chairman of the Committee of the Whole may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall not be less than 15 minutes.

The Chairman of the Committee of the Whole may recognize for the consideration of an amendment printed in the report out of the order printed, but not sooner than 1 hour after the chairman of the Committee on Armed Services announces from the floor a request to consider the amendment.

The Chair will announce the number of the amendment made in order by the rule and the name of its sponsor in order to give notice to the Committee of the Whole as to the order of recognition.

Pursuant to House Resolution 254, it is now in order to debate the subject matter of the amendments en bloc.

The gentleman from California [Mr. DELLLUMS] will be recognized for 20 minutes, the gentleman from South Carolina [Mr. SPENCE] will be recognized for 20 minutes, and the gentleman from Missouri [Mr. SKELTON] will be recognized for 20 minutes.

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

Mr. DELLLUMS. Mr. Chairman, I would like to indicate that it is my intention to yield myself 4 minutes and then to yield the balance of my time to the gentleman from Massachusetts [Mr. MEEHAN] in order that he may control that time. The gentleman from Massachusetts is the author of an important amendment in the context of this discussion.

The CHAIRMAN pro tempore. Without objection, the gentleman from Massachusetts [Mr. MEEHAN] control the remainder of the time of the gentleman from California.

There was no objection.

Mr. DELLLUMS. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, we arrive at this debate today on the status of gay men and lesbians in the military services after much discussion and controversy. While the rule governing today's debate presents a narrow range of choices, I want to reiterate my unequivocal belief that we should permanently and completely lift any restrictions to military service based on sexual orientation. Specifically, I believe we should allow gay men and lesbians to serve in the military—as they have for decades—and to allow them to do so honestly and openly, the only position truly consistent with the military's excellent code of honor.

Mr. Chairman, I believe it is possible to undertake such a commitment to equality and human dignity, while at the same time protecting legitimate concerns and preserving our nation's exemplary national defense force. In an area where I believe the military could also aid in our society's aggressive analyzing and debating, in
an open and comprehensive manner, the wide range of views expressed by all concerned with this issue; American public opinion, and certain news media views of the vast majority of my constituents;

A proper exercise of Congress exclusive constitutional authority to prescribe policies regulating the Armed Forces is a legal and political necessity. My own personal, moral and religious beliefs that the homosexual lifestyle is unnatural and immoral, as well as being illegal in some States, and should not be legitimized by a cloak of acceptability in our society.

In other forums I have already addressed the moral issues that this issue has forced my colleagues and me to confront. So, I will not elaborate today. Let me just say, however, that any advocacy of a broader societal acceptance of the homosexual lifestyle is contrary to my fundamental beliefs. A lifetime of experience has only reinforced my position on this issue. Nothing I have heard in the past year has convinced me that my moral values need to be changed.

However, the evidence that was presented to both the full committee and Mr. SKELTON's subcommittee did convince me that:

The ban on homosexuals serving in the military is not a question of civil rights, equal rights, or gay rights. The courts have consistently upheld the military's right to discriminate based on the unique nature of what the military is and what the military does.

Homosexuality is incompatible with military service. Lifting the ban would have a negative impact on readiness, discipline, and morale.

Despite the testimony of homosexuals who had served in the military that they wanted nothing more than to serve with honor, political activism to promote the gay agenda subsequent to lifting the ban promised to turn the military into a legal, social, and cultural battleground for years to come unless Congress acted to legally protect the military by codifying a policy governing homosexual service.

Today, Mr. MEEK and his supporters will present a number of arguments against codifying the Clinton-endorsed Nunn-Skelton compromise. Many supporters of the Meehan amendment will argue that we ought not to interfere with the executive branch's discretion in this matter. As you evaluate such arguments, consider that:

It was the President's own response to the political activism of the homosexual community that helped to precipitate this highly contentious and disruptive debate that occupied too much time already this last 8 months. Just prior to marking up this bill, the committee held several days of hearings on the policy proposed by the President and the Secretary of Defense and found it deficient in several key areas. Consistent with the Senate language, H.R. 2401 simply corrects those deficiencies.

As indicated in the President's own August 4 statement of administration policy, the President supports H.R. 2401 as reported by the Committee on Armed Services because and I quote, "the bill would support many of the administration's key defense programs, including the administration's policy regarding homosexuals in the military." And I repeat, in the words of our President "including the administration's policy regarding homosexuals in the military."

Finally, I need not remind my colleagues that under article 1, section 8 of the Constitution, only Congress has the mandate to regulate the personnel of the Armed Forces.

For these reasons, I urge you to protect military readiness and vote "no" on the Meehan amendment.

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

Mr. SKELTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, regarding the issue of homosexuals in the military, I stand shoulder to shoulder with the men and women who serve in our Armed Forces. I stand with General Powell and the other Joint Chiefs of Staff. I stand with the senior noncommissioned officers from each of the services. Each has said that the Nunn-Skelton language can work. Each strongly endorsed what we have done in this bill. If my colleagues care about the people in the military, they will support the Skelton amendment which is the Nunn-Skelton language.

I rise today to say clearly that enough is enough. The issue of homosexuals in the military has been far too divisive, has consumed far too much of the Nation's energy, and has robbed this body of far too much of our legislative agenda. We must put this issue behind us; we must do so immediately. It is my hope that we will do so today. I am proud to announce that a solution to the problem is available. There is a provision in the bill that codifies a workable policy, and my amendment codifies a workable policy, but does so in a manner that protects the combat capability of the Armed Forces.

Mr. Chairman, it is supported by the President, the Secretary of Defense, and General Powell and the other Joint Chiefs of Staff. Perhaps most importantly, the language in this provision is identical to that adopted by the Committee on Armed Services of the other body by a vote of 17 to 5 with all the committee Republicans voting to adopt. Your vote to turn back amendments to the language that currently resides in the bill will keep it identical to the language in the other body and will put the issue to rest in conference; it will not be a conference item. Rather, it will be a law that the Attorney General, the General Counsel of the Department of Defense, and a panel of constitutional lawyers agree can withstand the test of time, a solution that cannot be altered without coming to the elected representatives of the American people, to us, Members of Congress of the United States.

What does this provision do in the Skelton amendment?

The provision would set out the fundamental difference between military and civilian life and makes clear the importance of preserving high standards of morale, good order and discipline, and unit cohesion that are the essence of military capability. It does this with 15 congressional findings that reflect the results of our hearings here in the Armed Services Committee as well as in the other body.

The provision would require the Department of Defense to issue regulations and appointment policies that are consistent with the policy and to conduct briefings upon entry, and periodically thereafter upon reinstatement, that address sexual conduct of members of the Armed Forces, to include the policies prescribed in especially in this bill.

The provision would include the sense of Congress that the Secretary of Defense has preserved in the Nunn-Skelton language. The result is a policy that will change very little of the day-to-day life of service members. It is clear to me that the bottom line remains the same as it always has been: Homosexuals will be separated if they demonstrate conduct that is disruptive to morale and unit cohesion. The language in the bill would place that...
September 28, 1993

CONGRESSIONAL RECORD—HOUSE 22725

Mr. Chairman, I have elected to support the men and women of the Armed Forces on this issue, and I believe the language in the bill does exactly that. The polls I have seen would indicate that the American people are overwhelmingly in favor of continuing the ban on homosexual conduct in the military. Two different surveys indicated that over 75 percent of the men and women in the armed forces believe the ban on homosexuals in the military should be continued. In one of those surveys, a remarkable 45 percent indicated that they would leave the military if the ban was lifted. Such a hemorrhage of trained and educated talent is simply a risk to our defense capability that I am unwilling to assume. In addition to the views of the troops, there are two other surveys that reveal that retired flag officers oppose the service of homosexuals as an alarming 90-percent plus rate.

I recently received a letter from retired Gen. Maxwell R. Thurman, a figure well known to this body as an extraordinary leader and the general who led our forces to victory in Panama. He is a man I greatly respect. His view echoes the testimony of the Joint Chiefs and other distinguished retired officers. The views of Gen. Norman Schwarzkopf and Lt. Gen. Calvin Waller, General Thurman says: My own view is that overt homosexuality in the Armed Forces, if permitted, will be devastating to unit morale, cohesion and, ultimately, unit effectiveness in combat.

Those are the words of General Thurman. I, like these other highly respected leaders, am very cautious about any change that potentially threatens the morale and cohesion of our fighting force. We must not risk fundamentally undermining the best military force in our Nation’s history. Second place does not count on the battlefield.

For me personally, the President’s initiative has been a disturbing issue. My family background is deeply rooted in traditional religious values, and many of my constituents have sent a clear message that service of open homosexuals is wrong. Accordingly, we must not forget that this policy focuses on the issues of greatest concern to service members and carries forward key elements of the former policy that protects those interests.

I feel we have achieved our objective of a policy that protects the combat capability of our men and women in uniform, while allowing the services to stop asking the question of recruits and to exercise greater control in culling volunteer personnel. Mr. Chairman, I strongly urge that this body vote against the two other amendments and vote for this Skelton amendment.

George HAIRMAN pro tempore (Mr. OBEY). The Chair recognizes the gentleman from Massachusetts [Mr. MEEHAN].

Mr. MEEHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, after months of heated debate, we are finally going to have this issue boiled down to three choices. Let me take a moment to explain the implications of each choice. If you vote for my amendment, you are voting for the compromise produced by Les Aspin and the Joint Chiefs. The compromise leaves this issue to the executive branch, and that is all it does. Unlike the committee language offered by Mr. SKELTON, my amendment does not dictate the military personnel policy.

The Secretary of Defense will continue to have the authority to implement his directive. That is the same way this issue was handled under General Rush, Ronald Reagan, and every other President since the founding of the Republic, and I do not think the Congress should begin intervening in these matters now.

To attempt to write a law that codifies this compromise is absurd. How in the world are we going to codify something like defining when military personnel are competent to commit a homosexual act?

The Congress should not be attempting to codify this at all. If you vote for the Hunter amendment, you are voting for the damage to the service members who served in the Armed Forces on this issue, and I do not think this amendment addresses the concerns of our service members.

The Skelton amendment offers a tiny fig-leaf of “don’t ask” in a policy that amounts to a ban-plus. Is that my assessment? No. Those are the words of the gentleman from Orange County, Mr. DORMAN, in Committee. If you vote for the Skelton amendment, you are writing discrimination into law.

We have never attempted to codify this issue before. Would submit that if we codify it now, each and every year we will be back here debating this issue to change the amendment, to change it again if society changes.

Let us leave it to the Joint Chiefs of Staff and the President as Commander in Chief.
The current ban on gays and lesbians from the military is parallel to the racial bigotry that African-Americans faced in the 1940's and 1950's. In the 1940's, two army studies showed more than 40% of the enlisted personnel opposed racial integration. Now, the military argues that 74 percent of the enlisted personnel oppose lifting the ban. We must learn from the mistakes and blind judgments of the past. We cannot repeat them. We, in the Congress, cannot not go into the business of writing discrimination into the law.

Just as during the civil rights movement I could not accept an offering of liberty to one group and the denial of liberty to another, I cannot accept it now. Our Nation is one of vitality, diversity, and equality. Our Armed Forces must not be too timid to reflect these strengths.

Mr. MEEHAN. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. NADLER].

Mr. NADLER. Mr. Chairman, I rise to speak for the amendment offered by the gentleman from Massachusetts [Mr. MEEHAN] and against the amendments offered by the gentleman from California [Mr. HUNTER] and the gentleman from Missouri [Mr. SKELETON].

The gentleman from Missouri has indicated that his amendment would take us back to the situation that existed with respect to gay men and lesbians in the military last year. Indeed it would. It does not simply codify the President's policy. The Meehan amendment would leave undisturbed the so-called don't-ask, don't-tell policy adopted by the President, which, although it retained the unacceptable presumption that homosexuality makes one unfit for military service, at least did take some steps to lessen the degree to which lesbians and gay men in the military are subject to harassment by military authorities. The willful indifference to evidence displayed by those determined to see that homophobia and prejudice against gay men and lesbians in our military policy is striking. They ignore not only the evidence of outstanding military service by lesbians and gay men, but also the clear evidence that other nations' armed forces have adopted nondiscrimination policies without any adverse consequences whatever for morale and unit cohesion. The arguments for the Skelton and Hunter amendments are the same arguments used to justify racial segregation of the armed services, and they are just as wrong and deeply prejudiced now.

Mr. Chairman, for my part I will not vote for a Defense authorization bill that includes the Hunter or Skelton language any more than I would vote for a Defense authorization bill that proposed to move to restore racial segregation. Mr. MEEHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Chairman, I hope that the amendment offered by the gentleman from Massachusetts [Mr. MEEHAN] is adopted.

What we are talking about here is whether people of this country are prejudiced against gay men and lesbians, and they understand the perception that the mere presence of a gay man or a lesbian in the midst of a predominantly straight group would be disorienting. I think that is wrong. I think the American people have, in fact, a greater capacity to deal with differences than people here give them credit for.

No one is talking about untoward behavior. No one is talking about anyone who makes undue advances. That is a problem across the lines of sexual orientation, and in fact we all want the military to be much together in protecting people against unwanted sexual advances than they have been.

What we are talking about is the argument that the mere presence of an entirely well-behaved, wholly decent gay man or lesbian to be gay or lesbian would somehow, by that very fact, regardless of any misbehavior, cause problems, and I understand why people think that. But I must tell my colleagues that the experience that I have had as a gay man who acknowledged some years ago, with great reluctance, but finally, the fact that I am gay, the experience that the overwhelming majority of gay men and lesbians have had is that those in the straight majority, to whom we have been honest, have, in fact, accepted that difference without the kind of panic reaction that I think is being unfairly attributed to others.

The question is whether people who are entirely well-behaved, and no one here argues for the right to misbehave, but whether people who are entirely well-behaved will, by being honest about themselves, cause a problem. That has not been the case in police departments, in private corporations, in State that have passed these laws. Time and again we have had the predictions that there would be serious problems. It has not happened, and it will not happen here.

Mr. SKELETON. Mr. Chairman, I yield 5 minutes to the gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Chairman, I thank my colleague for yielding this time to me and would begin by acknowledging what was earlier acknowledged; and that is, through his leadership, I think we were able to take a very difficult issue, get it resolved with a minimum of difficulty by the members of the subcommittee, and later the full committee; and I again applaud him for his efforts and commend him for the bipartisan manner in which he approaches the leadership of our subcommittee.

Mr. Chairman, I strongly support the policy adopted by the Committee on
Armed Services and contained in the committee bill, and I oppose amendment to the bill.

First, let me note that the policy adopted by the House Committee on Armed Services is the product of an extensive, full, and open debate which focused on military readiness issues. That was our charge. We sought, and we received, full input from all sides of the issue, from pro-ban, anti-ban, military, civilian, academic, police, fire, religious, officers, NCO’s, legal people, the full range of opinions, and our subcommittee began to formalize a position when Senator Nunn announced his proposal in the Senate. It coincided with our views. We adopted it with consistent, but different, report language. Our committee policy on homosexuals has the support of the President, of the Secretary of Defense, of the Chairman of the Joint Chiefs and of the service chiefs.

The full committee rejected previous efforts to modify bill provisions. Specifically two amendments were offered, one by Chairman Dellums, an amendment to lift the military ban, which was rejected on a vote of 43 to 12 vote, and one by the gentleman from California [Mr. Hunter] which was rejected on a vote of 38 to 18.

Regarding the Hunter amendment, it is my view, Mr. Chairman, that it is not necessary. I fully support the intention of the Hunter amendment to ensure that recruits know of the policy of the law. As a matter of fact, recruiters must advise recruits that they cannot serve in the military if they are homosexual.

Mr. Chairman, I would like to quote from the bill itself on page 205, a section under the title “Required Briefings,” which reads as follows:

... The briefings that members of the armed forces receive upon entry into the armed forces and periodically thereafter under section 937 of this title (article 137 of the Uniformed Services Code) shall include a detailed explanation of the applicable laws and regulations governing sexual conduct by members of the armed forces, including the policies prescribed under subsection (b).

Mr. Chairman, it is clear that the people who are recruited will be required to be informed fully of the law’s provisions, including the fact that they are homosexual, they cannot serve.

Regarding the Meehan amendment, our colleagues make the point that never before have we codified this principle that exists, why do it now?

The answer, of course, Mr. Chairman, is because up to now no President has sought to change the policy. But when President Clinton decided to change the previous policy, contrary to the views of the Joint Chiefs and the majority of the Members of Congress and of the American people, it was believed necessary to codify this so that we could resolve the issue without having to have it come up time and time again.

Congress is exercising its constitutional authority to regulate personnel policies for the military. That is criticizeable. The Meehan amendment would have Congress abrogate that responsibility and leave Congress open to reexamining this issue year after year until this body would have to take action in an event.

Finally, Mr. Chairman, we will hear discussion regarding the Rand study for the Department of Defense, and I want to just reiterate a couple of points that Senator Nunn made in Senate debate regarding this Rand report.

Mr. Chairman, that report did not examine the issue of whether the ban should be lifted; rather, it sought data on how to implement a new policy. In contrast to this, its value is somewhat limited in the debate before us, but it will be cited.

Mr. Chairman, the Rand study did not examine whether the existing DOD policy served the national interests or whether the President’s proposed policy served the national interests.

Finally, I would note that it did examine the experience of foreign military, police, and fire departments, as did the Committee on Armed Services. But, unlike the House Committee on Armed Services, while acknowledging many dissimilarities between these organizations and the U.S. military, the Rand report drew very heavily upon these organizations, and we did not think that was appropriate.

So, Mr. Chairman, the policy regarding homosexuals in the military has been exhaustively examined by the committee. The committee bill protects military readiness. It is time, I think, to finally resolve the issue, so we can move on to a whole range of fundamental national security issues that face this Nation.

Mr. Chairman, adopting the committee bill without amendment will be consistent with the Senate position. It will resolve the issue. Therefore, I urge my colleagues to adopt the committee position without amendment.

Mr. SPENCE. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. Dornan].

Mr. DORNAN. Mr. Chairman, I will have an opportunity to speak again on this subject. But let me rush my words just a bit, because I want to cover and not much time to do it in.

We have had a long string of people, with no military experience whatsoever, but experience in some other areas on this issue today. To me, there is a presumption about well-behaved homosexuals by some Members with, shall we say, behavioral problems of their own is too much. In the 17 years that I have been on this Hill I have only known, in either Chamber, two openly homosexual Members.

One of them was chastised for pedophilia, seducing a page; and the other one was forced to reveal details of his private life by a loathsome male hustler, with whom he claimed, he was in love with for a time. The CHAIRMAN. The Chair would state that the rules clearly prohibit such references to disciplinary procedures involving sitting Members.

Mr. DORNAN. Really Mr. Chairman? I forgot that. The jury will disregard my remarks, but I know they cannot forget them.

Now, here is a current article in Air Force magazine, written by their congressional editor, Brian Green. He correctly states there is a lot of confusion.

He says contributing to the confusion is the pro-homosexual spin that Clinton put on his remarks at Fort McNair. Clinton said he was deeply impressed by the devotion to duty and country exhibited by homosexuals who have served with distinction.

We keep hearing that, but where is the evidence of all this distinction?

Then Clinton said there is no study showing homosexuals to be less capable or more prone to misconduct than heterosexual soldiers. He thanked all those, including all the gay activist groups, who lobbied for change. Mr. Green gave an incomplete description of a main provision of the policy, saying,

An open statement by a service member that he or she is a homosexual will create a rebuttable presumption that he or she intends to engage in prohibited conduct, but the service member will be given an opportunity to refute that presumption.

The subtitle of Mr. Green’s article is, A declaration of homosexuality can be rebutted, but the standard of proof is difficult. No one has ever met it. In all the history of civil society, nobody has ever been able to back up this from.

In my military experience, I served on active duty at 10 bases across the country. On eight of those bases there were instances of homosexual activity, each with dishonorable conduct and dishonorable discharges.

Read the case law on this, which we never discuss. Read the case law. There are no witch hunts. The people are put out for dishonorable conduct.

Mr. Chairman, to be continued.

Mr. MEEHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I just want to say I am very proud to serve with my colleagues from Massachusetts on the committee.

Mr. Chairman, I yield 1½ minutes to my friend, the gentlewoman from Maryland [Mrs. Morella].

Mrs. MORELLA. Mr. Chairman, I rise in support of the Meehan amendment and in opposition to the Hunter amendment.
CONGRESSIONAL RECORD—HOUSE

September 28, 1993

Mr. SPENCE. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. SPENCE].

Mr. SAM JOHNSON of Texas. Mr. Chairman, I think we have to talk more about the Hunter amendment, which seeks to reinstate the ban on homosexuals.

Mr. Chairman, it has been stated earlier that we do not do what other nations do. I would respectfully say, other nations do not win wars. Other nations are not the leader of the world, or so-called leader of the world. It is a position that I think we have to protect, at least I hope we do.

Mr. Chairman, I think it is important to make this matter very clear. When I was a commander in the Air Force, I spent more time than I needed to deal with these sorts of issues. And I have to tell you, it was a waste of time. What happened in the end was those people were drummed out of the service and got out with a bad name.

Well, all the gentlemen from California [Mr. HUNTER] is trying to do is say let us ask first. Let us let them off without having to go through the hassle of being drummed out of the service.

Furthermore, we have got a lot of innocent kids in the service nowadays, guys that do not understand the world. Really. Until they are out in the military and taken all across the world to the many countries that we try to defend, then, and only then, do they come in contact with society for real.

I think it is important that we protect those kids in our service. I think it is something we owe the parents of this Nation. I think that it is just our responsibility as a nation, as the sole leader in foreign policy. We have got to act to ensure the strength, morale and discipline of our armed services as the only surviving superpower and guardian of freedom in America.

Mr. MEEHAN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Washington [Mrs. UNSOE LD].

Mrs. UNSOELD. Mr. Chairman, since there is not before us an amendment to lift the ban, which the former chairman of the Senate Committee on Armed Services, Barry Goldwater, termed "un-American discrimination," I rise in support of the Meehan-Pazio amendment to the DOD authorization. The issue of whether or not to lift the ban on homosexuals serving in our Nation's Armed Forces has proven to be one of the most contentious we have faced this year—in a year chock full of hot-button issues. I oppose the ban. I see absolutely no justification for a ban which denies patriotic homosexuals and women the right to openly serve this country because of some misplaced belief that they are somehow less capable of controlling their sexuality and performing as good soldiers than their heterosexual colleagues. The stellar military careers of thousands of homosexual troops throughout our Nation's history demonstrate the fallacy of that argument. Former Senator and Senate Armed Services Committee Chairman Barry Goldwater was right when he termed the ban "un-American discrimination."

I am deeply sorry that the ban has been largely un-American discrimination, don't ask, don't tell policy. This only slightly altered policy continues to view homosexuality as incompatible with military service. However, the compromise adopted by the Joint Chief of Staff does make some incremental changes that do move in the right direction. Unfortunately, the Nunn/Skelton language would reverse some of these modest steps and codify that retreat into statute.

The Nunn/Skelton language makes no mention of President Clinton's directive that commanders and agencies should not begin investigation solely to determine an individual's sexual orientation. Are we to return to the witch hunts of the very recent past?

Finally, while the President's directive orders an end to asking the question about a recruit's sexual orientation, the Nunn/Skelton language would permit its reinstatement at some future time. I ask my colleagues to adopt the Meehan/Pazio amendment, which would simply leave these questions to the President. Its compromise don't-ask, don't-tell policy is acceptable to the Joint Chiefs of Staff. Let us not retreat from the few modest steps we have taken to protect a group of our citizens who are merely seeking the very same opportunity to serve their Nation and be judged on their dedication to their country, their ability, and their performance—just as any other soldier.

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Mr. MEEHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. GUNDERSON].

Mr. GUNDERSON. Mr. Chairman, the debate over allowing gay people in the military raises many difficult issues. Some are legitimate to the debate. Others are not. Some are the result of our Nation's ignorance regarding homosexuality. Others, unfortunately, are the result of blatant homophobia.

Today, I ask you to walk with me to clarify the thicket by examining what our history, our institutions, our heritage, and finally our own consciences can teach us. I believe this exercise can infuse some perspective and reason to our efforts to grapple with this emotional and complex situation.

Morbidity is one of the most intense and most difficult issues. This is because it pits one value system against another in claiming ownership of a single truth for everyone that does not in fact exist. Nonetheless, we are a nation founded on Judeo-Christian principles, and many, many sincere constituents have written to me and my colleagues asking us, in reference to these principles, not to legalize a lifestyle condemned by the Bible. Their concerns raise thorny issues for which there are no clear answers. But because they are raised and are deeply felt, they deserve a response.

The implicit questions are whether, indeed, the Bible literally condemns homosexuality and, if it does, whether that condemnation is applicable to our society in 1993.
The Bible is a living document. It has attributes that are constant and attributes that evolve with time and necessarily also with societal change. What is constant in that document are the social laws and mores, from generation to generation. The ways in which the Bible guides us thus must also adjust; it must accommodate the changes and growth within our society. Certainly none of us would seek, in 1993, to implement all the laws of Biblical times. After all, it is the same book and the same chapter of Leviticus, in the Old Testament, so often quoted on this issue of homosexuality that also prohibits divorce, men shoving, clothing made of more than one fiber, or women wearing slacks. What then of these Biblical mandates?

Even for those who would insist still on drawing and then transposing to law a moral interpretation, what does the Bible actually literally condemn homosexuality? John Boswell, in his book, “Christianity, Social Tolerance, and Homosexuality,” points out that a precise translation of Biblical translation discovers there actually is no such word as homosexual in either the Hebrew or Greek languages. The closest correct translation is boy prostitute. Thus, what they actually condemn is the fulfillment of uncontrolled sexual desires through the use of young boys—certainly a perversion in our own time and culture as well. As to homosexual orientation or relations per se, however, Biblical scholars also argue that homosexual relations were very common in Greek and Roman times. Biblical writings thus do not literally, clearly endorse or condemn such orientations or relations. Biblical Know-Nothing Party. Lincoln said: “As a nation, we began by declaring that ‘all men are created equal.’ We now practice it ‘all men are created except negroes.’ When the Know-Nothings get control, it will read ‘all men are created equal, except negroes, and foreigners, and Catholics.’” When it comes to this I should prefer emigrating to some country where they make no pretense of loving liberty—to Russia for instance, where despotism can be taken pure and without the base alloy of hypocrisy.

From Randy Shilts’ exhaustive study, “Conduct Unbecoming,” we read:

When pressed about why black soldiers were not allowed into combat, for example, Secretary of War Henry Stimson told congressmen that military studies had found that “many of the Negro units have been unable to master efficiently the techniques of modern weapons.” Perhaps no soldier was as outspoken about segregation as Major General John Pershing, who insisted that military efficiency, good order, and morale demanded segregation. The Army and the Navy, that it must be segregated because the wholesale acts of black soldiers, but that no white GI would want to be in the same foxhole as a black man. To buttress their arguments, the Army conducted surveys that showed 86 percent of whites favored segregated armed forces, as did 38 percent of blacks.

The Navy convinced President Franklin Roosevelt that it was a former assistant Secretary of the Navy, that it must be segregated because Navy personnel had to live and work under close conditions affording minimal privacy.
As Roosevelt wrote Secretary of War Stimson, "If the Navy living conditions on board ship were similar to the Army living conditions on land, the problem would be easier but the circumstances * * * being such as they are, I feel that it is best to continue this transition at its present time.

Finally, in a speech before the Conference of Negro Editors and Publishers, Colonel Eugene B. Householder of the Adjutant General's Office stated: "The Army is no longer a sociological laboratory; to be effective, it must be organized and trained according to principles which will ensure success. Experiments to meet the wishes and demands of the champions of every race and creed for the solution of their problems are a danger to the efficiency, discipline, and morale and would result in ultimate defeat."

It is especially ironic to note that the end to segregation had little to do with the military. It had everything to do with politics. And it was the Republican Party, with pressure from its candidate for President, Tom Dewey, that forced the Roosevelt administration to take the steps necessary to order desegregation. The Navy had discovered that he had electronically communicated with an Air Force officer who was being investigated for child pornography. Having nothing to hide, he readily allowed the investigators full access to his unaccompanied officer quarters. For 7 hours six agents searched his home. They found nothing relating to the other officer's child pornography activity.

However, 2 weeks later they returned to charge him with being homosexual.

In their first search, though totally unrelated to the basis of the search, they had discovered personal correspondence and magazines indicating he was gay. Thus, unrelated to the original complaint, with no filed charges against him, with no evidence of public homosexual activity, a young man's brilliant career was destroyed.

And while the military claims all discharges resulting from witchhunts are honorable today, that is simply not the case. On the discharge papers, on line 28 explaining the reason for separation, it states: "Involuntary discharge--misconduct, moral or professional derelict: Homosexual acts." This is not an honorable discharge; it is framed in terms, as a matter of official record, as a stigma for life.

The invasion of privacy and personal trauma for individual soldiers is not the only cost of these witchhunts. The General Accounting Office study indicated the real cost to the Government and to our Nation. The means by which some elements of the military have disregarded any rule of law in the pursuit of private sexual orientations has now justified a total Federal ban on any service by homosexuals at any time, under any circumstances. In a country premised on equal opportunity and justice, this is not much of a choice, but it is all that is before us.

Former Senator Barry Goldwater, the icon of the conservative movement, put it best when he wrote:

What would undermine our readiness would be a compromise policy like "don't-ask, don't-tell." If the debate were to finally deal with the issue—it tries to hide it. We have wasted enough precious time, money and talent trying to prosecute and pretend. It is time to deal with the heads in the sand and denying reality for the sake of politics. It's time to deal with this straight on and make a decision, if with some uncertainty, with more important business. The conservative movement, to which I subscribe, has as one of its basic tenets the belief that government exists to stay out of people's lives. Thus: * * * Legislating someone's version of morality is exactly what we do by perpetuating discrimination against gays.

I agree with the Senator.

No—this is not a perfect compromise. I regret the narrow definitions allowed in the legislation defining the difference between status and conduct. If I read the language correctly, a soldier who has an impeccable record, has followed all military codes, but informs his/her family that he/she is a homosexual, risks separation from the military purely on these grounds. In practice we are telling gay people who want to serve their country that they can only do so by denying who and what they are not only publicly and professionally, but also personally and privately. We are telling them that their military careers require them to be celibate even in their homes and to pretend they are something they are not even among close friends and family. In effect, we are telling them they must continue to lie or risk losing their careers.

I also recognize that discretion will allow future Supreme Court justices to reinstate the question. However, I have no doubt that history will so clearly show the wisdom of not asking such a question, that even the most conservative of future Supreme Court justices will not perpetuate this nightmare of intimidation, inquiry and false security.

These reservations notwithstanding, the progress that this compromise represents on several important fronts
and the bishop of my personal church, September homosexuals from the military. Under serve their country, against the new fining conduct, not status, as the basis orientation. Bishop Herbert Chilstrom churches, do not deny entrance into college campuses. I restate what I did addressing the issue at all, and allow­ and the more insidious choice of not in the military. Both professional and live each day with the terrifying risk ministry simply because of sexual…bearings in mind commonly held during Col. Fred Peck’s heartfelt testi­mon about the gay ban a few weeks ago, wherein he notes his concerns about his gay son’s joining the Ma­pires the target of an attempted outing. People who had never talked to me be­fore, who did not know me personally, attacked me. The weeks that followed were hell for me, those close to me, and my staff. Talking about, explaining, or defending one’s personal and private life under a public microscope is a viola­tion of our guaranteed right to pri­vacy. It is intrusive and painful, es­pecially when the weapons hurled are bullets of ignornance and prejudice en­cased in stereotypical labels. Labels, after all, are a handy way to tap our worst fears and gain energy out of the fog of emotionalism so stirred. Against charges so configured, there can be no defense. Because of what that incident for me was that an 11- year congressional record, and almost 20 years in public office, stood to be blown apart. My accomplishments stood to become totally irrelevant next to the single question of whether or not I was gay.

I ask you how many people, how many brilliant military careers, how much taxpayer investment will we waste before learning from the strug­gles of blacks, Jews, and other minori­ties the value of integrating the gifts of our diversity into our national life? How much longer will we instead allow our biases, prejudices, and discrimina­tion policies to bleed our national en­ergy?

To ignore history dooms us to repeat its cruel mistakes and tragic costs. In­deed a powerful new museum now stands on the mall as a monument to just how offensive and destructive pre­judices against minorities can become.
In the microcosm of their twisted society, Nazis were not performing atrocities against Jews, gypsies, blacks, homosexuals, and other nonsuper race minorities. Rather they dutifully were performing actions mandated by official directives. The horrifying results of their actions recall the powerful external constraint which emotional prejudice can transport an entire society and rule its actions if left unchecked. The very existence of the Holocaust museum declares "never again." It declares further, "and certainly never here in the US." We, after all, are unique in how we strive to celebrate our diverse citizenship and how we codify equal treatment for that diversity. The museum declares the latter with particular poignancy, standing as it does just a few blocks away from where we now stand to debate an issue in which baltant prejudice against a minority still threatens to rule our actions. Let us stand together to check that raw impulse, that concession to ignorance and emotionalism.

Were this debate occurring under President Reagan or Bush I suspect every Republican would stand and say, "Let the Commander in Chief work the out with the Joint Chiefs of Staff." That my friends, is what the Meehan amendment is all about. It is the Clinton-Powell compromise—nothing more, nothing less. It is as conservative as you can get: It gives the authority to the Commander in Chief and Pentagon to do what they think best.

It endorses the concept of less government in the personal lives of our citizens. It eliminates the wasteful spending of $23 million a year on witchhunts of our soldiers. It is the strict interpretation of our Constitution.

Today, I ask my colleagues to dig deep inside your conscience. Leadership demands that we do what is right, not politically easy.

My pastor put this all in proper perspective when he said recently, "On the question of sexual orientation, the Bible is clear on one thing; Do justice, and love thy neighbor."

Today, I ask just that. Do justice.

I submit that it is time to recognize our current bloodletting for what it truly is. Let us stop repeating the cruel, destructive mistakes of history but instead use their lessons as a springboard for showcasing our better instincts. Let us apply the tolerance and rules of fairness that previous minorities' struggles have shown to be the only enduring, effective treatment of our society from the malignancies of prejudice. The coalition of our traditions, our laws, our institutions, and our inbred sense of fairness leave no doubt about what we must do here. We must not only learn from history, but we must teach by example those who will follow. So we must now take the first step that this compromise offers for gay participation in military service, and build on it inch by inch toward a new level of fairness and equality of opportunity. Let us in taking this step respect our differences, broaden our awareness about the diversity that comprises our national fabric and, in so doing, enrich our lives individually and collectively.

Mr. SPENCE. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I neglected, a minute or so ago, to mention that the gentleman from Texas [Mr. SAM JOHNSON], who spoke to this body from that podium, knows something about the military because he served as a fighter pilot in the Air Force during Vietnam. He was shot down, and was a POW for over 6 years.

He knows of the conflicts which arise among people living and serving in close quarters and how it can affect the readiness of our military.

Mr. Chairman, I yield 2 minutes to the gentleman from Indians [Mr. BUYER].

Mr. BUYER. Mr. Chairman, I rise in strong support of the Hunter amendment.

I also would like to compliment the gentleman from Missouri [Mr. SKELTON] for his fine work.

Many of us on the committee and full committee have truly exhausted many hours working on this issue. There is not anybody who supports more open debate than myself. And while I say, why are we doing it on the House floor, not anybody who supports more open debate than myself. And while I say, why are we doing it on the House floor, I urge my colleagues to support the Skelton amendment, which is already in the committee bill, and I will oppose the other two amendments.

The Skelton amendment is the same language that is in the Senate bill and is known as the Nunn amendment. The provision in our own bill, which is in the military services. Mr. Chairman, I am told it is working well.

Six months ago, the Chiefs of the Army, Navy, Air Force, and Marines implemented this policy on homosexuals with the support of Secretary Aspin and also General Powell. Actually, the Nunn-Skelton proposal is tougher on homosexuals once they get into the military than the Hunter amendment.

The amendment I support spells out what homosexuals can and cannot do in the service. Also, our amendment makes it easier on a commander. It tells that commander what he can or cannot do or what she can or cannot do in that different unit.

Under the Hunter amendment, it requires a person to state his or her sexual preference. Now, we know that in the past that these young recruits have not told the truth in filling out the forms. So why make them lie?

In the Skelton amendment, it is optional, if the Secretary of Defense wants to go back and ask new recruits their sexual preference.

Mr. Chairman, the homosexual issue has really, in my opinion, quelled down in this country. The policy in force has been accepted by most as the best way to handle the issue. Why change something that is working?

I urge my colleagues to support the so-called Nunn-Skelton amendment and oppose the so-called Meehan and Hunter amendments.

Mr. MEEHAN. Mr. Chairman, I yield 45 seconds to my friend and colleague, the gentlewoman from California [Ms. ESHOO].
Ma. ESHO. Mr. Chairman, I rise today in support of the so-called Meehan amendment to strike the Defense authorization bill's provision regarding gay and lesbian Americans in the military; and in opposition to the Hunter amendment. By striking the language in the bill presented to the House today, we are accomplishing the bare minimum of what this Congress can do to protect the thousands of men and women in our Nation's Armed Forces. We should not codify discrimination. On July 16 of this year, I sent a letter to the President asking him to end the ban on gays and lesbians in the military. I asked him to be steadfast and courageous in the pursuit to end discrimination and committed myself to help him face the political risk and social prejudice that surround this issue. I now ask the House to do the same.

I urge all Members to reach deep into their conscience and ask themselves what the right thing is to do today. Are we going to permit the codification of discrimination and prejudice by an amendment which we believe is synonymous with unit cohesion. We should not be afraid to stand up against what the military is certainly a debate about choosing unity over division, tolerance over hatred, fairness over exclusion. But it is something more than that. It is a debate about patriotism. We talk a lot about patriotism and country and serving our Nation here on this floor. I believe we all at times feel a bit disappointed that we do not see more patriotism in our Nation, that we do not see more people with a desire to serve their country.

But apparently some of my colleagues disagree. Patriotism—the desire to serve your country—the hope that you can contribute to making our Nation safer place to live—and only desirable, admirable qualities if Members of this Congress approve of what you do in your bedroom with your body, in your private life.

You see, if we disagree with how you behave in your private life, well then, your patriotism is something to be ashamed of, something to hide from. Well, I believe this Congress has a lot to be ashamed of here today if we say to Americans who want nothing more than to serve their country that we do not really want them and we do not really need them.

Let us be reasonable today. Let us be fair today. Let us put an end to the hatred that is filling this room today. Let us say to every American—to every American—that we admire and respect and honor—that we need—your patriotism is something to be ashamed of, something to hide from. We should not give a young recruit into the Armed Forces who is an active homosexual while the Code of Conduct forbids homosexual activities. We should not give a young recruit who is a homosexual a wink and a nod to enter the military when we know that he will be discharged if he or she engages in these acts. That is not fair to those individuals and it is not fair to the taxpayers of this Nation who would train and equip our Armed Forces.

But, most of all, it moves Congress one more step away from a recognition that what we do here is the law of the land. The compromise policy blurs the line between laws and lawbreaking, rules and rule breaking. And that is a message that is much larger than this debate and much more important than this bill.

I believe that as long as we maintain the exclusion on homosexuals in the military we should ask recruits if they are active homosexuals. This is a more fair and more honest approach for all involved and one that avoids the integrity of our Armed Forces and our laws. Vote yes on the so-called Hunter amendment.

Ms. PELOSI. Mr. Chairman, I yield 1 minute to the gentleman from Nevada [Mr. BILBRAY]. Mr. BILBRAY. Mr. Chairman, as a member of the committee, I came in with an open mind. I originally supported the President's policy and believed in a ban against any discrimination against any segment of our society.

However, as the tens of hours of testimony was taken by this committee, in listening to what the military had to say and what those who had served in the military, some that were gays, some that were lesbians, and some, of course, heterosexuals who had served with those types of individuals, we listened to that testimony hour after hour after hour. We listened to the Joint Chiefs, we listened to the senior enlisted men of our country.

At that time I came to the conclusion, at the end, that the policy as advocated by Senator Nunn and the gentleman from Missouri [Mr. SKELTON] was the only possible policy that will work for the military in this time and day. It is a compromise, we believe, that has been carefully worked out over the whole year. It is one that can work.

I ask everybody to turn down the so-called Hunter amendment, to accept the language of the committee, so we can move forward on other important matters that face our country.

Mr. MEEHAN. Mr. Chairman. I yield myself 10 seconds. Mr. Chairman, I really hope we can put this type of energy and this type of
inquiry into the whole Tailhook scandal, because we really need to talk about sexual behavior, and it is in the Tailhook report.

Mr. CONCEN: Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. BARTON].

Mr. BARTON of Texas. Mr. Chairman, back in January President Clinton directed the Secretary of Defense to draft an executive order ending discrimination on the basis of sexual orientation in the armed forces. On April 1 the Secretary commissioned the Rand National Defense Research Institute to prepare a $1.3 million analysis that would assist in the formulation of the new policy. The Rand report, "Sexual Orientation and U.S. Military Personnel Policy: Options and Assessments," is a thorough, objective, 519-page study that concluded that sexual orientation, as such, is not germane to military service. Moreover, Rand determined that a standard based on conduct rather than status could be implemented with minimal impact on military life and without extensive revision to military rules, provided that the policy change were communicated clearly and consistently from the top and reinforced throughout the chain of command. In other words, the answer is a simple one. And sadly, leadership remains in short supply.

The Rand report represents the fifth instance in the last several years that an independent agency has called into question the rationality of our country's military ban. In fact, every study undertaken at the direction of Congress or the Pentagon has come to similar conclusions.

On June 25 of this year, the General Accounting Office released a report requested by Senator WARNER which confirmed once again what every previous Government-commissioned study has shown—that the presence of lesbians and gay men does not disrupt discipline or morale in a military setting. The report focused on "Lesbians and Gay Men in the Military: Policies and Practices of Foreign Countries," GAO/NSIAD-93-215, June 1993, focused on the experience of four countries, three of which have dropped all restrictions based on sexual orientation. According to Rand, the government-run military in Canada, Israel, and Sweden confirm that "the inclusion of homosexuals in the military is not a problem and has not adversely affected unit readiness, effectiveness, cohesion, or morale." Even in Germany, where homosexuals serve but still face some restrictions, officials consider homosexuality a nonissue.

One year earlier, in a report which I had requested together with my friend Mr. CONVYERS and my colleague, Ted Weiss, the GAO concurred that the Government wastes $27 million each year simply to recruit and train replacements for gay men and lesbians who are discharged from military service. That report, Defense Force Management: DOD's Policy on Homosexuality," GAO/NSIAD-92-998ES, June 1992, examined the practices of analogous paramilitary institutions such as police and fire departments, and found no evidence that the inclusion of homosexuals disrupted
the ability of these institutions to perform their mission.


Taken together, these reports tell a consistent story—there simply is no evidence that the performance of the military mission is improved by discharging individuals with distinguishable records of service to their country solely on this basis of a personal characteristic they are powerless to control.

Yet the findings presented in the reports were ignored by the Defense Department and, in some instances, suppressed. The handling of the PERSEREC reports is instructive. Only after the reports were released by my office did DOD even acknowledge their existence. Rather than questioning the conclusions of the reports, the Department tried to dismiss them on the ground that the researchers had addressed a question they had not been asked.

Nor did these reports—the only independent, objective studies on record—have any effect on the subcommittee's deliberations. The authors were never invited to testify at the hearings, nor were the studies cited in the committee report. The sole references to any of them appear in the additional views of committee members who disagree with the committee's conclusions.

By their own admission, the proponents of the committee report base their conclusions on a single unproven assertion: that the mere presence of homosexuals in the military will destroy unit cohesion and morale. The evidence provided for this assertion by the authors was never invited to testify at the hearings, nor were the studies cited in the committee report. The sole references to any of them appear in the additional views of committee members who disagree with the committee's conclusions.

What is most troubling about the committee's rationale is that it is an accommodation to prejudice. It is precisely this readiness to defer to the prejudices of the majority that makes this a civil rights issue. Much has been said by those seeking to perpetuate the ban about the differences between the discrimination endured by gays in the military and the discrimination suffered by racial and ethnic minorities. Yet it was Coretta Scott King who equated the accommodation of homophobia in the military to the accommodation of customer preferences by businesses seeking to justify their refusal to hire African-American employees.

When President Truman ordered the desegregation of the Armed Forces, there were members of Congress who made the very arguments heard in this Chamber during the last several months—that white troops would not accept intimate contact with black troops and would refuse to take orders from them; that integration would undermine cohesion and increase the prevalence of violence, sexual misbehavior, and disease; that recruitment and retention would be adversely affected. Then, as now, there were military leaders like Gen. Omar Bradley, who argued that the Armed Forces are not the place for social experimentation.

Yet despite these misgivings, the integration of the military was achieved. The issue was framed as a matter of social justice, and its implementation as a matter of leadership. Once the order was given, the military took on the job of getting it done.

Today it is inconceivable that the Congress would ever to prejudice against African Americans—or members of any other racial or ethnic group. Indeed, the Supreme Court has held that catering to the prejudices of others is not a legitimate governmental objective. Cleburne v. Cleburne Living Center, 473 U.S. 432, 1985; Palmore v. Sidoti, 466 U.S. 429, 1984. This is as true in regard to sexual orientation discrimination as it is when other minority interests are at stake. It will now be up to the Court to say so.

In so doing, they will have the blessing of scores of professional, civic, labor, and religious organizations who joined together in opposition to the ban—groups as diverse as the American Psychological Association and the American Bar Association, the NAACP and the AFL-CIO, the YWCA and People for the American Way, the United Church of Christ and the Union of American Hebrew Congregations. This is the first time that such a broad coalition has come together in support of the civil rights of lesbian and gay Americans, and I have every confidence that that support will continue to grow.

I would also note that some Members of Congress who have worked to retain the ban have gone out of their way to assert their willingness to respect the civil rights of gay men and lesbians in a civilian context. They have been unable, however, to reconcile their readiness to condone discrimination is based not on prejudice but on the peculiar requirements of military life. I am prepared to be persuaded of the sincerity of these assertions, and I challenge those Members of Congress to give their support to H.R. 431, the Civil Rights Act of 1993, which my good friend Mr. WAXMAN of California has introduced and which is now pending before us.

I know that many of my colleagues will agree that the debate on this issue has exhibited some of the worst features of our political life. Rational discussion has been swept aside by slogans and caricatures; calm deliberation preempted by the ability of lobbyists to orchestrate a chorus of instant reactions from constituents. It is any wonder that the Rand report and its precursors could not be heard above the din?

Nevertheless, while the debate has not always been as thoughtful or edifying as one hopes it has been, it has provided a forum for debate and discussion some of the most sustained, frank, and open discussion in our history of what it means to be a gay person in America. If the debate has laid bare the extent of popular hostility, it has also facilitated a large measure of public education.

Members of Congress and the public have been challenged to confront the contradictions in their own thinking. Indeed, many have been forced to think about this issue for the first time. They have had to confront their stereotypical, racist, homophobic, and bigoted tendencies. The evidence presented to date have shown that patriotic men and women who have served their country honorably and well, answering its call to do their duty, are and have been doing so without prejudice.

These are truly remarkable people—and yet, as Colonel Cammenmeyer said in her Senate testimony, they are also ordinary human beings. More than anything else, the debate has helped to demonstrate that gay men and lesbians are just like everybody else. We belong to every family and community, every vocation and walk of life. We are doctors and lawyers and farmers and factory workers; we are Members of Congress and the clergy. We are your children, your parents, your friends and neighbors.

We must not only ensure that the lesbians and gay men in the military are their courage. They have made untold sacrifices for the right to serve their country with honor and pride. I have wagered this battle together with them for many years, and I share their pain and anguish in this difficult period.

I also salute the first President in the history of the United States who cared enough to try to make their dreams—and ours—a reality. In accepting this challenge President Clinton showed a degree of courage and leadership that is all too rare in politics. Gay people everywhere—and those who care about them—will feel anger and pain at the President's inability to fulfill his pledge. I share such feelings. Nevertheless, it is important at such times to see that our understandable feelings of anger and betrayal are not, misdirected. In raising this issue to the forefront of the national agenda, the President has stood for reason and decency in a political environment that was supercharged with hysteria and the most cynical opportunism. He must not be condemned for the bigotry and intransigence of others.

We must also not lose sight of what the debate on this issue has accomplished. It is a long and great unfinished chapter in the long history of civil rights in this country. We will lose some battles, as we have today, but we must never doubt our ultimate victory in the struggle for justice. We will continue to fight on—in Congress and the courts—until the final chapter has been written and all Americans are free.

Mr. SPENCE. Mr. Chairman, I yield my remaining 1 minute to the gentleman from California [Mr. CUNNINGHAM], a top gun fighter pilot, the only Vietnam ace in this country, having shot down five MiGs, and nominated for the Congressional Medal of Honor.

Mr. CUNNINGHAM. Mr. Chairman, what this whole issue should wrap around is, is homosexuality compatible with military service. We are not competing for six gold medals, or even a Super Bowl, but we are dealing with the lives of men and women in uniform.

Any degradation of training that combat unit cuts back the capability of
that unit to survive. Pilots in the U.S. Navy, Air Force, and Army up to a high percentage are killed in training. We do everything we can to tie that unit together, to make sure that every­
thing is available to the operation.
It was mentioned that homosexuals are all around us. This is true, not in as great a numbers as they would like us to believe, but if they are allowed in the military, then that disruption will take place, and it will affect the com­bat-readiness of this military.
The military is sworn to uphold the Constitution. It was discussed by my colleague from Massachusetts. Any degradation in the ability to defend that Constitution should be elimi­nated.
I support both the Hunter amend­ment and the Nunn-Skelton amend­ment.
Mr. SKELTON. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Ms. HARMAN].
Ms. HARMAN. Mr. Chairman, today the House will have the opportunity to take one giant step forward or a big step backward. As a member of the Military Forces and Personnel Sub­committee, I commend my chairman for his effort to focus us on coming to­gether, not pulling apart.
As I have stated on this floor, I think the gay ban is unconstitutional and violates the equal protection clause of the 14th Amendment. This is why I voted to lift the ban in the Armed Services Committee. Last month, a second Federal court reached that ver­dict, in the case of Dahl versus Sec­retary of the U.S. Navy. Clearly, given this decision—and given the determina­tion of many patriotic gay and lesbian Americans to serve their country—this debate is far from over. I think and hope that the courts will strike the ban down.
Mr. Chairman, I take my responsi­bility as a member of the Armed Services Committee extremely seriously. It is not easy to look the Joint Chiefs in the face and tell them how you think they should organize their forces and enforce the military chain of com­mand. I respect our military leaders, enormously, and I think Congress should give them flexibility to manage this issue and to move on with the business of defending our country. The best way we can do that is to vote against codification, and so I will sup­port the Meehan-Gunderson amend­ment, and vigorously oppose the Hun­ter amendment. We must hold the frag­ile ground we have gained.
Mr. SKELTON. Mr. Chairman, I yield myself the balance of my time.
Mr. Chairman, I know that we are all very anxious to put this issue behind us. We are anxious to get on with many challenges ahead for our country and for the defense of our Nation. I believe the language in this bill al­lows us to achieve that purpose. I would ask my colleagues to keep in mind that this issue has been fully de­bated in the committee. I am asking Members to support the committee po­sition, which is the same as the Skel­ton amendment, which is the Nunn­Skelton language, and that this debate end because the language is identical to the language in the other body.
Mr. Chairman, this is not a matter of civil rights. This is a matter of winning on the battlefield. Second place does not count on the battlefield. Unit cohe­sion is uppermost.
The Meehan amendment causes se­rious problems concerning unit cohesion. The Hunter amendment raises serious constitutional problems, and this will be carried on down through the courts ad infinitum, so that must be defeated.
The Skelton amendment is one that codifies the law and has a tough, work­able policy that helps keep unit cohe­sion so that when the time comes in the face of an enemy, victory will be there because there will be strong unit cohesion among the troops.
I sincerely urge the other two amend­ments be defeated and that the Skelton language be adopted.
Mr. BROWN of California. Mr. Chairman, the past 6 months of debate concerning les­bians and gays in the military have made at least one thing very clear, and that is that stereotypes and myths about lesbians and gays continue to flourish. Perhaps one of the most noxious myths that persists is the idea that these individuals have chosen their sexual orientation.
Indeed, Chairman of the Joint Chiefs of Staff, Gen. Colin Powell, said that part of the reason that he felt that the racial integration of the military was not analogous with the current efforts to lift the ban on gays and lesbians is that they believed homosexuality was a cho­sen behavior. General Powell is an intelligent man who has rendered great service to our country, but I would question how he came to this particular conclusion.
Likewise, Maj. Gen. Margarethe Cammermeyer, a woman with an impeccable and distinguished military service record who was discharged for acknowledging that she was a lesbian, was asked by Senator STROM THURMOND in hear­ings before the Senate Armed Services Com­mittee whether she had sought psychiatric treatment for her lesbianism.
On a commonsense level, this question of choice of homosexuality was perhaps ex­pressed best by columnist Molly Ivins in the Ft. Worth Star-Telegram on January 30, 1993. She said, and I quote:
Of all the odd misperceptions current about homosexuality, perhaps the oddest is that it is a choice, that people choose to be homosexuals. That strikes me as patently silly. Did any of us who are straight choose to be straight? When? Did we wake up one morning when we were 15 and say, "Gosh, I think I'll be heterosexual." For Heaven's sake, how can anyone believe that people choose to be homosexual. I think it would be fun to be called "Queer" and "Gay" for the rest of my life, so I think I'll be gay.
I agree with Ms. Ivins. It is utter nonsense to think that people would somehow choose to lead a life in which discrimination and degrada­tion are heaped upon them at every turn when the alternative would also be freely available.
If the idea that people choose to be gay is not an improvement on this statement of common sense, it is also inus­portable from the empiri­cal and scientific standpoint, and this is the aspect that interests me most as chairman of the House Committee on Science, Space, and Technology.
Over 20 years now, psychological and psychiatric research has concluded that sexual orientation is a core part of an individual's identity that develops very early in his or her personal life and is not readily subject to ex­ternal manipulation.
Dr. Gregory Herek, who recently testified before the House Armed Services Committee, summed up these conclusions in an article ap­pearing in Law and Sexuality (summer, 1992):
The assertion that homosexuality is a choice is erroneous for the vast majority of lesbians and gay men. Although the origins of sexual orientation are not well under­stood, neither heterosexuality nor homo­sexuality appear to represent a conscious choice for most people.
John C. Gonsiorek, perhaps the foremost authority on sexuality and choice agrees. In his introductory chapter to "Homosexuality: Research Implications For Public Policy," he states:
It might appear to outsiders that individ­uals going through this process have "cho­sen" their homosexuality. We suggest that the term "sexual preference" is misleading as it assumes conscious or deliberate choice and may trivialize the depth of psychological processes involved. We recommend the term "sexual orientation" because most research findings indicate that homosexual feelings are a basic part of an individual's psyche and are established much earlier than conscious choice would indicate.
Chandler Burr in his recent article in the Atl­antic Monthly (March 1993) came to the same conclusion. He stated that:
Psychiatry not only consistently failed to show that homosexuality was a preference, a malleable thing susceptible to reversal, but it also consistently failed to show that homosex­uality was a product of maladjustment.
The American Psychological Association re­cently set forth its position on sexuality and choice in an amicus brief filed before the Su­preme Court of Texas in the case of Texas versus Morales. The APA said that:
Sexual orientation generally is a char­acteristic over which individuals lack a sub­stantial degree of control. To punish an indi­vidual for an essentially "immutable" char­acteristic, based on false stereotypes, when that characteristic is in no meaningful sense detrimental or harmful to society is arbitrary.
* * * Sexual orientation is acquired at an early age, and thus it makes little sense to argue that the trait is voluntarily ac­quired. * * * Once established homosexual orientation is highly resistant to change. Re­searchers generally agree that the majority of gay people are unable to change their sexual orientation, even if they wished to do so.
Further, the APA's fact sheet on reparative therapy says that "No scientific evidence ex­ists to support the notion that conversion therapies that try to change sexual ori­entation." Bryan Welch of the APA has stated

CONGRESSIONAL RECORD—HOUSE September 28, 1993
that "Research findings suggest that efforts to 'repair' homosexuals are nothing more than social prejudice garbed in psychological accoutrements."

Where does sexual orientation come from? The answer to this question is not clear, but more and more scientific research suggests that sexual orientation is genetic or otherwise biological in origin. The most recent and most compelling of this research was reported by Hamer et al. in the July 16, 1993 edition of the highly respected peer reviewed publication, published by the American Association for the Advancement of Science. A team of researchers at the National Institutes of Health has done a thorough study that clearly indicates that at least some examples of male homosexuality are inherited as a expression of a gene locus on the X chromosome, which in males can only be inherited via the mother. In fact, the observation that male homosexuality often—but not always—is more frequently found on the female side of inheritance was the beginning point of their study.

This builds on a developing body of research in the biology of sexuality and sexual orientation. The Science article notes, as have numerous others, that it is likely that both sons of identical twins will both be gay than is the case with fraternal twins or non-twin siblings. The correspondence is highly significant from a statistical point of view. And the study follows on the heels of reports showing that homosexuals and heterosexuals have differences in certain brain structures. As well, there seems to be an association of homosexuality with lefthandedness, and handedness has been established to be largely biologically determined.

What does all this mean? It probably does not mean that all expressions of homosexuality derive from the same origin. But it certainly does indicate that sexuality is clearly more a matter of biology than of environment. And sexual orientation of any kind is certainly not a matter of choice or preference.

Thus, it is absurd for General Powell to suggest that homosexuality is a chosen behavior. And it is equally absurd for SenatorTorricelli to suggest that lesbians and gays seek psychological treatment for their sexuality. It is unfortunate that neither of these prominent persons has any expertise on this subject since so many in our society are liable to look to them as leaders for guidance in the formation of opinion.

So today as we consider the additional restrictions placed on President Clinton's policy on lesbians, gays, and bisexuals in the military as found in the Senate version of the fiscal year 1994 Defense authorization bill, I hope that we will have the good sense and moral fiber to reject those restrictions and any House amendments that are in the same vein. These efforts to keep gays, lesbians, and bisexuals out of the Armed Forces are, in my opinion, derived from prejudice. They are certainly not based on science or for that matter on reason. The scientific evidence is that sexual orientation is not a matter of choice and that homosexuality is not pathological. Homosexuality like heterosexuality is simply an expression of the great complexity of human biology.

To me, to exclude persons from service in the Armed Forces on the basis of sexual orientation makes as much sense as excluding persons on the basis of eye color or handedness. Service in the Armed Forces of the United States should be based on high standards of ability and conduct. I repeat: ability and conduct. And the standards and requirements that apply to any should apply to all, regardless of their sexual orientation.

Ms. LONG. Mr. Chairman, I rise to express my support for the President's policy regarding the service of homosexuals in our Nation's Armed Forces.

The legislation we are considering today will codify the President's policy toward homosexuals' service in the military. This compromise policy establishes criteria from which the Defense Department is to pattern its recruiting and investigating processes in the future as it relates to prospective or current military service members. This compromise, negotiated with Defense Secretary Les Aspin, Joint Chiefs of Staff Chairman Colin Powell, and chairmen of the Senate and House Armed Services Committees, will ensure an effective military in the future while respecting service members' basic freedoms.

Serving in our Nation's Armed Forces is a uniquely challenging one that comes with a great deal of responsibility. In carrying out one's duties in the military, a service member must exhibit a commitment to discipline, order, and proper conduct. In everyday civilian life, individuals may decide whether incorporating these principles on the job will ensure success. In the military, however, it is incumbent upon service personnel to strictly adhere to these principles due to the sensitive nature of the objectives that the military seeks to achieve; it requires the most effective military force.

Mr. Chairman, the President's policy that we are considering here today as part of the Defense Authorization Act recognizes these unique characteristics which are inherent in military service. It also reaffirms the importance of maintaining a strict code of conduct as outlined in the United States Code of Military Justice [USCMJ]. However, this policy will require military commanders to distinguish, in the future, between a service member's conduct and his or her orientation. Furthermore, disciplinary action will be regarded to be appropriate when a service member's conduct is in question as it relates to the USCMJ, rather than a service member's orientation.

I believe the President's policy, as drafted in consultation with Secretary Aspin and Chairman Powell, has made a fair assessment of this important yet controversial issue. It provides an acceptable compromise which recognizes the rights of all service members.

Mr. Chairman, the successful implementation of this policy clearly rests upon the proper supervision, active participation, and forthright leadership by our military leaders. The confidence that I have in the abilities of our military leaders, therefore, gives me confidence that this policy will be properly administered, preventing any perceived undermining of unit cohesiveness.

The CHAIRMAN pro tempore. All time for general debate has expired. It is now in order to consider amendment No. 1. Printed in part I of House Report 103-253 relating to the subject matter of section 575. If more than one of the amendments is adopted, only the last to be adopted shall be considered as finally adopted.

AMENDMENT OFFERED BY MR. MEEHAN
Mr. MEEHAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. [Mr. DURBIN]. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MEEHAN: Strike out section 575 (page 196, line 7, through page 206, line 11) and insert in lieu thereof the following: SEC. 575. SENSE OF CONGRESS CONCERNING HOMOSEXUALITY IN THE ARMED FORCES.

It is the sense of Congress that the policy of the Government concerning the service of homosexuals in the Armed Forces is a matter that should be determined by the President, as chief executive officer of the Government and commander-in-chief of the Armed Forces, based upon advice provided to the President by the Secretary of Defense and the military advisers to the President and Secretary.

The CHAIRMAN pro tempore. Pursuant to the rule, the gentleman from Massachusetts [Mr. MEEHAN] will be recognized for 5 minutes, and the gentleman from South Carolina [Mr. SPENCE] will be recognized in opposition for 5 minutes.

Mr. MEEHAN. Mr. Chairman, I yield 1 minute to my friend, the gentleman from South Carolina [Mr. SHAYS].

Mr. SHAYS. Mr. Chairman, I thank the gentleman for yielding me the time.

Barry Goldwater is right. It is not the Government's business what one's sexual preference is. What matters is their conduct.

If Americans want to serve their country and give their lives to their country, they should be allowed to do so.

I urge my colleagues to allow the President and Chiefs and Staff to decide this issue and not codify it into law in the interest of this gentleman.

Mr. MEEHAN. Mr. Chairman, I yield 45 seconds to my friend, the gentlewoman from New York [Mrs. MALONEY].

Mrs. MALONEY. Mr. Chairman, I rise in strong support of the Meehan amendment.

This amendment represents our best hope to do the right thing—end discrimination against lesbians and gays in the military.

Already, thousands of gay men and lesbian women are buried beneath gravestones adorned with American flags.

They fought and died for freedom—the dearest of American principles—even while their freedom was being suppressed in the very ranks in which they served.
Mr. MEEHAN. Mr. Chairman, I yield 1½ minutes to my friend, the gentleman from California [Mr. EDWARDS].

Mr. EDWARDS of California. Mr. Chairman, I rise in enthusiastic support of the gentleman from Massachusetts. Mr. Chairman, I would have hoped that by this time in our history, discrimination would only be a bad dream of the past and that we would judge people in this country by their conduct and not by their personal and private inclinations.

Fifty years ago when I joined the Navy and sailed for 5 years, black Americans were discriminated against and they could not hold very good jobs at all in the Navy. And yet when President Truman came along, by a strike of the pen he eliminated discrimination in the Navy and in the Armed Forces and made major improvements.

When I was sworn in here in January 1963, black Americans were discriminated against in 11 States so that they had no personal liberties whatsoever. We passed the civil rights laws, and our country has been far, far better off.

The subcommittee that I chair has jurisdiction over the FBI. In the last 20 years we have worked to eliminate discrimination against African-Americans and Hispanic-Americans and women. We are doing that. The FBI is a far, far better place than it has ever been before.

One of these days it will stop discriminating against people of a different sexual preference, too, like all of the major police departments of this country who must have the magic word, "readiness." They have readiness, and they do not discriminate.

We have done so much for civil rights in this country in this century; let us not end the century by a step backwards.

The view that homosexuals cannot, or should not, serve in the military reflects an intolerance that has no place in American society. Gay men and lesbians deserve our respect and thanks for serving their country with honor and patriotism.

The measure of a soldier's worth is his or her conduct and skill, not his or her sexual orientation. Gay men and gay women who have served with distinction, took an important step forward earlier this year by proscribing the military witch hunts that cost taxpayers millions of dollars and so many valuable servicemen their careers. But "Don't Ask, Don't Tell, Don't Pursue" is only a beginning—much more remains to be done before lesbians and gay men are treated justly.

Much the same as our military, we expect our police officers to be of the highest caliber. In 1991, more than 150 men and women in blue lost their lives in the line of duty, almost as many fatalities as Americans suffered in the Persian Gulf war. Yet most every major metropolitan police force and fire department has no policies to serve and protect and none prohibit them.

Now is the most opportune time in our history to secure the right of every American to serve in defense of the Nation. I am confident that the prejudices that keep homosexuals from serving openly can be overcome. This will require flexibility on the part of Congress and responsiveness from the administration. Mr. Chairman, I urge my colleagues to consider the language of the ...
Mr. MEEHAN. Mr. Chairman, I yield 1 minute to my friend, the gentleman from Georgia, Mr. Lewis.

Mr. LEWIS of Georgia. Mr. Chairman, I rise today in support of the Meehan-Fazio amendment. The words we hear today sound like the words we heard in 1963. We heard the same words in 1964. We heard the same words in the Meehan-Gundersen amendment. The words we hear today are the words we hear today sound like the words we hear in people's bedrooms. The courts are doing a disservice to our military, the entire Nation has vigorously debated the role of gay men and lesbians in the military. This fact, in and of itself, is a victory for those of us who, for years, have struggled to get the Department of Defense and Congress to recognize, let alone change, a 50-year-old policy that criminalizes the service of patriotic gay and lesbian servicemembers.

I strongly reject the policy concerning homosexuality in the Armed Forces that has been included in the 1994 Department of Defense Authorization Act and encourage my colleagues to vote for the Meehan amendment to remove it. The Nunn-Skelson language in the Military Freedom Act of 1990 does not codify this language today but allow flexibility on this issue over time. I am a tolerant nation, to say that we will accommodate change as it occurs in the hearts of the American people. Let's not codify this language today but allow flexibility on this issue over time.

Mr. MEEHAN. Mr. Chairman, I yield 1 minute to my friend, the gentleman from Rhode Island, Mr. Reed.

Mr. REED. I thank the gentleman for yielding this time to me.

Mr. Chairman, every military unit is a walking blood bank. The other day I came across one of my dog tags, which has a B positive on it. If someone screens for B positive, if a person with B positive is injured in a missile attack, a bombing attack, or is on the battlefield, we have to make sure that they can get the blood they need and that it won't kill them. We simply cannot risk polluting the blood supply by allowing practicing homosexuals to serve in the military.

Now, 120,000 male homosexuals have died since I returned to this Chamber in 1844. 120,000! We are pressing 200,000 overall. That death toll has not encroached on the military, because "Cap" Weinberger and Ronald Reagan cleaned up the blood supply, requiring that everyone take an HIV test and asking the question of all new recruits.

Mr. MEEHAN. Mr. Chairman, I yield 45 seconds to my friend, the gentleman from California, Mr. Fausto.

Mr. FAZIO. I thank the gentleman for yielding this time to me.

Mr. Chairman, the New York Times calls the military's favorite think tank, the Rand Corp., has done a definitive study that shows that homosexuals and heterosexuals can successfully serve together in the military. They have done so in foreign military services they have done so in the police and fire departments, of cities and counties all across our country.

By simply allowing the executive branch to do what President Truman did in desegregating the armed services, I think we move the cause forward, the cause that says that people ought to be able to serve their country without being discriminated against because of their sexual orientation, that people ought not to have to deny the very essence of who they are, in order to serve their country.

I think this amendment offered by the gentleman from Massachusetts (Mr. MEEHAN) is the best approach we could take to demonstrate that we are a tolerant nation, to say that we will accommodate change as it occurs in the hearts of the American people. Let's not codify this language today but allow flexibility on this issue over time.

Mr. MEEHAN. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. DORNAN).

Mr. DORNAN. I thank the gentleman for yielding this time to me.

Mr. Chairman, every military unit is a walking blood bank. The other day I came across one of my dog tags, which has a B positive on it. If someone screens for B positive, if a person with B positive is injured in a missile attack, a bombing attack, or is on the battlefield, we have to make sure that they can get the blood they need and that it won't kill them. We simply cannot risk polluting the blood supply by allowing practicing homosexuals to serve in the military.

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Mr. MEEHAN. Mr. Chairman, I yield 45 seconds to my friend, the gentleman from California (Mr. Fazio).

Mr. Fazio. I thank the gentleman for yielding this time to me.

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I think this amendment offered by the gentleman from Massachusetts (Mr. MEEHAN) is the best approach we could take to demonstrate that we are a tolerant nation, to say that we will accommodate change as it occurs in the hearts of the American people. Let's not codify this language today but allow flexibility on this issue over time.

Mr. MEEHAN. Mr. Chairman, I yield 30 seconds to the gentleman from Texas (Mr. Barton).

Mr. Barton of Texas. Mr. Chairman, I yield in respectful opposition to the Meehan-Gunderson amendment.

With all due respect, this is not a question of moral right or wrong. The military is an institution tasked with defending this Nation against all enemies, foreign and domestic.

It is a discretionary privilege to serve in the Armed Forces of the United States. Congress after Congress has upheld that it is a discretionary privilege to serve in the military. It is not a civil right.

The military Joint Chiefs of Staff oppose relaxation of homosexuals serving in the military. The American people oppose it. Every opinion poll that has been taken of people currently serving in the military and those who have retired have opposed repealing the ban.

The Chairman of the Joint Chiefs of Staff, Gen. Colin Powell, an African-American, has said that this is not a question of civil rights.

By what we do today is to vote on what is the best policy for the military readiness of the United States of America. The way to do that is to vote no on the Meehan-Gunderson amendment and vote yes on the Hunter amendment.
The second finding that there is no constitutional right to serve in the Armed Forces may or may not be valid. However, whether or not there is a constitutional right to serve is irrelevant to the question of whether a ban on service in the military by homosexuals is constitutional. Furthermore, as gay men and lesbians, both acknowledged and unacknowledged, have served their country with distinction for years, the burden of proof should rest on those opposed to their service to explain why they cannot serve.

Granted, the military discriminates against the nearsighted, the flatfooted, and those who are incapable of the physical and mental demands of military service. However, the continuing presence, with or without a ban, of gay men and lesbians who offer to die for their country while their country reviles them is not only the supreme act of courage but also evidence that they are indeed capable of such service. If we allow the military to discriminate against classes of individuals because there is no constitutional right to serve, there must be just cause. There is none for gay Americans, other than tired old stereotypes.

Findings 4 through 12 are true but imply that military service is so unique that homosexuality is an inductive to unit cohesion. Dr. David H. Marlowe, Department of Military Psychiatry at Walter Reed Army Institute of Research, testified at the full committee hearings that the impact of a homosexual on cohesiveness depends on whether or not the individual brought overly homosexual behaviors into the group. In other words, the impact of a gay individual on cohesion depended on both the gay individual's conduct—not her status—and the tolerance of those in the unit. A conduct-based policy that proscribes public affirmations of either heterosexual or homosexual orientation, as well as leadership that demands cooperation and tolerance, would be all that is necessary to preserve findings 4 through 12.

Finding 13 is particularly misleading. Though a ban on military service by homosexuals is longstanding practice, the rationale for the exclusion has changed over the years. In fact, the ban has been arbitrarily enforced. The finding implies that the prohibition against homosexuals in the military has a record of reason, which has remained unchanged through the decades and continues to be necessary today because of the unique needs of the military. There is no empirical evidence to support this claim.

For instance, advocates of the ban claim that gay men are at higher risk for HIV infection. This was not true during the first 40 years of the ban's existence, when the human immunodeficiency virus did not exist, and, more important, we have never denied individuals enlistment because they might develop a medical condition. Should smokers be excluded? How about drinkers or those ethnic groups more susceptible to hereditary diseases?

Finding 15 also disregards the conclusions of the RAND team. RAND examined a range of potential policy options. Most of the options were judged to be either inconsistent with the President's directive, internally contradictory, or both. Only one policy option was found to be consistent with the findings of this research, with the criteria of military democracy, of not being coercive, and to be logically and internally consistent. That policy would consider sexual orientation, but not behavior, of the individual serving who may serve in the military. The policy would establish clear standards of conduct for all military personnel, to be equally applied, and strictly enforced, in order to maintain the military discipline necessary for effective operations. The option requires no major changes in other military personnel policies and no change in current law. The "not germane" option could be implemented without any changes to the administrative guidelines for prosecutions under the Uniform Code of Military Justice (UCMJ). However, several considerations lead to the conclusion that the policy would be more legally defensible and less costly and cumbersome to implement if the guidelines were revised to exclude private sexual behavior between consenting adults.

Understanding Unit Cohesion: The principal conclusion from an extensive review of this literature is a commonsense observation: It is easier to live with people you can work in order to work with them, so long as members share a commitment to the group's objectives.

The Rand report also goes on to challenge the arguments of the ban's proponents, ranging from fear of increased HIV transmission to antisexual violence. I encourage my colleagues to read these sections, in particular. With respect to antisexual violence, Rand concluded:

- The experience of foreign militaries and police and fire departments suggests that if leaders make it quite clear that violence will not be tolerated and stern action will be taken, violence can be kept to a minimum.

- The policy violates the Constitution's provision for equal protection guaranteed in the fifth and fourteenth amendments because it treats lesbians and gay men differently from their heterosexual colleagues. It violates first and fourth amendment guarantees of privacy for individuals, who wish to disclose even to their closest friends something elemental to their being. It also violates first amendment guarantees of freedom of religion because a gay individual's faith would be attacked by the community. Army, church service, the largest gay organization in the United States, as senior military leaders opposed the President's intentions within 1 week after his election.

- Finding 15 also disregards the conclusions of the Nunn-Skelton language in the Defense bill because it will give the President, the Secretary of Defense, and the Joint Chiefs of Staff the flexibility to issue regulations that reflect the fundamental elements of the President's announced policy. In our rush to micromanage military personnel policy with respect to gays and lesbians, the Aspin directive is infinitely better than what the House and Senate Armed Services Committees have crafted and certainly better than the amendment offered by Mr. HUNTER to essentially codify the original ban.

The great irony of the Nunn-Skelton language in the Defense bill is that it ignores the valor of thousands of gay man and lesbians who served and fought in Operation Desert Storm. The Reserve Army and Air Force, the Army National Guard, and the Air National Guard. Some have questioned whether discrimination against gays and lesbians in the U.S. military, some have questioned whether discrimination against gays and lesbians in the military is a civil rights issue. To me, there is no question that it is.

The civil rights movement, at its heart, is about the right of all Americans to be judged on their individual merits—not on the basis of whatever stereotype is currently attached to the occupation or color of the person. Make no mistake about it. That is what we are debating today, and to those of us who
have been the targets of discrimination this debate is very familiar.

During the Second World War, when the United States Government decided that all Japanese-Americans were a categorical threat to the security of the United States, my family and I, along with 120,000 other Americans of Japanese ancestry, were forced from our homes and into internment camps. The fact that I was an American citizen made no difference—simply because of accident of birth we were of Japanese ancestry.

More than 50 years after that decision, this House is considering a bill that would send a similar message to gay and lesbian Americans. That message says this:

We do not care how you identify yourself. We do not care how you dress or who you love. We don't care how much faith you have. We don't care how dedicated you are. We don't care how much you give to charity. We don't care how much you contribute to our communities. We don't care which war you served in, or which Franz Joseph's you served for.

I urge my colleagues to reject this amendment. It is not a debate on discrimination; it is a debate on exclusion; it is a debate in which the families of American soldiers, the Mississippians of the 101st Airborne, the Japanese-Americans of World War II are excluded.

The CHAIRMAN pro tempore [Mr. DURBIN]. Under the rule, all time for debate on this amendment has expired. The gentleman from Massachusetts [Mr. MEEHAN].

The CHAIRMAN pro tempore announced that the noes appeared to have it.

The question is on the amendment offered by Mr. HUNTER.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 2 printed in part 1 of House Report 101-292.

AMENDMENT OFFERED BY MR. HUNTER.

The Clerk will recognize the amendment.

The text of the amendment is as follows:

[Amendment offered by Mr. HUNTER.]

[Ammendment offered by Mr. HUNTER.]

[The following amendment:]

[As part of the process for enlisting or appointment of a person as a member of the armed forces, the Secretary of Defense, after the enlistment or appointment is approved, shall ask the person (1) whether the person is homosexual or bisexual, and (2) whether the person is]
person engages in homosexual acts or intends to engage in, or has a propensity to engage in, homosexual acts.

I urge my colleagues to support the Skelton amendment. We should never, never support discrimination.

I want to read from a letter to a constituent of mine who is a senior ranking officer in the Air Force, the U.S. Air Force:

Gay people are in our families, our churches, our schools, and our neighborhoods. They have the right and they have the duty to defend our country alongside their brothers and sisters. You know someone who is gay, you love them, or respect them, or both. Do this for them and the military and because Americans should stand up against discrimination against any group.

I keep hearing that homosexuality is incompatible with military service. Well, my constituent is an officer who has served with distinction. She has been promoted by her superiors. She is a credit to the uniform. And she is a lesbian.

What if my constituent had been required to announce her sexual orientation, as with the Hunter amendment? This country would have lost a soldier of great value.

I am proud of her. I am proud of all the members of our armed services. We know that gays and lesbians are serving in these forces, and we know that we have the most capable armed service in the world. Let us keep it that way. Today we have an opportunity to vote "yes" for justice by voting "no" on Hunter.

Mr. HUNTER. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma [Mr. McCURDY].

Mr. McCURDY. Mr. Chairman, I rise in opposition to the Hunter amendment. This has not been an easy decision for any of us who sit on the Committee on Armed Services and have, through personal reflections and discussions with a wide range of people and their views, including our pastors and others, about the issue of gays in the military. But I believe the Nunn-Skelton amendment is the proper approach. It is a very carefully crafted amendment that will stand legal scrutiny. It does eliminate the screening question of sexual orientation, and, therefore, discrimination. But it is one that puts conduct, not preference, as the standard by which we judge. There is bipartisan support for this amendment.

The Hunter amendment underlines the bipartisan consensus that we have achieved, and, in my opinion, will invite a successful legal challenge.

Mr. Chairman, if you want to end this ugly and divisive debate, I would urge my colleagues to support the Skelton amendment. We should never, never support discrimination.

I want to read from a letter to a constituent of mine who is a senior ranking officer in the Air Force, the U.S. Air Force:

Gay people are in our families, our churches, our schools, and our neighborhoods. They have the right and they have the duty to defend our country alongside their brothers and sisters. You know someone who is gay, you love them, or respect them, or both. Do this for them and the military and because Americans should stand up against discrimination against any group.

I am proud of her. I am proud of all the members of our armed services. We know that gays and lesbians are serving in these forces, and we know that we have the most capable armed service in the world. Let us keep it that way. Today we have an opportunity to vote "yes" for justice by voting "no" on Hunter.

Mr. HUNTER. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Chairman, let me state very clearly and very succinctly why it is that I support the Skelton-Hunter amendment.

There are a lot of confused young people in this country. I read on the front page of the Washington Post that high school kids in the Commonwealth of Virginia are opting for bisexuality because it is "trendy." It is cute; it is trendy.

I am proud of our military. They are the most capable armed forces in the world. Our military leader has said that, most on the record, all off the record. Poll after poll that has been taken of the military indicates that.

It is not in our interest that we can compromise, as the gentleman from Missouri [Mr. SKELTON] is attempting to do, on issues of principle and morality. Homosexuality is an abomination. We should vote to codify the ban against homosexuals serving in the military. We should vote for the Hunter amendment.

Mr. SKELTON. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. EDWARDS].

Mr. EDWARDS. Of Texas. Mr. Chairman, sometimes common sense needs to win out over political posturing. Not one of these times. This is why I urge my colleagues to vote no on the Hunter amendment.

This amendment is unnecessary for a simple reason. It would be totally ineffective. The Joint Chiefs of Staff, under the leadership of Colin Powell, has said as much.

Members, if we want to spend more tax dollars on lawsuits defending this policy and this law, vote "yes" on the Hunter amendment. If we want to spend our tax dollars providing for military manpower and training to save lives, I urge my colleagues to vote "no" on the Hunter amendment.

Mr. HUNTER. Mr. Chairman, I yield myself the balance of my time.
CONGRESSIONAL RECORD—HOUSE

September 28, 1993

The CHAIRMAN pro tempore (Mr. DURBIN). The gentleman from California [Mr. HUNTER] is recognized for 2 minutes.

Mr. HUNTER. Mr. Chairman, this amendment asks the question. It is directly against President Clinton's new policy. "Don't ask, don't tell.

It does no injury to the Nunn-Skelton language. It is exactly the Nunn-Skelton language with the question asked.

Let me just rebut the last speaker. This thing was put into effect by President Reagan because it was necessary and because it did work, because we had homosexual activities with non-consenting young people in the military going up at a rapid rate.

If Members look at this chart, they can see that. The tip of that peak is 1981, when the policy was put in place by President Reagan. And homosexual events, many of them against young people, in the military, went straight downhill.

Very simply, my colleagues, this policy was put in place because it worked. If we want to accommodate President Clinton, then vote no on the Hunter amendment. If we want to protect the children of the families who sit around the breakfast table and send their kids to serve in the Armed Forces of the United States, vote yes.

Mr. SKELTON. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Georgia [Mr. GINGRICH].

Mr. GINGRICH. Let me say that I rise in very strong opposition to my good friend from California.

Senator Nunn, from my State, spent a long time looking at this issue. The Committees on Armed Services in both Houses spent a long time looking at this issue.

It is a painful, difficult, and an emotional issue that goes to the heart of human lives.

A very tough, very specific policy was adopted. It is in the base of this committee bill for which I commend the chairman and the ranking member. It was adopted by the Senate overwhelmingly. To go beyond that position strikes me as radically too far, unnecessary, and inappropriate.

I think that the military correctly thing to do and the correct thing to do for this country is to vote no on the Hunter amendment and to vote for the gentleman from Missouri [Mr. SKELTON], when that time comes.

Mr. SKELTON. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this amendment would create a direct conflict and a distinction between conduct on the one hand and orientation on the other. Leading constitutional scholars, the Attorney General, the Justice Department feel that it would raise a serious constitutional problem.

If Members want to put this debate to an end, if they want to have no constitutional question involved, the Skelton language is what we should adopt.

And when we speak of the ban, we speak of the ban. In addition, this will prove to be a delay, because it will be dragged through the courts for time immemorial. This amendment also suggests that homosexual men and women who only understand that homosexual conduct is prohibited in the military if they are asked about their sexual orientation.

I urge a no vote on this, the Hunter amendment.

Mr. PACKARD. Mr. Chairman, I support the amendment offered by DUNCAN HUNTER to reverse the military's current "don't ask" policy. I am very pleased that the Armed Services Committee included language in the bill to codify the ban against homosexuals in the military. However, I am disappointed that the committee failed to include a provision codifying the Pentagon's previous policy to ask recruits, at the time of enlistment, if they are homosexual.

Since the committee has so conclusively determined that homosexuality is not compatible with military service, it doesn't make sense to toss aside part of the ban while retaining the major portion of it.

Extensive hearings have proven what I have always held, that homosexuality has no part in our Armed Forces. I strongly encourage my colleagues who support the ban to support this amendment. We must retain the whole ban, not just part of it.

Mr. Chairman, I would also like to submit a copy for the RECORD of a statement I made earlier on this issue.

STATEMENT OF HON. Ron PACKARD, AUGUST 4, 1993

Mr. Speaker, I rise today in strong support of a provision in the Defense Authorization Act to codify the ban on homosexuals serving in the military.

Our military is under attack from the liberals in Congress and from the Clinton administration, seriously undermining the morale and readiness of our Armed Forces.

Service in the Armed Forces is unique and unparalleled in civilian society. More than any other single factor, military unit cohesion is paramount to the success or failure of America's defense. But there are those among our country's leadership who would destroy that cohesion.

Combat ability is unalterably tied to mutual trust and confidence among servicemen. Extensive hearings and studies have decisively proven that the presence of known homosexuals within a unit will undermine that trust and confidence, endangering the entire unit and compromising our military mission.

From the lowest grunt to the highest commander, our military men and women have expressed time and time again that homosexuality is in no way compatible with military service.

The ban on homosexuals must remain intact for the military to maintain combat readiness in defense of our country. We can not allow the radical gay and lesbian activists to use the military as a lab to conduct their social experiments. I strongly urge my colleagues to support the legislation in the defense authorization bill that codifies the ban.

The CHAIRMAN pro tempore. Pursuant to the rule, all time has expired on the amendment offered by the gentleman from California [Mr. HUNTER].

The question on the amendment offered by the gentleman from California [Mr. HUNTER].

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

Mr. HUNTER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 144, noes 291, not voting 3, as follows: [Roll No. 461]

AYES—144

Note: The roll call vote was not recorded for one Member.
Mr. SKELTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. DURBIN). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SKELTON

SEC. 575. POLICY CONCERNING HOMOSEXUALITY IN THE ARMED FORCES.

(a) CONGRESSIONAL FINDINGS.--Congress makes the following findings:

(1) Section 8 of article I of the Constitution of the United States commits exclusively to the Congress the powers to raise and support armies, provide and maintain a Navy, and make rules for the government and regulation of the land and naval forces.

(2) The Congress, to constitutional right to serve in the armed forces.

(3) Pursuant to the powers conferred by section 8 of article I of the Constitution of the United States, it lies within the discretion of the Congress to establish qualifications for and conditions of service in the armed forces.

(4) The primary purpose of the armed forces is to prepare for and to prevail in combat; and

(5) The conduct of military operations requires members of the armed forces to make extraordinary sacrifices, including the ultimate sacrifice, in order to provide for the combat capability.

(6) Success in combat requires military units that are characterized by high morale, good order and discipline, and unit cohesion.

(7) One of the most critical elements in combat capability is unit cohesion, that is, the bonds of trust among individual service members that make the effectiveness of a military unit greater than the sum of the combat effectiveness of the individual members.

(b) entry standards for enlistment and appointment of members of the armed forces.

(c) noncompliance with procedures set forth in such regulations.

(d) the prohibition against homosexual conduct is a longstanding element of military law that continues to be necessary in the unique circumstances of military service.

The vote is recorded. So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 3 printed in part 1 of House Report 103-262.
MISSOURI [Mr. SKELTON] will be recognized for 5 minutes, and a Member in opposition, the gentleman from Massachusetts [Mr. NUNN], will be recognized for 5 minutes.

The Chair recognizes the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Chairman, in offering this amendment I seek to reaffirm the language on homosexuals in the military that was reported by the Committee on Armed Services.

In offering this amendment, I and the Committee on Armed Services seek to finally close the door on this painful issue. It is a matter of conduct, it is a matter of unit cohesion, it is a matter that strikes at the very heart of success in combat. Second place does not count on the battlefield.

It is my hope that we will be able to put an end to this debate and this issue today, this amendment.

Mr. Chairman, for purposes of debate, I yield 1 minute to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in support of the Nunn/Skelton amendment. We had vast committee hearings on this particular issue. Colin Powell, the chairman of the Joint Chiefs of Staff made a statement to the chairman that I did not feel that this language was in his heart. And the chairman looked at me and said, "Duke, believe it, this is:" It mandates that recruits be given clear statements that any homosexual activity is not tolerated. The Joint Chiefs of Staff also told me that to make sure this is not a progressive amendment, we do not issue homosexual marriages in the military. No commissary, medical privileges for homosexuals; not a foot in the door. And that is the key.

The liberals will try and take this one step further. I do not believe that this amendment allows for that.

Mr. Chairman, I rise in support of my colleague, the gentleman from Missouri [Mr. SKELTON], and the gentleman from Georgia [Senator NUNN].

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 1 minute to the delegate from the District of Columbia [Ms. NORTON].

Ms. NORTON. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in support of the Meehan amendment because only this amendment is defensible. I did not support the Clinton compromise with the Joint Chiefs on gays and lesbians in the military now in effect. The Meehan amendment, however, at least blocks action that would take the services back in the direction from which they have just come.

The cold war is over, but I assumed that, with downsizing, military personnel had more than enough to keep them busy. The Hunter amendment and the Nunn/Skelton amendment still allow the sexual orientation question to be asked and scarce resources to be spent chasing gays and lesbians for private consensual acts and speech.

If the military wants to get into the sexual business, let the military police chase the documented, widespread sexual harassment that pervades much of its ranks.

In the military, personnel matters almost never are pursued though statute but are treated like the President's Executive order or through regulations. In a free society, personal, consensual, adult conduct should not be pursued at all.

This issue has been tortured enough. It adds insult to torture to codify Hobson's choices for people whose generosity and patriotism lead them to volunteer to serve their country. Enough damage has been done. Leave it alone. Enact the Meehan amendment.

Mr. SKELTON. Mr. Chairman, I yield 1 minute to the gentleman from the State of Washington [Mr. DICKs].

Mr. DICKs. I thank the gentleman for yielding this time to me.

Mr. Chairman, I want to rise here today in strong support of the amendment that has been crafted by Congressman Skelton and the chairman of the Committee on Armed Service in the other body.

I want to commend the Committee on Armed Services for the job that they have done on this issue. I think on both sides of the aisle we have had cooperation in drafting this language. And I want my colleagues to remember that this is supported by the President of the United States; by our former colleague, Les Aspin, the Secretary of Defense; by the Joint Chiefs of Staff. And I know there are people who have very strong views on this, as we have heard from the debate here, honest, well-intentioned views. This obviously is a compromise.

But I think it is a good one, and I want to commend my friend, the gentleman from Missouri [Mr. SKELTON] for the hours and hours and hours that he worked on trying to fashion this compromise. He has done a good job for all of us today in this body.

The CHAIRMAN pro tempore (Mr. DURBIN). The gentleman from Massachusetts [Mr. FRANK] has 4 minutes remaining; the gentleman from Missouri [Mr. SKELTON] has 2% minutes remaining and has the right to close.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself my remaining time.

Mr. Chairman, I want to begin by expressing my respect and admiration for the very hard work and very sincere work done by the gentleman from Missouri [Mr. SKELTON] on this, the gentleman from California [Mr. DELUSS] also the chairman of the full committee, and the chairman of the subcommittee. I have not agreed with the
gentleman from Missouri, but I admire the work he did.

To explain the parliamentary situation, which may be a little complicated: If this amendment is agreed to, it will be the language of the bill. On the other hand, if this amendment is rejected, it will be the language of the bill.

This is the language that is already in the bill. It is an amendment to put into the bill the language that is already there. So you can defeat it and have the language that is in there, or pass it and have the language that is in there.

There are reasons that many Members have for wanting to have the vote, and I support those reasons and I think it is appropriate.

I want to make a case for the negative vote.

Those who voted for the amendment offered by my colleague from Massachusetts [Mr. MEHAN] should vote against this. We are talking here about what the opinion of the House is. Let us be very clear what we are talking about, and those of you who want the ban lifted agree even more than many of us who want the ban to be banned by the U.S. armed services.

Many of us feel that they have erred on the side of too little in that regard, not too much.

This is not a request that anyone be allowed to impose himself or herself sexually on another. We insist that, for the same love of country and love of adventure and willingness to sacrifice that any other person has, and let that individual have the same opportunity that anyone else has and subject him or her to the same rules. If he or she behaves inappropriately toward any other, kick him out. But if that individual is prepared to come into the military and put on the uniform and abide by every rule of conduct while on duty, is prepared to be wholly scrupulous in his or her respect for the rights of others, and then on leave, off the base, on his or her time, which is free, decides in the privacy of her home, in the quietude of his social gathering place to express love for another individual that some people here do not approve of, let us kick him out; let us declare that anyone who dare express affection for another human being discreetly, privately, consensually, on private property on a weekend in his or her own home, let us punish him by degrading them and kicking them out of the armed services of the United States no matter how patriotic, no matter how committed to country, because that is the policy you are being asked to approve.

That is indisputable. We are not talking about allowing anyone to behave inappropriately. We are talking about those young people who want to behave appropriately, who are prepared, in fact, to make a sacrifice, to confine their own expression of their sexual orientation to moments of privacy away from others, and they are being denied even that.

I tell those of you who say that you underestimate the commitment of the American people to the principles of fairness and acceptance of others, and I say that, as I said before, from personal experience. I hesitated a long time before acknowledging that I am gay. I feared an automatic negative reaction, and I am proud to be able to tell you on behalf of my fellow citizens that I have not had it. People no less judge me by who I am today than they did before I made the decision to be myself.

Do not deny patriotic young people the same opportunity I had.

Mr. SKELTON. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, let me refresh the memory of this body as to what is contained in this amendment. The provision would set out the fundamental difference between military and civilian life and make clear the importance of preserving high standards and moral, discipline and unit cohesion.

The provision would require separation if the Member has engaged in, attempted to engage in or solicited another to engage in a homosexual act.

It states that he or she as a homosexual or bisexual who marries or attempts to marry a person known to be of the same biological sex.

This is codifying what the law should be.

This is an important issue that has captured the time and minds and imagination all across this land. Now is the time to put an end to this debate.

Mr. Chairman, there is no constitutional right to serve in the Armed Forces.

Mr. Chairman, the primary purpose of our Armed Forces is to prepare for and prevail in combat.

Mr. Chairman, the conduct of military operations requires members of the Armed Forces to make extraordinary sacrifices. Success in combat requires military units that are characterized by high morale, good order, discipline and unit cohesion.

As of this moment, the Armed Forces of the United States are as fine as they have ever been, and they are the finest in this world. Let us not split them asunder. Let us keep them strong. Let us not have the possibility of tearing their unit cohesion apart. We cannot afford that.

Mr. Chairman, I stand shoulder to shoulder with the Joint Chiefs of Staff, their Chairman Colin Powell, our Secretary, our President; but most of all, I stand with the young men and the young women who feel very strongly about this issue that homosexual conduct has no place in the uniform of the United States of America.

Mr. Chairman, I urge a yes vote on my amendment.

Mrs. Lloyd. Mr. Chairman, when the President presented the country and Congress with his proposal to open service to homosexuals, I clearly stated my opposition. I remain opposed to this policy change.

Over the past 6 months, the House Armed Services Committee wrestled with the President's proposal. We sought testimony and expertise from the Joint Chiefs, from the Secretary, and from the individual service members. We further sought outside testimony from doctors, psychologists, retired military, and gay and lesbian activists. No stone was left unturned in our quest for a complete understanding of the compatibility of homosexuality and military service.

The committee concluded, and very rightly so, that homosexuality was incompatible with military service. The U.S. military offers unique opportunities for men and women who want to serve. But at the same time, the environment, both social and professional, is equally as unique and commands special attention. Unit cohesion and morale are perhaps the two most important elements of a successful fighting force. While advanced, high-quality equipment definitely contributes to overall capability, the ability of the men and women who serve to conduct themselves with dignity and bravery is most vital.

Every servicemember I have spoken with has expressed uneasiness over any changes to the policy banning service by homosexuals. The slightest distraction to any serviceperson in any military situation could be fatal. As a member of the committee who oversees our military, I cannot expose our troops to that risk. At the same time, I am respectful of the fact that there are many who do not share my opinion and who believe that the ban should be eliminated.

The Skelton-Nunn amendment which we are voting on today, should put this tired, divisive issue to rest. I feel in many ways that this language moved over the old ban. The intent of the old ban, to remove known homosexuals from the military, remains intact. With the passage of the Skelton-Nunn language, if a servicemember is found out to be homosexual, that person will be separated. Also, while not mandating it, the amendment allows the Secretary to reinstate the questioning of one's sexual orientation, if deemed appropriate. Most importantly, the Joint Chiefs of Staff have told us that these changes are workable and enforceable.

The amendment clears up the question of constitutionality and the ban. There is no constitutional right to serve in the military. The Skelton-Nunn language offers clear outlines as to how the considered homosexual behavior. The gray area has been removed. Conduct is the sole basis for judgment and with the guidelines in this legislation, the courts will...
CONGRESSIONAL RECORD—HOUSE  22747

have the necessary guidance to rule appropriately on contested cases.

Mr. Chairman, the Hunter amendment, should it be adopted, opens the months of debate on this very divisive issue. It undermines all the tireless efforts of Representative SKELTON and Senator NUNN in developing this working proposal for too long, the future shape of our national defense has been held up by this issue. The attention of the country has been distracted from more pressing matters. Let us put this matter behind us, approve the tough Skelton-Nunn language, pass the bill and move on to other things.

The CHAIRMAN pro tempore (Mr. DURBIN). The question is on the amendment offered by the gentleman from Missouri [Mr. SKELTON].

The question was taken; and the recorded vote was ordered.

Mr. Chairman, the Hunter amendment, as follows:

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

The result of the vote was announced as recorded.

Mr. ISTOOK. Mr. Chairman, I was unavoidably detained outside of the Capitol building during the last vote on the Skelton amendment. Had I been present, my vote would have been "aye." The CHAIRMAN pro tempore. (Mr. DURBIN). It is now in order to consider the amendment printed in part 2 of House Report 162-252.

AMENDMENT OFFERED BY MR. GEPhARDT. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

Amendment offered by Mr. GEPhARDT:

At the end of title X (page 346, after line 25), insert the following new section:

SEC. 1646. IMPLEMENTATION OF ARMED FORCES IN SOMALIA

(a) SENSE OF CONGRESS REGARDING UNITED STATES POLICY TOWARD SOMALIA.

(1) Since United States Armed Forces made significant contributions under Operation Restore Hope toward the establishment of a secure environment for humanitarian relief operations and restoration of peace in the region to end the humanitarian disaster that had claimed more than 300,000 lives.


(b) STATEMENT OF CONGRESSIONAL POLICY.

(1) CONSULTATION WITH THE CONGRESS.—The President shall consult closely with the Congress regarding United States policy with respect to Somalia, including in particular the deployment of United States Armed Forces in that country, whether under United Nations or United States control.

(2) PLANNING.—The United States shall facilitate the assumption of the functions of the United States forces by the United Nations.

(3) REPORTING REQUIREMENT.—

(A) The President shall ensure that the goals and objectives supporting deployment of United States forces to Somalia and a description of the mission, command arrangements, site, functions, location, organization, and anticipated duration in Somalia of those forces are clearly articulated and provided in a detailed report to the Congress by October 15, 1993.

(B) Such report shall include the status of planning to transfer the function contained in paragraph (2).

(4) CONGRESSIONAL APPROVAL.—Upon hearing the requirements of paragraph (A) and believing that the President should by November 15, 1993, seek to receive congressional authorization in order to deploy United States forces to Somalia to continue.

The CHAIRMAN pro tempore. Pursuant to the rule, the gentleman from...
Missouri [Mr. GEPHARDT] will be recognized for 30 minutes, and a Member opposed will be recognized for 30 minutes.

Mr. STUMP. Mr. Chairman, I am opposed to the amendment.

The Chair recognizes the gentleman from Arizona [Mr. STUMP] pro tempore. The gentleman from Arizona [Mr. STUMP] will be recognized for 30 minutes in opposition.

The Chair recognizes the gentleman from Missouri [Mr. GEPHARDT].

Mr. GEPHARDT. Mr. Chairman, for purposes of debate only, I wish to yield half my time in support of this amendment to my distinguished colleague, the gentleman from New York [Mr. GILMAN], the ranking member of the Committee on Foreign Affairs, for purposes of yielding time.

The CHAIRMAN pro tempore. Without objection, the gentleman from New York [Mr. GILMAN] will be recognized for 15 minutes.

There was no objection.

Mr. GEPHARDT. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Indiana [Mr. HAMILTON], the chairman of the Committee on Foreign Affairs.

Mr. HAMILTON. Mr. Chairman, I thank the distinguished majority leader for yielding.

Mr. Chairman, I rise in support of the amendment, because it achieves several important aims. First of all, it requires the President to report to the Congress on the goals and objectives of United States deployment in Somalia. It mandates the Congress to authorize the continued deployment of United States forces in Somalia. It facilitates the United Nations assuming the functions now performed by the United States Armed Forces. Finally, the amendment preserves a bipartisan approach to United States policy in Somalia.

Now, I have some questions about the amendment. It is not perfectly drafted, as far as I am concerned. It is incomplete and one-sided. It is the account of the history of our involvement in Somalia. The timetable in it I think is unrealistic, and it does not adequately state the role of the Congress.

But putting those concerns aside, I want to remind my colleagues that we voted in May to authorize United States participation in the U.N. mission in Somalia. In doing that, the House did what it was supposed to do: we authorized the deployment of U.S. forces for combat purposes overseas. The Senate has that legislation before it, and the Senate should act.

The House voted into a lot of the history of the United States involvement in Somalia, let me really make a single point. We went into Somalia by order of President Bush for two purposes: to create a secure environment so that food could move to the people in Somalia. The President stated that very carefully in December. Then when the U.N. Security Council Resolution 794 was adopted in December 1992, those purposes were restated. And I use the words of the U.N. resolution now, use force, if necessary, "to secure the environment for humanitarian relief operations." That's what Resolution 794 said. It was limited in two specific ways: we have withdrawn now 80 percent of our forces, so we have had fewer forces under UNOSOM II than in Operation Restore Hope. We had 23,000 United States troops in Somalia last December. Today that figure is about 5,000.

But not only was there a limitation with respect to the numbers. We also reduced our scope. The United States was responsible for the entire cost under Operation Restore Hope. Under UNOSOM II we were responsible only for the United States-assessed rate, and we are reimbursed for our logistic troop contributions.

I do not believe that the United States should be engaged in nation building in Somalia. That is the task of the United Nations. That is not the task of the United States. The mission for the United States remains today exactly what it was when we went in: to ensure a secure environment for humanitarian relief.

We have achieved the humanitarian relief. There is no starvation today in Somalia. We have almost achieved the secure environment, but not quite. We have made a lot of progress in Somalia. No longer is there mass starvation. In half of Somalia's 60 districts, representative councils are functioning, schools and hospitals are opening, thousands of people have been spared from starvation, and efforts are underway to rehabilitate the country's police force and the prison system.

Where do we go from here? There is no doubt that we have got a difficult problem in the southern part of the capital city, Mogadishu, and our goal should be to end South and to stabilize the United States military presence in Somalia as soon as possible.

We are clearly moving in that direction. The objectives of the United States and the United Nations should be the same; they have always been, to establish a secure environment so that humanitarian relief can flow.

United States interests are going to suffer if there is an immediate and precipitous withdrawal from Somalia. It is in the U.S. interests that the U.N. become successful at the business of peacekeeping so that we do not always have to go it alone in the world, so that we do not have to be the world's policeman.

In addition, we have invested a large amount of capital and resources, and, indeed, some lives, in an effort to end the starvation and to provide some stability in that country. If we pull out immediately, anarchy will return swiftly, and our past investment will be lost.

We should not sacrifice the substantial gains that have been made in the last 10 months. I urge adoption of this amendment.

No one can deny that efforts to achieve progress in Somalia under Security Council Resolution 814 have been difficult. This is the first U.N.-led chapter VII enforcement action. It is critical that it achieve success, because it is in the U.S. interest that the U.N. become successful in peacekeeping. The United States cannot and should not be the world's policeman.

At the end of Operation Restore Hope, the United States found itself in a difficult position.

Without continued international involvement, the gains achieved in Somalia would be jeopardized. The United Nations was ready to assume precedent-setting control of the operation. At the same time, the U.N. acknowledged the need for continued strong U.S. support and leadership to provide security for humanitarian relief.

Our goal should be to reduce and eventually eliminate the United States military presence in Somalia. As the U.N. is able to assume greater control, we're moving in that direction. We must continue to do so. On the day President Clinton took office, there were 25,000 United States forces in Somalia. This number is now under 6,000. Remaining United States forces in Somalia should be withdrawn as expeditiously as possible. There should be open-ended United States military commitment in Somalia.

The objectives of the United States in Somalia should be what they have always been: to help to establish a secure environment so that humanitarian relief can flow.

For now, U.S. Armed Forces are still needed as part of the overall U.N. operation. U.S. interests will suffer if there is a precipitous withdrawal of U.S. forces.

It is the U.S. interest that the U.N. become successful at peacekeeping so that we do not always have to go it alone in the world. Finally, UNOSOM II should be extended United States military presence in Somalia under Security Council Resolution 814.

So...
Despite my concerns about this amendment, I will vote for it in order to ensure that we have an opportunity to address this issue again in the weeks ahead.

I urge adoption of the amendment.

Mr. STUMP. Mr. Chairman, I yield one-half of my time to the gentleman from California [Mr. DELLUMS], the chairman of the Committee on Armed Services, for purposes of debate only.

The CHAIRMAN pro tempore. Without objection, the gentleman from California [Mr. DELLUMS] will be recognized for 15 minutes.

There was no objection.

Mr. STUMP. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina [Mr. SPENCE].

Mr. SPENCE. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, the matter before the House today goes well beyond the substance addressed by this amendment. We all recognize what this amendment represents. Its an artfully crafted compromise that addresses hard questions on United States policy in Somalia and on a broader level, the proper role of the United States military in peacekeeping, peace-making, and humanitarian operations.

Let me say at the outset that I intend to support this amendment. But my support results from the fact that the only alternative is to remain silent and to do nothing.

Mr. Chairman, the House has a responsibility to be heard as the security situation in Somalia worsens with each passing day. We have a responsibility to be heard as thousands of American troops remain deployed in Somalia operating within the context of ill-defined policy objectives that have more to do with the future of the United Nations than with United States national interests.

First, we have a responsibility not to silently acquiesce while this administration continues to craft ambitious Presidential directives that would dramatically expand the United States role in future Somalia-like operations while seemingly ignoring the real-time lessons coming out of Mogadishu every day.

Mr. Chairman, as the House deliberates today, I would suggest this deliberation ought to occur on two levels. At one level is what is actually happening in Somalia. At another level, however, is how Somalia fits into a broader debate that is just beginning within the United States, the United Nations, and the global community over how to respond to conflicts and human suffering in the post-cold war world.

Looking at Somalia in isolation, almost 10 months after President Bush announced his decision to commit United States forces for the limited mission of facilitating the delivery of humanitarian aid to thousands of starving Somalis, we find ourselves embroiled in an open-ended urban guerilla war.

While the United Nations has placed a premium on the capture of General Aided and as the solution to the worsening conflict in south Mogadishu, there is no indication that such an act would lead to increased guerilla attacks against United States and U.N. peacekeepers.

And even though the United Nations has been officially in command since May, the reality is that U.S. troops are the backbone of the U.N. presence and will be required to continue doing most of the heavy lifting for the foreseeable future.

So where is United States policy in Somalia headed?

Is allowing United States forces to remain the central element of the U.N. operation in Somalia, the Clinton administration apparently bought into a number of questionable assumptions. First, that the United Nations could carry its own weight militarily and that all United States forces could have been withdrawn this past summer. This has yet to happen. In fact, we have deployed additional United States forces to beef up anemic U.N. led forces.

Second, the Clinton administration agreed to place approximately 4,000 U.S. logistical support troops under U.N. command to form the support backbone of the multinational U.N. contingent, expected to number 28,000.

The plan was for these U.S. support forces to be steadily reduced down to 1,400 by January, 1994, and to be completely replaced by U.N.-provided logistical support sometime in 1994. Again, this assumption appears to have been overly optimistic, as the United Nations continues to show no sign of being able or willing to pick up the support mission.

Third, the administration counted on a more rapid resolution of the political crisis that led to and has sustained the conflict in Somalia. They knew that to plunge Somalia back into chaos following the withdrawal of American forces.

While hindsight is always 20/20, no matter how you look at it, the administration's key assumptions have not come to pass.

In an August 27 speech, Secretary Aspin recently sought to clarify the Clinton administration's objectives in Somalia. But Secretary Aspin's speech has only served to further raise anxieties by outlining a series of objectives that are not achievable within a politically acceptable timeline, and which are more in line with a long-term national security blueprint than with the limited objectives that were originally used to justify the operation almost 1 year ago.

Instead, the administration's Somalia policy lacks an exit strategy and appears to be expanding by the day.

For these reasons, I welcome the basic thrust of the Gilman-Gephardt amendment in asking the President to submit a detailed report in October, followed in November by a congressional vote to authorize further United States involvement. While the language of the amendment is technically nonbinding, the intent of Congress to determine actively pursue these objectives.

Mr. Chairman, many of the questions being raised relative to our Somalia policy have a relevance extending well beyond the horn of Africa.

As we debate the merit of United States policy in Somalia, this administration is about to propose committing upwards of 25,000 American troops to a similar type of peacekeeping/peace-making operation in Bosnia at an estimated United States cost of $2 billion per year.

While I am encouraged by the administration's recent willingness to consult with Congress over its Bosnia policy, I have strong reservations over launching into another massive and costly peacekeeping operation of tenuous relevance to United States national interests when we have yet to figure out how to extricate ourselves from the last such operation.

Mr. Chairman, I submit that much of what is driving the national uneasiness over Somalia is the confused state of United States foreign policy. United States actions in Somalia and Bosnia appear ad hoc and erratic and reflect, in my opinion, the lack of an objective assessment of how to balance United States interests when we have yet to confront the more fundamental policy issues that are at play in places like Somalia and Bosnia.

For instance, at what point is it in our national interest to intervene in the internal strife of sovereign nations? Is there a body of opinion that neither the United Nations nor the United States should again be expected to bear the burden of indigenous conflicts that are driven and abetted by purely internal factors. For instance, no outside power invaded Somalia, and in Bosnia, the conflict is largely one of warring factions within a recognized nation-state.

Looking at it another way, under what conditions do civil wars justify humanitarian intervention by outside powers? And in this context can Western participants in peacekeeping or peace enforcement operations realistically be expected to retain the critical element of neutrality among local warring factions? I fear we may not have learned the lessons of Beirut.

Furthermore, what are the long-term consequences of sanctioning the regular international intervention in the affairs of sovereign nations? Will the United States regain the ability to determine when it is legitimate for the collective conscience of the United Nations to mandate intervention in the
affairs of nations that do not meet the politically correct standards of the day.

I certainly do not have good answers to these questions, but neither does this administration. Thus, while the United States involvement in Somalia and Bosnia may be founded on good intentions, it seems insufficient, even the proper, basis for the foreign policy of the world's only superpower.

Given the turbulent state of world affairs, U.S. foreign policy must be consistent, unambiguous, so allies and foes alike clearly understand where the boundary lies between U.S. national interests and the broader international agenda of multilateral bodies such as the United Nations.

Mr. Chairman, a final point.

In the midst of the current confusion over U.S. foreign policy, there is one consistent theme emerging within this administration that suggests a disturbing willingness to subordinate U.S. national interests to the interests of the United Nations and other multilateral organizations. The expanded U.S. commitment to the United Nations in peacekeeping and multilateral affairs is reportedly about to be codified by the President in Presidential Decision Directive or PDD No. 13.

Among other recommendations, this document reportedly suggests that U.S. military forces will be placed under U.N. command on a regular basis, the declining defense budget will pay for U.S. peacekeeping costs, and U.S. forces will receive dedicated peacekeeping training.

I expect that these controversial recommendations will receive great scrutiny by Congress in the weeks and months ahead as they represent significant changes in U.S. foreign and defense policy.

But most importantly, should these recommendations be implemented, they would confirm what many of us fear—namely that this administration, despite a hardening of rhetoric in recent weeks in response to congressional skepticism, is unable to grasp the appropriate lessons from our experiences in Somalia and Bosnia to date.

While many of us look at the untenable situation in Somalia and the potential quagmire in Bosnia and understandably urge the President to proceed cautiously, the administration appears nevertheless determined to aggressively pursue a foreign policy of assertive multilateralism with implications for future Somalias and Bosnias.

Unfortunately, there are disturbing signs that senior officials of this administration view any disagreement or dissent with their conduct of foreign policy with disdain. By branding bipartisan critics as "neo-know nothings," I fear that this administration has not come to grips with Congress' proper and essential role in formulating and implementing U.S. foreign policy.

Instead, administration officials ought to be listening and trying to engage thoughtful critics in a constructively dispassionate debate, not igniting a more coherent and presumably supportable U.S. approach to the many foreign policy problems of the post cold war world. To this end, I strongly support any and all efforts on the part of the administration to improve its consultation with Congress.

I sincerely hope that we can move beyond this debate and return to a bipartisan, consensus-based foreign policy that strikes the proper balance between U.S. national interests and the exponentially growing burdens being adopted by the United Nations.

Otherwise, we run the risk of waking up one day and finding our young men and women deployed in far away places, fighting and dying for ill-defined causes neither they or the American people understand.

The CHAIRMAN pro tempore (Mr. DURBIN). The gentleman from New York (Mr. GILMAN) is recognized for 15 minutes.

Mr. GILMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I support the amendment to H.R. 2901 offered by myself and the distinguished majority leader, the gentleman from Missouri, Mr. GERHARDT, and I commend our Republican leadership, the gentleman from Illinois, our Republican leader, Mr. MICHEL, the gentleman from Georgia, the Republican whip Mr. GINGRICH, and the gentleman from New York, the ranking member of the Rules Committee, Mr. SOLOMON, for their support. I say just last week in response to the administration's policy in Somalia.

Mr. Chairman, I say it is time to bring our U.S. forces home from Somalia and turn that operation over to the United Nations.

We first went into Somalia last December with a limited humanitarian mission of creating a secure environment for feeding the hungry. We accomplished that mission within a matter of weeks, but regrettably we stayed until May—in order to handoff the responsibility for Somalia to the United Nations.

Coincidentally, that handoff occurred just before the House began consideration of a resolution to authorize the Somalia operation, Senate Joint Resolution 45. The House was misled by that handoff into believing that United States involvement in Somalia was winding down.

Under this misapprehension, the House approved Senate Joint Resolution 45 on May 23. Had it also been approved by the Senate and enacted into law, Senate Joint Resolution 45 would have authorized United States military involvement in Somalia for 12 months.

There were 293 votes in the House in favor of the resolution, 178 against.

I led the opposition to Senate Joint Resolution 45. I am confident that if that vote had been held again today, Senate Joint Resolution 45 would have been defeated. I cannot begin to count the number of Members who have told me that they wish they could take back their vote in support of Senate Joint Resolution 45.

The House approved Joint Resolution 45 without sufficient debate:

It was restated by U.N. Security Council Resolution 865, which was adopted just last week. And, sadly, it remains the chief objective of our administration's Somalia policy.

Listen to what the U.S. Representative to the U.N. said just last week in praise of Resolution 865. That Resolution, he said, and I quote, "sets out in clear, unambiguous terms that the U.N.'s principal goal in Somalia is to bring about the political reconciliation of that long suffering country. My government—I am still quoting—has always seen the U.N.'s mission in Somalia as political in nature; helping the Somali people to reestablish their political structures and democratic institutions. Nothing is more important in Somalia than this political goal."

Let me underscore that statement: "Nothing is more important in Somalia than this political goal." That is the position of the Clinton administration. So much for feeding the hungry.

Compare the statement to the limited mission originally outlined by President Bush last December. Allow me to quote just one line from the Washington Post's story dated December 4, 1992, entitled "U.N. Orders U.S.-Led Force Into Somalia." The story quotes the White House press spokes­ man as follows: "We want to make it clear that this U.N. force would be designed to get humanitarian supplies in, not to establish a new government or resolve the decades-long conflict there or to set up a protectorate or anything like that."

The second fact that has finally become obvious is that the new, expanded mission in Somalia is unachievable by the U.N. acting alone. U.S. armed forces will have to be deeply involved if there is to be any possibility of success. That involvement is going to cost us billions of dollars and possibly many American lives. It could very well extend into the next century. Even then, there is no probability it will succeed.

September 28, 1993
September 28, 1993

We've already spent over $1 billion this year just on military operations in Somalia. That's over five times what we will spend on humanitarian relief this year. Today, 11 Americans have been killed in combat and over 60 wounded. Regrettably, nation-building does not come cheap.

And the cost is going to continue to spiral so long as the administration pursues the strategy of using our U.S. forces in Somalia as sitting ducks. Any doubt about this was set to rest last week when a U.S. helicopter was shot down and three more Americans were killed. You see, we've located our headquarters in the center of renegade warlord Mohamed Aideed's stronghold in South Mogadishu.

Initially we resupplied our headquarters by convoy through Aideed's territory. Then Aideed began mining the roads, causing the death of four Americans. Thereafter, we switched to helicopter resupply. But now Aideed is shooting down our helicopters. Mr. Chairman, we are vulnerable. We must stop exposing our troops to these senseless risks.

Some of the costs we have incurred already are spelled out in a letter sent to Mr. Gilman by the State Department in response to a letter that we sent Secretary Christopher. I am submitting this correspondence for the RECORD and request that it be inserted at this point in the RECORD:

H.OUSE OF REPRESENTATIVES
COMMITTEE ON FOREIGN AFFAIRS
WASHINGTON, D.C., AUGUST 6, 1993.

Hon. Warren M. Christopher,
Secretary of State, Washington, D.C.

DEAR MR. SECRETARY: We wrote you on March 2, 1993, to request information from the Administration relevant to consideration by the Committee on Foreign Affairs of U.S. policy in Somalia. Robert Bradtke, Acting Assistant Secretary for Legislative Affairs, responded on your behalf on March 22. His letter was very helpful and informative.

There have been many developments in Somalia since that exchange of correspondence. Of particular importance:

Most significantly, serious fighting broke out in Mogadishu on June 5 and has continued since that time. Accordingly, we would appreciate any information you can provide in response to the following questions:

COSTS

What was the total cost to the United States of the UNOSOM I peacekeeping operation? What was the total cost to the United States of UNOSOM II operation? Based on experience to date do you continue to estimate that the first year cost of UNOSOM II will total $1.5 billion? Does it remain the case that the only incremental Defense Department costs associated with UNOSOM I countries currently incurred for special pay for military personnel assigned to the operation? In particular, have there been any incremental costs in addition to special pay for personnel in Somalia?

U.S. PERSONNEL IN SOMALIA

How many U.S. personnel have been killed or wounded in Somalia during the UNITAF operation? How many have been killed or wounded after the transition to UNOSOM II and prior to June 5? How many have been killed or wounded since June 5? What has been the maximum level of U.S. forces in Somalia since the transition to UNOSOM III? What is the U.S. force level today?

TIMETABLE FOR U.S. WITHDRAWAL

Has the timetable for withdrawal of U.S. forces from Somalia been affected by the fighting that began on June 5? In particular, does the Administration still plan to withdraw all U.S. forces by October 1994 (17 months after the transition to UNOSOM III)? Will U.S. force levels drop to 1,400 by the end of 1993 and to 600 by the end of 1994? How soon will the QRF be withdrawn from Somalia? How soon will the QRF be withdrawn from the Somalia theater of operations?

FOREIGN PARTICIPATION IN UNOSOM II

Has the United Nations been able to fully staff UNOSOM II with military personnel from U.N. member states? Do you anticipate that UNOSOM II will be fully staffed in the future? What countries have agreed to participate in the military personnel participating in UNOSOM II, and in what numbers? Do any participating countries plan to withdraw their personnel? If so, how will those personnel be replaced?

Is UNOSOM II developing a logistical capability that will permit U.S. military personnel to be withdrawn in the future, and what is the United States doing to facilitate that effort?

POLITICAL RECONCILIATION IN SOMALIA

At a hearing of our Subcommittee on Africa on July 29 former U.S. Ambassador to Somalia, William R. Doherty, testified that the turmoil in Mogadishu since June 5 stems in part from the efforts of UNOSOM II to "nullify" the results of the previous elections leaders on June 4. He stated that UNOSOM II rejected this conference as "unauthorized" because it took place "outside the U.N. frame- work," and that the QRF has the responsibility of coordinating with the 1992 Congress included over 200 representatives of other rival factions pledged to make peace and work for national unity at the conference. We would appreciate your response to Ambassador Doherty's testimony. Is the U.N. doing an effective job promoting political reconciliation in Somalia? Is it being sufficiently sensitive to local political concerns? How soon will the Somali people be able to reclaim control of their country?

We expect the Administration's prompt response to our last request, and look forward to hearing from you again.

Sincerely,

BENJAMIN A. GILMAN
Ranking Republican Member, Committee on Foreign Affairs

UNITED STATES DEPARTMENT OF STATE
WASHINGTON, DC, SEPT. 3, 1993

HON. BENJAMIN A. GILMAN,
RANKING REPUBLICAN MEMBER, COMMITTEE ON FOREIGN AFFAIRS

DEAR MR. GILMAN: Secretary Christopher has asked me to reply to the letter you and Mr. Gilman sent last August 27 on the subject of U.S. policy in Somalia. In the interest of clarity, I have broken this letter down into sections corresponding to the headings listed in your letter to the Secretary. For your information, I have enclosed a copy of Secretary Aspin's August 27 speech outlining Administration policy on Somalia.

COSTS

You have asked a number of detailed questions about the cost of U.S. activities in Somalia. The total cost to the United States for UNOSOM I is $185 million to date; we expect to receive an additional assessment from the United Nations of $58 million before the end of FY-93. The UNITAF operation costs in FY-92 were $700 million. It is too early to provide a similar estimate for the cost of UNOSOM II.

Projected U.N. reimbursements will cover only 40 percent of the costs of the Quick Reaction Force (QRF) in Somalia. We do not expect to receive reimbursement for the QRF as the unit is not part of the U.N. force structure. Incremental costs for the QRF should be about $37.5 million through the end of FY-93, with monthly incremental costs of about $3 million for one month and $8 million if the QRF is redeployed. The Department of Defense initially estimated that the QRF would remain in theater for a limited time, with minimal cost impact. Because of the actions in Mogadishu since June 5, it has not been possible to follow this timetable and in fact the size of the QRF has been increased.

Estimated State Department, U.S. AID, and U.S.IA. costs have changed since our March 22 letter to you. The Bureau of Refugee Programs effort for refugees and displaced persons is about $77 million, an increase of $2 million over the figure we provided in March. State Department operating expenses in Mogadishu for this fiscal year will equal roughly $4 million. (We earlier had estimated a cost of $2 million.) The revised figure includes the cost of providing security, reestablishing and maintaining the operating communications. U.S. AID will expend $88 million by the end of this fiscal year for food assistance projects (including reconstituted food) for the UNOSOM II program, and $4 million to help pay for the UN agency's investigation and development programs. This reflects a decrease in previous estimates. U.S.IA.'s programs have cost $327,000, a slight increase over the figure cited in March.

U.S. PERSONNEL IN SOMALIA

U.S. casualties during the UNITAF operation (December '92-May '93) included seven servicemen and one DOD-civilian employee killed (four in combat) and 25 wounded. No Americans lost their lives on UNOSOM operations before General Aideed's June 5 attack against Pakistani peacekeepers. As you know, however, some of the militia killed four of our service personnel on August 8 with a command-detonated explosive device. Three of the Americans killed were with the U.N. mission, since the initiation of UNOSOM II, as of August 30.

U.S. forces in Somalia under UNOSOM II reached their maximum strength in August 12, when there were 4,585 in the country. This troop level was an aberration. The rotation in and out of the country of U.S. troops over the number of months since June 5 in Somalia, including operations by the Quick Reaction Force (QRF) or other U.S. military units since fighting broke out in Mogadishu on June 5? To what extent will the United Nations reimburse the United States for the cost of military operations by the QRF under U.S. military units since that date?

Do you continue to estimate that the total incremental Defense Department cost will be $12 million over 17 months? Has there been any change in the estimates contained in the March 22 letter for Somalia-related expenditures in FY 1993 by the State Department, AID, and USAID?

U.S. PERSONNEL IN SOMALIA

How many U.S. personnel were killed or wounded in Somalia during the UNITAFA operation? How many were killed or wounded after the transition to UNOSOM II and prior to June 5? How many have been killed or wounded since June 5? What has been the maximum level of U.S. forces in Somalia since the transition to UNOSOM III? What is the U.S. force level today?

TIMETABLE FOR U.S. WITHDRAWAL

Has the timetable for withdrawal of U.S. forces from Somalia been affected by the fighting that began on June 5? In particular, does the Administration still plan to withdraw all U.S. forces by October 1994 (17 months after the transition to UNOSOM III)? Will U.S. force levels drop to 1,400 by the end of 1993 and to 600 by the end of 1994? How soon will the QRF be withdrawn from Somalia? How soon will the QRF be withdrawn from the Somalia theater of operations?

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Has the United Nations been able to fully staff UNOSOM II with military personnel from U.N. member states? Do you anticipate that UNOSOM II will be fully staffed in the future? What countries have agreed to participate in the military personnel participating in UNOSOM II, and in what numbers? Do any participating countries plan to withdraw their personnel? If so, how will those personnel be replaced? Is UNOSOM II developing a logistical capability that will permit U.S. military personnel to be withdrawn in the future, and what is the United States doing to facilitate that effort?

POLITICAL RECONCILIATION IN SOMALIA

At a hearing of our Subcommittee on Africa on July 29 former U.S. Ambassador to Somalia, William R. Doherty, testified that the turmoil in Mogadishu since June 5 stems in part from the efforts of UNOSOM II to "nullify" the results of the previous elections leaders on June 4. He stated that UNOSOM II rejected this conference as "unauthorized" because it took place "outside the U.N. framework," and over 200 representatives of other rival factions pledged to make peace and work for national unity at the conference. We would appreciate your response to Ambassador Doherty's testimony. Is the U.N. doing an effective job promoting political reconciliation in Somalia? Is it being sufficiently sensitive to local political concerns? How soon will the Somali people be able to reclaim control of their country?

We expect the Administration's prompt response to our last request, and look forward to hearing from you again.

Sincerely,

BENJAMIN A. GILMAN
Ranking Republican Member, Committee on Foreign Affairs

DAN RYAN
Ranking Republican Member, Subcommittee on Africa.
The addition of 400 U.S. Army Rangers late in August does not alter our commitment to reducing the number of U.S. troops in Somalia as circumstances permit.

The number of U.S. forces withdrawal is too early to gauge the full extent to which General Aideed's attacks on U.N. and U.S. forces have affected the timing of the withdrawal of U.S. troops. We anticipate withdrawing the U.S. Quick Reaction Force later this year. The QRF will, however, remain in place following the conclusion of the conflict. We plan also to reduce the number of logistics troops below the current figure of 2,000 U.S. forces early in 1995.

FOREIGN PARTICIPATION UNOSOM II

Thus far, the U.N. has succeeded in staffing UNOSOM II with military personnel from member nations, although it has not yet reached its goal. As of August 9, 22,448 troops from 26 countries served with UNOSOM II. On this date, the largest contingents were from Pakistan (2,473), the United States (4,306), Italy (2,708), Germany (1,569), Morocco (1,345), France (1,101), Belgium (1,006), Bangladesh (987), Malaysia (873), and Zimbabwe (743). You should note, however, that France and Belgium have announced plans to withdraw their troops early in 1994 while other nations have pledged to send additional numbers of troops which have yet to arrive.

Regarding the development of logistical capability absent U.S. help, there are two ways to go: unilaterally or multilaterally. In addition to recruiting other countries to shoulder this burden, we anticipate that UNOSOM II will hire additional civilian contractor employees to place existing U.S. soldiers. High costs and security considerations may, however, limit the U.N.'s ability to rely upon contractors. In light of these factors, we believe the importance of U.S. logistics personnel is not likely to diminish soon.

POLITICAL RECONCILIATION

Political reconciliation remains one of UNOSOM's most important missions. UNOSOM's goal is to have Somalis managing all of their affairs by 1996. Reconciliation is a process by which the U.N. is making steady progress, as evidenced by the creation of district councils and, quite recently, the conclusion of a peace agreement in the southern port of Kismayo in which local leaders have established a framework for resolving inter-clan disputes. These developments have taken place under UNOSOM's auspices and reflect a strong commitment to ensure the broad representation of all important interests in a given area. In attempting to achieve this aim, the U.N. has worked diligently to ensure that armed groups do not dominate the district councils. Other interests include professional groups, women, and elders receive formal invitations to participate as well.

You asked also for a reaction to former Ambassador Cignoli's argument before your Subcommittee that the U.N.'s conflict in Mogadishu grew partially out of UNOSOM's refusal to give official sanction to a conference of factional leaders that ended on June 12, the U.N. has taken the position that the U.S. Armed Forces in Somalia are not in a situation of hostilities or imminent involvement in hostilities within the meaning of the War Powers Resolution. In our opinion, recent events in Mogadishu call for a reexamination of this conclusion.

According to press accounts, 23 Pakistani soldiers were killed and 50 wounded in guelle attacks on United Nations peacekeepers on June 5. The U.S. Quick-Reaction Forces in Mogadishu have been called out to rescue besieged Pakistani soldiers and three U.S. soldiers were wounded in the conflict. On June 6, the U.N. Security Council adopted a resolution calling for the arrest, prosecution, and trial of those responsible for the attacks.

Between June 5 and June 12, 1993, U.S. aircraft and helicopters were evacuated from Mogadishu, and those who remained were relocated to a heavily fortified compound in preparation for assaults on arms depots and other facilities belonging to warlord Mohamed Farah Aideed. U.S. AC-130 gunships were sent to Djibouti for use in these assaults, and over 2,000 U.S. Marines were ordered to redeploy from Kuwait to Somalia.

On June 12, the AC-130 attacked facilities belonging to Aideed. Attacks by U.S. aircraft and helicopters have continued daily since June 12. These attacks have prompted demonstrations by Somali supporters of Aideed, including one in which U.S. soldiers opened fire and killed at least 14 demonstrators.

In light of these events, and in accordance with section 4(b) of the War Powers Resolution, we would appreciate your response to the following questions:

1. Where U.S. Armed Forces in Somalia in "hostilities" within the meaning of the War Powers Resolution?
2. Were U.S. Armed Forces in Somalia in "hostilities" or a situation "where imminent involvement in hostilities is clearly indicated by the circumstances" within the meaning of the War Powers Resolution between June 5 and June 12?
3. Have U.S. Armed Forces in Somalia been in "hostilities" within the meaning of the War Powers Resolution between June 12 and the date of this letter?
4. Have U.S. Armed Forces in Somalia been in "hostilities" or a situation "where imminent involvement in hostilities is clearly indicated by the circumstances" within the meaning of the War Powers Resolution at any time between the date of this letter and the date of your response?
5. Does the Administration anticipate that U.S. Armed Forces in Somalia will be in "hostilities" or a situation "where imminent involvement in hostilities is clearly indicated by the circumstances" within the meaning of the War Powers Resolution at any time subsequent to the date of your response?
6. If U.S. Armed Forces in Somalia have been, are, or are anticipated to be in "hostilities" or a situation "where imminent involvement in hostilities is clearly indicated by the circumstances" within the meaning of the War Powers Resolution, does the Administration intend to withdraw U.S. Armed Forces from Somalia within 60 days in accordance with section 5(b) of the War Powers Resolution? If not, what will be the legal basis for the U.S. military presence in Somalia after 60 days have elapsed?

Your response to these questions will be of great use to Congress as it proceeds with consideration of S.J. Res. 45, the "Resolution Authorizing the Use of United States Armed Forces in Somalia."

Sincerely,

WENDY R. SHERMAN, Assistant Secretary, Legislative Affairs.

Another casualty of Somalia has been the war powers resolution. The administration wants to have it both ways on the war powers resolution, claiming that they are complying with it when in fact they are not. They say we're not in hostilities in Somalia even though our soldiers are fired on almost every day. This brazen disregard for the resolution in Somalia goes far beyond anything we have seen by previous administrations. And Congress has simply looked the other way.

I've exchanged correspondence with the administration about this subject. My last letter was sent on July 30 and has not yet been answered. It rebuts the administration's claim of compliance with the war powers resolution and I am submitting this correspondence for the Record and I am requesting that the full text of those letters be added to the end of my statement.


HON. WARREN M. CHRISTOPHER, Secretary of State, Washington, DC.

DEAR MR. SECRETARY: We are writing to request your assessment of the current situation in Somalia. Until now, the Administration has taken the position that the U.S. Armed Forces in Somalia are not in a situation of hostilities or imminent involvement in hostilities within the meaning of the War Powers Resolution. In our opinion, recent events in Mogadishu call for a reexamination of this conclusion.

According to press accounts, 23 Pakistani soldiers were killed and 50 wounded in guelle attacks on United Nations peacekeepers on June 5. The U.S. Quick-Reaction Forces stationed in Mogadishu have been called out to rescue besieged Pakistani soldiers, and three U.S. soldiers were wounded in the combat. On June 6, the U.N. Security Council adopted a resolution calling for the arrest, prosecution, and trial of those responsible for the attacks.

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In light of these events, and in accordance with section 4(b) of the War Powers Resolution, we would appreciate your response to the following questions:

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4. Have U.S. Armed Forces in Somalia been in "hostilities" or a situation "where imminent involvement in hostilities is clearly indicated by the circumstances" within the meaning of the War Powers Resolution at any time between the date of this letter and the date of your response?
5. Does the Administration anticipate that U.S. Armed Forces in Somalia will be in "hostilities" or a situation "where imminent involvement in hostilities is clearly indicated by the circumstances" within the meaning of the War Powers Resolution at any time subsequent to the date of your response?
6. If U.S. Armed Forces in Somalia have been, are, or are anticipated to be in "hostilities" or a situation "where imminent involvement in hostilities is clearly indicated by the circumstances" within the meaning of the War Powers Resolution, does the Administration intend to withdraw U.S. Armed Forces from Somalia within 60 days in accordance with section 5(b) of the War Powers Resolution? If not, what will be the legal basis for the U.S. military presence in Somalia after 60 days have elapsed?

Your response to these questions will be of great use to Congress as it proceeds with consideration of S.J. Res. 45, the "Resolution Authorizing the Use of United States Armed Forces in Somalia."

Sincerely,

BENJAMIN A. GILMAN, Ranking Republican Member, Committee on Foreign Affairs.

JESSE HELMS, Ranking Republican Member, Committee on Foreign Relations.


HON. BENJAMIN A. GILMAN, Ranking Republican Member, Committee on Foreign Affairs.

DEAR MR. GILMAN: Thank you for your letter of June 15 (signed also by Senator Helms) regarding the Resolution on June 5? You have raised several specific questions regarding whether U.S. Armed Forces in Somalia have been involved in "hostilities" since June 5 for purposes of the War Powers Resolution. These questions all relate to the deployment that was the subject of a June 10 report to Congress by the President, and which was the subject of a supplemental report by the President during the War Powers Resolution. These questions were raised in the context of section 5(b) of the War Powers Resolution, which provides that, absent Congressional action, the use of U.S. armed forces be terminated within 60 or 90 days after those forces have been introduced into hostilities or into situations where hostilities are clearly indicated by the circumstances.

In our view, no issue is presented of compliance with section 5(b) of the War Powers
Resolution (regardless as to whether it is constitutional). We note at the outset that no previous Administration has considered that intermittent military engagements involved constituting "hostilities," would necessitate the withdrawal of such forces pursuant to section 5(b) of the Resolution. The War Powers Resolution provision on withdrawal within sixty days after forces are introduced into hostilities (with certain exceptions) was intended to apply to sustained hostilities so as to ensure that Congress review jurisdiction; but both Congress and the President would be applied to decisions about whether to go to war.

This is not the situation we face in Somalia. As summarized in the President's report of July 5, the significant involvement of the U.S. Quick Reaction Force in the United Nations operation against Aideed's forces and compound has not involved sustained military action. These activities have been directed at those responsible for the murder or wounding of peacekeepers, as well as other criminal activity. While significant military force was used, our actions have been in support of the United Nations humanitarian mandate and have not been directed at the forces of a sovereign state, but rather at bandits and warlords, as asserted by the President in his report. U.S. Armed Forces have made important contributions to the United Nations-led military action in support of U.N. peacekeeping efforts in Somalia.

Finally, both the House and Senate have voted to withdraw U.S. forces in Somalia. As the President has understood them to be relevant to the legal analysis. For instance, she observed that our actions in Somalia have been in support of the United Nations humanitarian mandate and have not been directed at the forces of a sovereign state, but rather at bandits or warlords. I am not aware of any exceptions to the War Powers Resolution for actions at the behest of the United Nations, or for involvement in hostilities against bandits, warlords, or other forces not controlled by a sovereign state. Please correct me if I am in error.

Assistant Secretary Sherman's letter makes additional points about the War Powers Resolution, but I do not understand them as specific statutory authority is necessary, the Administration welcomes such Congressional support for U.S. activities in Somalia.

I hope this is useful to you. We look forward to further discussions with you on this important issue. Please feel free to communicate with me if I can be of further assistance.

Sincerely,

WENDY R. SHERMAN,
Assistant Secretary, Legislative Affairs.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,

Hon. WARREN M. CHRISTOPHER,
Secretary of State.
Washington, D.C.

DEAR MR. SECRETARY: I am writing in response to Assistant Secretary Sherman's letter of July 21, 1993, answering some questions I had posed to you on July 15 about our interpretation of the War Powers Resolution to Somalia.

I understand from her letter that the Administration's legal rationale for concluding that the U.S. forces in Somalia are "intermittent military engagements" for purposes of the War Powers Resolution does not apply to the U.S. military presence in Somalia in that the combat since June 5 has consisted of "intermittent military engagements" for purposes of the War Powers Resolution. As we have stated before, although we do not believe that specific statutory authority is necessary, the Administration welcomes such Congressional support for U.S. activities in Somalia.

I hope this is useful to you. We look forward to further discussions with you on this important issue. Please feel free to communicate with me if I can be of further assistance.

Sincerely,

WENDY R. SHERMAN,
Assistant Secretary, Legislative Affairs.

I note, however, that the provisions of section 5(b) are triggered not only when U.S. Armed Forces are deployed into "hostilities" for 60 days, but also when they are deployed into "situations where imminent involvement in hostilities is clearly indicated by the circumstances." Thus, the fact that actual military engagements may be "intermittent" is not determinative under section 5(b). If, between the engagements, it remains the case that "imminent involvement in hostilities is clearly indicated by the circumstances," in this circumstance, the Administration's George Moose at a hearing of our Subcommittee on Africa on July 29 whether in Somalia is optimistic and U.S. forces are likely to be involved in fighting in the future. He responded that it is likely that they will be involved in fighting. I fail to understand how Somalia could not be a situation "where imminent involvement in hostilities is clearly indicated by the circumstances." If, in the judgment of the State Department's senior Africa official, the U.S. forces are likely to be involved in fighting in the future.

Do you continue to support the Administration's assessment that, at least on July 29, U.S. forces in Somalia were likely to be involved in fighting? Has there been any point between June 5 and the date of your response when U.S. forces in Somalia were not likely to be engaged in fighting? In the absence of specific dates on which the 60-day clock of section 5(b) is interrupted, please explain why section 5(b) does not apply. In this connection, I notice that Assistant Secretary Sherman referred to the resolutions passed by the House and Senate that would have provided statutory authority under the War Powers Resolution for the Administration to continue the deployment of U.S. forces to Somalia. Neither resolution, of course, has been approved by both Houses of Congress and signed into law by the President. Accordingly, I do not understand the Administration to claim that it has "specific statutory authority" within the meaning of section 8(a)(1) of the War Powers Resolution on the basis of these resolutions. Again, I invite you to correct me if I have misunderstood the Administration's letter.

I look forward to your response to my questions.

Sincerely,

BENJAMIN A. GILMAN,
Ranking Minority Member.

Mr. Chairman, the solution in Somalia is simple. We must return to the United Nations and establish a quick reaction force, and then allow the U.N. to take over. We don't need to be hunting down warlords. We don't need our troops in a situation where they are being attacked and wounded and children are being used as human shields. Somalia has become a deadly sandtrap for American forces and it's time to get them out.

If the U.N. plans similar peacekeeping operations in other areas of the world, other nations must be groomed to undertake the central role that so many people automatically assume the United States will play.

Joseph R. Mooney of Mr. GEPHARDT and I have offered calls for the President to give us a report explaining his policy is Somalia by October 15, and for him to seek and receive congressional authorization for any additional deployment of United States forces in Somalia by November 15. I expect the President to comply with this amendment if it passes into law. Also, I will request the House of Representatives to carry out its responsibility under the amendment by holding committee hearings on the President's report once it is received, and voting by November 15 on whether to approve the policy outlined in the report.

Accordingly, I urge adoption of the amendment.

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

Mr. DELLUMS. Mr. Chairman, I reserve the balance of my time. I have had to return to my state today.

I have long urged that while the President is preparing his report and the United Nations is considering General Aideed's request that the United States use every means at its disposal to ensure a cessation of hostilities in Mogadishu so that the humanitarian agencies can get back into Mogadishu and the men and women facing Unosom II can proceed unimpeded.

Mr. Chairman, Unosom II has, by and large, been successful throughout the
rest of Somalia, and our options there are not merely between waging war and jumping ship. That is simplistic in the extreme. The United States can and must remain a part of Unosom II, but we now have to change the way we do it to achieve a cessation of hostilities in Mogadishu.

It is now clear that our militaristic stance in Somalia has pointless endanger young American lives and must now be replaced by our active involvement in a quest for a political solution in Somalia.

Should the administration shift from a military to a political posture, however, I must urge the President, in the strongest possible terms, to ensure that we not make the same mistake politically that we did militarily.

Specifically, we spent an extraordinary amount of time targeting all of our military might on the pursuit and capture of one man.

Clearly, this was ill-advised. However, today's New York Times presents a new wrinkle to this old operation when it reports that American military commanders are now saying that a better way of eliminating General Aideed is by enlisting his rivals to undercut his influence.

Mr. Chairman, who gave us the right—as peacekeepers—to determine which political figure or faction deserves to emerge victorious in Somalia?

Where is the impartiality that is the sine qua non of peacekeeping?

When I urge a cessation of hostilities, Mr. Chairman, I am urging a cessation of military and political hostilities. This new thrust reported by the New York Times would violate a cardinal rule of peacekeeping—take no sides, make no enemies; and it would guarantee that the already-developed hostility toward peacekeepers because it would reinforce the already-existing impression that we are interested, not in being peacekeepers, but political kingmakers, in Somalia.

Mr. Chairman, we must give our total support to the convening of a conference similar to that which produced the Addis Ababa accords last March in which all warring and interested Somali figures met, debated, and developed an agreement that was acceptable to the Somali people. This should be our thrust, Mr. Chairman. We must stop thinking that in the Third World we must either be teaching somebody a lesson, making an example of somebody else, or insisting that the people involved fall in line behind the U.S.-approved political leader. The people of Somalia may very well choose to support the person favored by our military commanders—but is it appropriate to dedicate our peacekeeping effort to this objective? I think not, and I hope that a rejection of this thrust will be clearly enunciated in the President's report to Congress that is required by this very amendment.

I believe, Mr. Chairman, we must stay in Somalia. But our role there must be that of an honest broker. It is anathema. We know that unless the United States was willing to obliterate Mogadishu from the face of the earth, continued United States helicopter gunship attacks and pre-dawn Ranger raids would only serve to further inflame the already tense and incendiary environment that Mogadishu has become.

Mr. Chairman, I now urge the administration to involve the good offices of the OAU, other Horn governments—Eritrea and Ethiopia—and Somali elders in a quest to secure a ceasefire between peacekeepers and the residents of Mogadishu. We must resist any inclination on our own part to view the process of peace as a loss of face. For one thing, we are neither supposed to be at war with the Somali people nor manipulating their political choices; and nowhere is it written that we are obliged to conquer or eliminate any one faction of figure in Mogadishu. Our original entry into Somalia was as peacekeepers and humanitarianists, and the time has come to recapture the humanitarian, nonpartisan character of our original mission.

Commitment to these two priorities is essential if the as-yet-uncompleted task that the Secretary General of the United Nations, the other Horn governments, and many Africa analysts urged be made an integral part of Operation Restore Hope from its very inception—a program of voluntary, nondiscriminatory disarmament—is to succeed.

President Bush steadfastly resisted all urgings that nationwide disarmament be incorporated into Operation Restore Hope, maintaining, instead, that this would be best handled by the United Nations. The United Nations is now on the ground in Somalia. The United States is part of the United Nations. We must work within that body to complete the important task of disarmament once a cessation of hostilities has been negotiated in Mogadishu.

The international community made a commitment to disarmament in war-torn, tumultuous El Salvador with positive results. Mr. Chairman, we must do no less in Somalia.

The Addis Ababa Agreement of March 1993, to which the United Nations was a facilitator, and in which all Somali factions agreed to a ceasefire and a program of voluntary, nondiscriminatory disarmament, must be revived.

Operation Restore Hope was a resounding success and Unosom II still can be as well. But we must stay the course and not allow the challenges of Mogadishu to blind us to the fact that stability has already returned to most of Somalia.

Is it not now advocating, nor would I ever advocate, an indefinite, open-ended United States involvement in Somalia—whatever the human and material costs. However, I do not believe that all reasonable, nonmilitary options have been fully pursued, and this alone has been a major contributor to the loss of life on all sides.

It is my hope that my congressional colleagues will agree that the options in Somalia are not only between waging war and jumping ship. There are undeveloped, but superior, alternatives to the successful implementation of which depends upon us all resisting either precipitous calls for United States withdrawal from Unosom II or misguided impulses to decide which political figure deserves to emerge victorious in Somalia.

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

Mr. GEPHARDT. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Chairman, I rise in support of the so-called Gephardt-Gillum amendment.

For several months I have been a vocal critic of United States involvement in Somalia. We simply cannot afford the war in Somalia, either in terms of American lives or in terms of American taxpayer dollars.

In July I introduced House Resolution 227, which urges the President to withdraw United States forces from Somalia as expeditiously as possible. Since then, American soldiers have died. Since then, Somali soldiers have died. Since then, Somali children have died. Since then, ten millions of taxpayer dollars have been spent. This is clearly the time to reassess our role in Somalia.

Mr. Chairman, the American people supported our involvement in December in a humanitarian rescue mission. The American people, even this body and every American citizen, should be proud that we helped save thousands of lives from starvation. We accomplished our goal. We accomplished our mission.

We as Americans should be proud of the lives we saved in the great American tradition of reaching out around the world and helping people, especially our colleague, my colleague, the gentleman from Ohio (Mr. HALL), from Dayton, who himself lived there and played a major role in helping with these humanitarian efforts.

Last week, in a trilogy of speeches, Secretary of State Christopher, National Security Adviser Lake, and U.N. Ambassador Albright, began the effort to articulate a Clinton doctrine, followed yesterday by the President's remarks at the United Nations. The
Mr. GILMAN. Mr. Chairman, I am pleased to also yield 1 minute to the gentleman from Wisconsin.

Mr. ROTH. Mr. Chairman, I thank my friend from Arizona, and the ranking member of the Committee on Foreign Affairs, for yielding me the time.

I think it is important for us to recall just quickly our involvement in Somalia. As we all remember, we went into Somalia in December. And when we asked when are we going to be out of Somalia, feeding the starving people, we were told by Inauguration Day, January 20.

Well, January 20 came and went. And when we went back and asked when will we be leaving Somalia, we were told by April.

When April came around, Members will remember the President had served people on the White House lawn, thanking them for the great work in Somalia, and said now let the United Nations take over.

But in May we were back here with a resolution to keep our troops in Somalia. In December and June of this year, and last year, and the last time, we heard from the Armed Services Committee for the president's military amendment.

Second, our goal has no clear objectives. People all over this country in every congressional district in the country will tell us, will say we simply have not defined why we are in Somalia, as the chairman said. We simply have not defined our mission in that country.

Third, there is clearly no identifiable end point.

Last, we do know the cost of the mission. It is too high by any measure. It is too high in loss of life, it is too high in loss of American lives, too high in loss of Somalian children's lives, too high in real dollars. We are spending about $1.5 million every day to carry our mission out in Somalia.

Mr. Chairman, the American people were not asked, were not consulted, and were not informed that our presence in Somalia had changed dramatically from our mission, our original mission in December, our original humanitarian mission, which we accomplished with flying colors.

It changed from that to a combat role, and the American people were not told. No wonder the American people do not support what is going on in Somalia.

The longer we are in there, the more lives that are lost. I urge Members of Congress to support the Gephardt-Gillingham amendment.

Mr. DELLUMS. Mr. Chairman, I yield 2 minutes to my distinguished colleague, the gentleman from Kansas [Mr. GLICKMAN], chairman of the Permanent Select Committee on Intelligence.

Mr. GLICKMAN. Mr. Chairman, I thank my distinguished chairman of the Armed Services Committee for yielding the time. Many people do not know it, but we share the same birthdate, which accounts for my brainpower, my ability, and I appreciate it. We were born under the same stars.

Mr. Chairman, I rise in support of this resolution. Later we are going to be hearing from our colleague, the gentleman from Rhode Island [Mr. Raskin], who spent time in both Somalia and Bosnia, and I urge my colleagues to listen very carefully to his thoughtful and passionate and objective look at the strategic, military, and intelligence implications of our involvement in Somalia.

But I think the bottom line of what he may say, and certainly what I would say right now, is that Somalia is an intelligence quagmire of the highest denomination. The fact is that we have a United Nations force, a United Nations commander with American forces, with other forces of other countries, frankly with no clear delineation of who is in charge at all. The intelligence operations in Somalia to date have been not very good. The United Nations does not really want intelligence. They are not used to it; because they have not had to operate in these kinds of services before. So in the process, the information that the units have been getting is not very good. The information that people have been getting is not very good, and quite frankly, there has been a loss of life.

Now maybe this is just what happens when you have a multinational force running a military operation. But, I would tell Members that we cannot stay there forever unless either the chain of command changes or the intelligence abilities change, because more and more people will get killed. This thing will have a never ending lifeline to it.

So a mission that started out as humanitarian in nature, to feed hungry people, to keep people from starving, has moved into more of a classic military holding action, except the rules of engagement are not clear, the control is not clear, and the intelligence is murky at best.

So I would urge my colleagues to support this resolution and to work for a day when we can remove our troops from Somalia.

Mr. STUMP. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin.

Mr. GILMAN. Mr. Chairman, I am pleased to also yield 1 minute to the gentleman from Wisconsin.

Mr. ROTH. Mr. Chairman, I thank my friend from Arizona, and the ranking member of the Committee on Foreign Affairs, for yielding me the time.

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against General Aideed. Fifty-six U.N. peacekeepers have been killed since June, including 11 Americans.

I was personally horrified to read about Somalis celebrating the June, including 11 Americans. I was particularly outraged by the shootdown of the United States helicopter in Somalia. I only wish its deadline for hard answers about our goals in Somalia were now.

I regret that the Bush administration did not start the disarmament process in Somalia last winter, when there were far larger United States forces there. But we cannot make up for that mistake by pushing U.N. forces into missions that they cannot execute. As President Clinton told the U.N. General Assembly yesterday, "If the American people are to say yes to U.N. peacekeeping, the United Nations must know when to say no."

My position on this amendment does not mean that I will not support any American role in peacekeeping operations. I think that we can do much more good working under U.N. authority, as my colleague and good friend from California, Mr. DELLUMS, has so ably explained. But if this policy is going to work, we cannot let it be diverted into military operations that will hopelessly gut public support at home and abroad.

President Clinton called for the United Nations to ask hard questions about future peacekeeping missions, but before those debates start, we need answers about Somalia now.

Mr. STUMP. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Chairman, I rise in reluctant support of this amendment not because I think our troops should continue their present role but rather because this amendment does not bring our troops home months ago. Unfortunately, there is little history or precedent for such a form of government in Somalia. Consequently, this approach has a limited chance and will, I fear, guarantee an open-ended commitment by the United Nations to govern that country.

Politics, like nature, abhors a vacuum, and there has been a political vacuum in Somalia. Into that vacuum UNOSOM has cost the American taxpayers more than $1.5 billion. This money I might add, comes out of the funds that ensure our troops are the most highly trained and competent in the world.

In a recently released report conducted by Senator McCain of Arizona, he documents that needed ship repairs have been put off to pay for operations in Somalia. It is estimated that the cost of these repairs is $765 million, and with the defense budget being slashed, other funds that could be used for these maintenance repairs are not available.

We have all heard reports of the U.S.S. "America," an aircraft carrier that is having maintenance problems while at sea because there is not enough money to repair the ship. One of my constituents wrote me regarding the grandson aboard this ship. She is naturally concerned.

Mr. Chairman, for all of the reasons mentioned here today, it is time to bring our troops home and this amendment does not, by itself, accomplish that goal.

It does head in the right direction, and so I reluctantly offer my support.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Florida [Mr. MICA].

Mr. MICA. Mr. Chairman, October 15 will come and go.

And quite frankly, we will have no clearer goal or objective in Somalia than we have today. United States involvement in Somalia started as a humanitarian mission. Our purpose was noble. We forged the initial path to Somalia.

Then what went wrong? The United States chose sides in a civil conflict. Despite counsel from those who have dealt with Somalia for decades, the United States plowed ahead. Each month we've spent more in lives and dollars.

The administration hurriedly justified our deeper involvement in Somalia under the guise of creating democratic institutions.

However, even the most amateur Ph.D. in international affairs will tell you that it may be generations before Somalia establishes Western-style democracy.

Since that pronouncement, this administration has been more interested in saving face than saving lives or U.S. taxpayer dollars.

And today, we have another stall measure before us. I am forced to hold my nose and vote for it, but we all must realize we do not have a policy for Somalia--or will we have an acceptable policy on October 15.

It is indeed unfortunate that this Congress is once again failing to establish policy that will save American lives and a fortune in hard earned taxpayer dollars. 

Mr. JOHNSTON of Florida. Mr. Chairman, on behalf of the gentleman from California [Mr. DELLUMS], I yield 3 minutes to the gentleman from Rhode Island [Mr. REED].

Mr. REED. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in support of the Gephardt-Gilman amendment. Since January I visited Somalia twice, first during the humanitarian relief operations of Operation Restore Hope, and most recently during the nation-building operation under UNOSOM.

The first impression that one gets from being in Somalia is of the skill, professionalism, and valor of our military forces and our civilian personnel, and we should recognize that.

But there is one inescapable conclusion, after my two trips: We must actively disengage our forces from Somalia. Important though the policy of nation-building has a questionable chance of success and an indeterminate end point. UNOSOM inherited a precarious military situation. Because of the slow military build-up of forces under the United Nations, there was a shift of initiative away from the United Nations to the warlords. We went from an overwhelming military presence under the joint task force to a series of months in which we were trying through the United Nations to cobble together a force.

In addition to the poor tactical situation, UNOSOM has significant structural faults. There is no genuine civil-military coordination. Indeed, it appears that intelligence services, national intelligence services, are competing against each other to the detriment of the overall mission.

But the primary problem, with respect to UNOSOM is its debilitating lack of a coherent command and control system. Invariably, there is a debate between who is in charge, whether it is the U.N. commander or the national chain of command back in the home country.

This has led to an operation through negotiation, operation through committees, and not the central directive command which should be the hallmark of all military operations.

But there is an underlying fundamental flaw in addition to the shortcomings of UNOSOM and the difficult tactical situation. That is the fact that from the beginning of this operation we have failed through UNOSOM to identify local leaders and institutions in Somalia to show the responsibility to govern that country.

Politics, like nature, abhors a vacuum, and there has been a political vacuum in Somalia. Into that vacuum UNOSOM has attempted to introduce a participatory model government. Unfortunately, that is not in response to the constitutional or precedent for such a form of government in Somalia. Consequently, this approach has a limited chance and will, I fear, guarantee an open-ended commitment by the United Nations to Somalia. This is particularly true since UNOSOM has failed to take preliminary steps necessary to ensure a successful political transformation, such as establishing an effective police force, creating mass communication through radio station and, indeed, insuring safety and security within the city of Mogadishu.
CONGRESSIONAL RECORD—HOUSE

September 28, 1993

For these reasons and many more, I think we have to withdraw. Somewhere between an unacceptable and a perpetual presence, a strategy must be developed to depart. Not a precipitous withdrawal, but a measured withdrawal. We must have an active policy to insure security for the country, coupled with a firm date of departure well in advance of the 2 years stated by UNOSOM. I thank the gentleman for yielding.

Mr. STUMP. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. May I ask the gentleman from New York [Mr. GILMAN] if he will yield 1 additional minute.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Indiana (Mr. BURTON).

The CHAIRMAN pro tempore [Mr. DURBIN]. The gentleman from Indiana (Mr. BURTON) is recognized for 2 minutes.

Mr. BURTON of Indiana. Mr. Chairman, I remember when Ronald Reagan was President, and they called and asked us if we would support keeping marines in Beirut. And we did that, and we did not have a specific mission, and they just sat there like sitting ducks. One day a fellow with a truck-load of dynamite ran the blockade and blew up and killed 230-some marines, American young men. And I said at that time that I would not support any further military operation unless there was a clear military objective and a timetable within which we were going to complete that objective and get our troops home.

I supported the aid program to Somalia because I thought it was the right thing to do. But now we are involved in what is called nation-building. We lost seven of our troops, three last weekend in the helicopter tragedy. We saw people running around from over there in Somalia, carrying American young men's body parts and holding them up for scrutiny by the world.

Now, we should not be involved in nation-building. This particular approach is not the right approach. There has to be a time certain, a date certain to get our troops out. This is a sense-of-Congress resolution that says by October 15 the President has to let us know what is going on and by November 15 Congress has to be apprised of the situation so we can take some positive action.

There is no date certain, it is open-ended, as has been stated previously. We need to bring our young people home and turn this over to the United Nations. We should not be involved in maintaining the law. We should keep them there the more there is going to be a danger of them being killed and we run the same risk of what happened under the Reagan administration. We could end up with these young people being killed by the hundreds like sitting ducks.

This is something we should not tolerate, and we should urge the administration to set a date certain and bring our troops home. That is what the American people want. There is no specific objective for them right now except to sit over there and try to find a wa­(null)

Mr. BURTON of Indiana. May I ask the gentleman from New York [Mr. BURTON] if he will yield 1 additional minute.

Mr. BURTON of Indiana. Mr. Chairman, I wish I could stand here in the well of the House and talk about the real Gilman amendment that was not made proper by the Committee on Rules, because that would have given this body a real choice, a choice to make a decision as to whether or not there will be a date certain as to when we can bring troops home, or we can have debate on a bipartisan, watered-down version of a nonbinding sense of Congress.

I will, though, stand here and give reluctantly to this. I am indifferent to the United States taking a role in nation-building. That is a mission of the United Nations, and I do not believe U.S. troops should participate in that.

Also, I am uncomfortable with the present megatrend, which is happening right now with the use of U.S. troops under the guise of what the President has now called the enlargement of responsibilities coming out of the United Nations.

It almost galls me now when I think of the new term called "peace enhancement." It is incredible. All of us have heard about peacekeeping and peacekeeping, but now there is peace enhancement. It is almost as if those who are under control at the bottom of the Hill—who are the humanitarian effort, then we can use combat troops. But if it is protecting U.S. national interests, then it is making war and we should not do that because we should not be involved in nation-building.

Now, wait a minute. Peace enhancement, how it is defined right now in the United Nations is: When I take an M-18 and I point it at someone to enhance his ability to seek peace. Then when he drops his AK-47, I walk over to that gentleman, I take his AK-47 because now I become a peacemaker. When I secure the environment, I then become a peacekeeper. And then when the mission is to do with could get to go home, not as a war hero, but as a humanitarian.

Now, wait a minute. This is all combat environment; American lives are being placed in jeopardy. We should have a date certain as to when to send the troops home. I reluctantly support this bipartisan amendment, but we are coming back on this issue.

Mr. GILMAN. Mr. Chairman, I yield 1 minute to the gentlewoman from Kansas [Mrs. MEYERS].

Mrs. MEYERS of Kansas. Mr. Chairman, I rise in support of this amendment offered by the gentleman from Missouri and the gentleman from New York.

Our commitment in Somalia has grown like topsy. First, our troops missions was to protect the U.N. peacekeepers. Our forces succeeded admirably in stopping the famine. Then the United Nations decided to rebuild Somali society. Our troops are now the quick reaction force tasked with ridding the other peacekeeping contingents when they get into trouble, and responsible for hunting down Mr. Aideed, who until only a few weeks ago, was being paid by the United Nations, even after his forces murdered U.N. peacekeepers and the United Nations ordered his arrest.

On Wednesday, the U.N. Security Council set a March 1996 target date for the end of its mission. The new plan is to focus combat forces in Somalia on enforcement and judicial systems. Admiral Howe has been quoted as saying that the Georgian factions will not disarm until a law-and-order system is up and running. After a Somali police force has been established, the United Nations will work on creating a Somali Government. So the United Nations would have us stay in Somalia for at least another year and a half.

Good policy dictates that we be guided by several precepts that should be established before American military forces are committed overseas. They include: First, do not commit combat forces overseas unless the engagement is deemed vital to our national interests; second, if combat forces are committed, do so wholeheartedly, with the clear intention of winning, and with clearly defined political and military objectives, so we will know what indeed constitutes "winning;" and, third, that such a commitment have the support of the Congress and the American people.

Congress needs to know from the President why this commitment to Somalia is vital to our national interest. We also need to know what the objectives of our commitment are, and whether the forces sent—both American and foreign—are capable of attaining those objectives. Congress should also have the opportunity to share in the decision as to whether these interests mean Americans should stay in prosecuting combat operations in Somalia. I would prefer to direct the President to provide this report, and require that congressional authorization be attained to allow United States troops to stay in Somalia. But I accept this sense of the Congress compromise in the hope that the President will recognize that obtaining the full support of Congress is vital to the success of this mission. And I hope the President will also recognize that Congress will not give its support, then to continue this commitment would be folly.
Mr. GEPHARDT. Mr. Chairman, I yield 2 1/2 minutes to the gentleman from Florida [Mr. JOHNSTON].

Mr. JOHNSTON of Florida. Mr. Chairman, before I speak, the gentleman from California [Mr. DELLUMS] has consented to yield me also his final 1 minute.

Mr. DELLUMS. Mr. Chairman, I am very pleased to yield 1 minute to my distinguished colleague, the gentleman from Florida.

The CHAIRMAN pro tempore. [Mr. DURBIN]. The gentleman from Florida [Mr. JOHNSTON] is recognized for a total of 3 1/2 minutes.

Mr. JOHNSTON of Florida. Mr. Chairman, I am in the distinct minority here today, because I support the United States involvement with the United Nations in Somalia.

I visited the Horn of Africa in July, principally to go there to visit Ethiopia, the Sudan, and see what was happening with the Fundamentalists in the Sudan.

I made the obligatory trip to Mogadishu for 1 day. There I visited with 50 members of various clans in Mogadishu, all of whom told me that what you had to do before you ever restored peace to this country is to neutralize Mr. Aideed.

Before that, I visited a refugee camp in Mambasa where there were 45,000 Somalis from Kismayu and Mogadishu. To a person they came to me and said, “You’re going to have to do something about Aideed because we cannot go back there. You cannot restore law and order in Mogadishu until this man has been captured.”

In Mogadishu I visited also with General Bir, the Turkish general, the head of the United Nations forces there.

I visited with General Montgomery and I visited with Admiral Howe. Each of them concurred with the same conclusion.

The balance of this country has been restored to stability. Ninety-five percent of this country is eating well. The infrastructure for the government is doing well. It is only in southern Mogadishu that we have an insurrection there by one clan leader.

I feel that this amendment is in error. The United Nations is not doing nation building here.

Mr. Chairman and Members of Congress.

This man, Aideed, is responsible for 300,000 people starving to death. There are over 20 countries here with the United Nations. If we leave, they will leave, the operation will collapse.

This is the test case in the world today, whether the United Nations can go into a country, feed them, and reestablish law and order, the rule of order there and the rule of law.

To do in Somalia, then where will we ever accomplish our mission for humanitarian purposes?

Mr. CHAIRMAN. I ask all of you to be very careful, to move very slowly, because we have to reestablish law and order here in order to have humanitarian care for this country.

Mr. STUMP. Mr. Chairman, I yield myself some time to Mr. John Mica.

Mr. MICA. Mr. Chairman, the American people generally supported our humanitarian efforts to bring relief to millions of starving Somalis, but they did not expect our troops to remain there after the mission was accomplished.

Now, the mission in Somalia has become ambiguous and seemingly indefinte.

Somalia is but one of many places in the world today where conflict rages.

Mr. Chairman, this is a test case which will determine not just our commitment to provide assistance to those in need, but more importantly, our ability to disengage our forces when that task is no longer in the national interest in putting their lives at risk.

We need to bring our troops home now. I urge a no vote on this sense-of-the-Congress resolution.

Mr. GILMAN. Mr. Chairman, I am in opposition to this amendment as it represents one more attempt by Congress to evade the hard question by putting forth a nonbinding resolution that does nothing of consequence and allows the administration to continue floundering in search of a policy in Somalia.

Both Mr. GILMAN and Mr. MICA filed amendments with the Rules Committee that would have given this House real choices on whether we should continue supporting United States participation in the open-ended Somalia operation. But the Rules Committee instead chose to take the compromise reached between the Senate and the White House with no changes, no questions asked, no opportunity for the House to suggest its own views or concerns.

The result is that Members have only one choice before them; vote either for this watered-down compromise nonbinding resolution or vote to do nothing.

I will vote no, but not because I believe we should do nothing. My vote reflects my opposition to the manner in which this issue was packaged and presented to the House thereby inhibiting our ability to express our growing concern and alarm over this administration’s Somalia policy.

Mr. Chairman, the American people supported our humanitarian effort to bring relief to millions of starving Somalis, but they did not expect troops to remain after that mission was accomplished. Now the mission in Somalia has become ambiguous and seemingly indefinite. Somalia is but one of many places in the world today where conflict rages. This is a test case which will determine not just our commitment to provide assistance to those in need, but more importantly, our ability to disengage our forces when there is no longer a national interest in putting their lives at risk.

Let’s bring our troops home now.

Vote “no” on this nonbinding amendment.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Nebraska [Mr. BERIEUTER].

Mr. BERIEUTER. Mr. Chairman, have you noticed there is a distinct lack of enthusiasm for this amendment? That is because the majority of Members of this House understand that we should have ended our activities in Somalia long ago.

The President in a seminal foreign policy address yesterday before the General Assembly of the United Nations laid down four criteria for involvement of our forces in peacekeeping activities.

The gentleman from Ohio [Mr. Brown] and the gentleman from Wisconsin [Mr. ROTH] have already enumerated and discussed those criteria. I would lay down a fifth. It must be in our national interest before we become involved in international peacekeeping activities.

Those criteria should have been applied to Somalia and they still should be applied retroactively.

Mr. Chairman, these were precisely the questions that should have been asked—but apparently were not—before the United States signed on to the U.N. nation-building efforts in Somalia. With unclear objectives, spiraling costs, and no clear end point, the Somalia operation increasingly seems misguided and ill-conceived.

We began there with the unambiguously, perfectly justifiable, and short-term humanitarian mission has suddenly become an adventure in nation building. We came to Somalia as heroes, but are now engaged in a brutal civil war where the United Nations is seen by Somalis in their capital city as an oppressive occupation force. And now, incredibly, because the current force is not able to pacify Mogadishu, the U.N. commander is asking for more troops. Another brigade is needed, we are now being told, and the Somalia capital can be pacified. Does that sound like Vietnam in the Johnson administration?

We ought to bring our forces out of Somalia rapidly and in an orderly fashion, with the United Nations. It is not in our interest to continue our military presence in Somalia. It is inconsistent with our sole original purposes—to provide a secure environment for the delivery of humanitarian relief in an emergency effort to save hundreds of thousands of Somalia.

Senator BYRD’s first Instincts were right in attempting to gain an early withdrawal of American Armed Forces from Somalia.

As Senator NUNN said at Offutt Air Force Base in Nebraska a couple of weeks ago, “If our military presence is there to establish stability, I ask you, when was Somalia ever stable?”

What Mr. Chairman, the question is not whether we should have our Armed Forces in Somalia until November 15, 1993. The question is whether or not this body was given a proper opportunity to express itself, to act, and to extract our troops from Somalia in a timely fashion. They ought
to be withdrawn rapidly and as soon as possible in an orderly fashion, and the leadership of the Congress must work to prevent any action that would weaken our forces. It is the only responsible course of action for the United States to take in Somalia at this time.

Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. DONNAN), a member of the Committee on Armed Services.

Mr. DORNAN. Mr. Chairman, I yield to Mr. Weinberger.

Mr. Weinberger. Mr. Chairman, I yield 3 minutes to Mr. Weinberger.

Mr. DORNAN. Mr. Chairman, I yield to Mr. Weinberger.

Mr. Chairman, I will put into the Record the words from a speech at the National Press Club by a great former Secretary who was there for 7 full years. Let us consider the words of Secretary Weinberger, which he outlined under the title, "The Uses of Military Power," six hard-core reasons that I want to see in the Record during this debate when we should deliberate on the deployment of our troops and women in harm's way in combat.

One, if it is deemed vital to our national interests, and I will put in his exact words, because Cap Weinberger flushes out every point.

Two, the clear intention of winning. What are we going to win when we have a country as stable as Ukraine, as stable as Estonia, as stable as Abkhazia, a brand new nation forming in blood on the east coast of the Black Sea? I will only get in number three, Mr. Chairman. I will put the rest in the Record.

Clearly defined political and military objectives. I might vote for the Gilman-Gephart amendment, only because it is the best we have, but it is not nearly sufficient when we have lost 62 U.N. forces, 11 of them our finest young heroes.

So, I rise in weak support of this amendment which calls for consultation with Congress on further United States military involvement in Somalia. I repeat, it should require consultation with Congress before it is supported.

I would like to ask Mr. Weinberger what is his position on the initial deployment of U.S. troops, there remains some very basic questions that must be answered before we decide to keep combat forces in this country, maybe as long as March 1995 according to a recent Washington Post article.

Is the situation vital to U.S. interests? Are there clearly defined political and military objectives? Will U.S. forces be under U.S. or U.N. command? And who will be accountable?

Will the resources necessary to support the operation be added to the defense budget or will the funds come from other military operations and maintenance accounts?

If we are going to commit United States troops into combat, and yes, Somalia is now definitely a combat zone, it should be for U.S. interests and U.S. military objectives, not U.N. interests and objectives. These troops must serve under U.S. command and be accountable through Bill Clinton, not Boutros Ghali.

Finally, it is utterly hypocritical today as we begin to get the defense budget by over a hundred billion dollars to then turn around and start expanding the role of U.S. military operations overseas as part of questionable U.N. missions.

We in Congress must first ask the hard questions and demand the right answers before going any further in Somalia. So, specifically, I believe the six tests for committing combat forces, as outlined by former Secretary of Defense Caspar Weinberger in a November 28, 1984 speech, should be our guide.

Basically, Secretary Weinberger indicated that the following tests should be used to determine whether or not U.S. troops should be sent into combat: First, is the situation vital to U.S. or allied national interests? Second, is there a clear commitment, including allocated resources, to achieving victory? Third, are there clearly defined political and military objectives? Will our commitment of forces change if our objectives change? Fifth, will the American people and Congress support the action? Finally, have all other options already been considered or used?

There are many variations on each of these tests. However, these six seem to provide simple yet clear guidelines regarding the use of U.S. military force ranging from peacekeeping operations in Somalia to the liberation of Kuwait. Based upon our experience in Vietnam, and the cold fact that American lives are at stake every time we deploy United States military forces abroad, I find Secretary Weinberger's second and third tests most valuable.

If it is decided that military force should be used, we must act quickly and decisively with clearcut military objectives and overwhelming force to ensure victory.

Operations in the Falklands and Grenada clearly demonstrated the resolve and effectiveness of small local forces against less than overwhelming invading forces. In response, we should heed the advice of General Ulysses S. Grant, who claimed, "Through and through the people. Find out where your enemy is. Get at him as soon as you can. Strike him as hard as you can and as often as you can, and keep moving on."

So, let me put into the Record the clear military objectives set forth in Desert Storm and Just Cause allowed our military leaders to plan and execute victory on the battlefield that also met the political objectives of those at home. As Napoleon warned, "An irresolute general who acts without principles and without plan, even though he lead an army numerically superior to that of the enemy, almost always finds himself inferior to the latter on the field of battle."

My main concern is not about irresolute or vacillating generals, but instead about undecided leaders here in Washington. We must give the Powells and Schwarzkopfs of tomorrow not only the resources, to achieving victory. Deterrence, getting the peace, or over them, the cold hard fact that American lives are at stake every time we deploy United States military forces abroad, I find Secretary Weinberger's second and third tests most valuable.

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National power has many components, some tangible—like economic wealth, technical pre-eminence. Other components are intangible—like moral force, or strong and ready and modern, are a creditable and understandable addition to a nation's power. When both the Intangible and tangible national will and those forces are forced into one instrument, national power becomes effective. In today's world, the line between peace and war is less clearly drawn than at any time in our history. When George Washington, in his farewell address, warned us, as a nation, to avoid foreign entanglements, Europe then lay 2-3 months by sea over the horizon. The United States was protected by the width of the oceans. Now in this nuclear age, how shorter time in minutes rather than months.

Aware of the consequences of any misstep, we are convinced of the precious worth of the freedom we enjoy. We seek to avoid conflict, while maintaining strong defenses. Our policy has always been to work for peace, but peace can only be preserved if it is based on strength. Yet, we must prepare at all times, at all places, in all situations which fall between the extremes of defensive and aggressive use of force to invade, conquer or subjugate other nations. The extent to which the use of force has never been questioned. The extent to which the use of force is essential, we run the risk of inappropriately. But once a decision to employ some force has been made, and the purpose they cannot be defeated. For democratic nations have the support of the people, they are quick to exploit ours by con­structing their own nationalism. The Second alternative—employing our forces almost indiscriminately and as a regular and in the decisionmaking process for the employment of military forces abroad than some think. Of precedent, we have had no experience with such a decision-making authority in the executive branch which has been compromised by the legis­lative branch in an effort to interfere with that process. At the same time, there has been a non-accepting acceptance of responsibility by Congress for the outcome of decisions concerning the employment of military forces.

Yet the outcome of decisions on whether—and when—and to what degree—to use con­frontation. Some of those proponents of force have rejected the unilateral aggressive use of military force to invade, conquer or subjugate other nations. The extent to which the use of force has never been questioned. The extent to which the use of force is essential, we run the risk of inappropriately. But once a decision to employ some force has been made, and the purpose they cannot be defeated. For democratic nations have the support of the people, they are quick to exploit ours by con­structing their own nationalism. The Second alternative—employing our forces almost indiscriminately and as a regular and in the decisionmaking process for the employment of military forces abroad than some think. Of precedent, we have had no experience with such a decision-making authority in the executive branch which has been compromised by the legis­lative branch in an effort to interfere with that process. At the same time, there has been a non-accepting acceptance of responsibility by Congress for the outcome of decisions concerning the employment of military forces.

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that can preserve for ourselves, our friends, and our posterity, peace with freedom.

We must refuse to deter the Soviet Union and other potential adversaries from pursuing their designs around the world. We can enable our friends in Central America to defend themselves and gain the breathing room to nurture democratic reforms. We can meet the challenge posed by the unfolding complex of the 1990’s with strength. And it will be a peace that will enable all of us—ourselves at home, and our friends abroad—to achieve a quality of life, both spiritually and materially, far higher than man has even dared to dream.

Mr. GILMAN. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. MANZULLO].

Mr. MANZULLO. Mr. Chairman, we should pull out of Somalia now. Our humanitarian mission was over 4 months ago.

Last May, we voted to get out of Somalia by June 30, I supported the amendment, but it was defeated by more than a 2 to 1 margin.

Another amendment was offered by the respected Republican leader of the Foreign Affairs Committee, Mr. GILMAN, to remove our forces by the end of October. I also voted for the amendment, but it, too, was defeated.

Yet, what did the House adopt? A resolution to keep our troops for up to 2 years in Somalia. This only extends our unending commitment in Somalia.

My freshman classmate, Mr. MICA, introduced a resolution to withdraw all U.S. Armed Forces from Somalia, which I have cosponsored. Mr. GOODLING also circulated a letter, opposing the placement of U.S. troops under foreign command, which I also signed. I have done all that I can to protest the continued deployment of American forces in Somalia.

The Clinton administration is wrong in using American Armed Forces to rebuild the political life of Somalia for the indefinite future.

This amendment would require the Clinton administration to report to Congress by October 15 the mission, command arrangements, size, functions, location and anticipated length of stay of United States forces deployed in Somalia. It would also require congressional approval by November 15 for any troops deployed in Somalia beyond that date.

This was also adopted in the other body by an overwhelming vote of 90 to 7. The House should likewise.

Mr. GILMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland [Mr. BENTLEY].

Mr. BENTLEY. Mr. Chairman, I thank the gentleman from New York [Mr. GILMAN] for his continuous fight to bring to the floor the issue of the open-ended United States deployment of forces in Somalia.

American troops are in harm’s way, yet Congress has not voted on the issue. Even though the Constitution mandates it, the Congress is empowered to make the declaration of war. If anything can be learned from Vietnam, it should be that continuous military involvement is contingent on the country’s support. It is not there today. Yet, votes by Congress demonstrate that support. We owe our troops no less.

Hard decisions about the U.S. role in the post-cold-war era and our military budget must be made. The money we are contemplating for the 1994 DOD authorization does not begin to match the rhetoric of the administration’s proposed commitments.

Yesterday, I attended the Board of Visitors’ meeting for the Naval Academy and discovered that last year very few civilian professors received even cost-saving increases. I raise this to point out that we do not have enough money in our budget to adequately support commitments inside the United States—let alone to fund mediating the endless disputes that lie beyond our borders.

Mr. Chairman, I will support the efforts of the gentleman from New York [Mr. GILMAN], although I feel the Gephardt-Gilman amendment does not accomplish what is truly needed now.

Mr. GILMAN. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. LEVY].

Mr. LEVY. Mr. Chairman, I rise in support of the amendment, although I, too, would have preferred an amendment to bring our troops home immediately.

Earlier this year, this House passed a resolution which authorized United States involvement in Somalia for another year and contained language enabling the Congress to consider extending this commitment even longer. That resolution was not a detailed plan for resolving the situation in Somalia but rather a blueprint for chaos.

Mr. Chairman, this amendment sets realistic dates for the President to report to Congress on the nature of our mission in Somalia. Members should be aware that the amendment does not usurp the constitutional authority of the President to conduct foreign policy. Instead, the amendment simply sets a clear timetable for the President to submit a realistic plan of action for troops who have traveled in to harm’s way.

No one can deny that our original mission in Somalia has been altered. Events of this past weekend demonstrate that our mission, which was first based on humanitarian virtues, has turned into an exercise in urban warfare. I urge my colleagues to support this amendment and address the open-ended nature of our Somali policy as a first step toward bringing Americans home as quickly as possible.

Mr. GILMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia [Mr. GINGRICH], our distinguished whip on the minority side.

Mr. GINGRICH. Mr. Chairman, I thank the gentleman from New York [Mr. GILMAN], my friend, for yielding this time to me, and I rise in strong support of the amendment.

I think that it is very important that Congress carry its full share of the responsibility for establishing the framework of foreign policy, and let me draw the distinction because I think it is important for every Republican to understand that for 12 long years, under Presidents Reagan and Bush, we argued that Presidents should manage on a day-to-day basis foreign policy, that Congress should not micromanage. I think that is still true, and yet at the same time it is very clear, just as it was under Presidents Reagan and Bush, that Congress should establish the framework. Today, in terms of what it will pay for and in terms of what it will legally authorize, and that is a tradition which goes all the way back to the 1790’s, when, for example, there was a major debate over whether or not to deal with the Algerian pirates and whether or not to negotiate with them.

So, from the very beginning our Founding Fathers understood that it is legitimate for the Congress to discuss the framework of foreign policy while delegating to the President, as the Constitution does, the day-to-day executive nature of implementing that policy once established.

Mr. Chairman, I think that the Gephardt-Gilman amendment is very important because it does set a time frame, and it does say to the executive branch, “You need to account for what you’re doing in Somalia,” and it does say to the executive branch, “If, in fact, you’re going to change the mission, you need to explain that change, you need to get the country’s support, and you need to get the Congress’ authorization,” and I think that is exactly right.

Back in the last administration, Mr. Chairman, Marlin Fitzwater, the President’s spokesman, said, and I quote: We want to make it clear that this U.N. force would be designed to get humanitarian supplies in, not to establish a new government or resolve the decades-long conflict there or to set up a protectorate or anything like that...

Mr. Chairman, that was Marlin Fitzwater speaking for President Bush as reported in the Washington Post on December 4, 1992.

Now the fact is the mission is changing. I could make a pretty good argument the mission should change. I am prepared to have the President explain to us why we cannot leave without establishing a framework, that he has the obligation to come to the Congress to do so.
I urge a "yes" vote for the Gephardt-Gilman amendment.

Mr. STUMP. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. Weldon).

Mr. WELDON. Mr. Chairman, in my opinion this debate is outrageous. This is a feel-good, CYA amendment for this body to go on record saying, "We'd like to have troops back home at some time in the future, but don't give us any specifics right now."

Mr. Chairman, I was a reluctant supporter of President Bush and Secretary Cheney when they committed our troops to Somalia. I supported them because of their public statements, like in December 1992, when Dick Cheney said that Americans would not get bogged down in a guerrilla war or when he said in December 1992, "If you're looking for the U.S. to stay until Somalia's problems are solved, it's not going to happen," or when General Powell said in December 1992 to reporters that the United States military may take 2 to 3 months to accomplish the mission.

We made a group visit to Somalia, to Mogadishu, and Baidoa, in January of this year. The U.N. was not prepared then, and they are not prepared now, and our troops are still there. The U.N. is not in place. We have spent $2 billion. We have had 11 young people killed from our country, and we still do not know what our mission is.

Read the resolution, my colleagues. What it says is by October 15, 9 months after we went in there, we are going to ask the Secretary of Defense and the President to give us what our goals and objectives are, 9 months after our troops have been there, $2 billion later, 11 dead Americans. Now we are going to ask for the goals and objectives, and we give the President until November 15 to do something about it.

Mr. Chairman, this action today is outrageous. It is outrageous for those Americans who do not want to see our troops there.

I will quote Ambassador Bob Oakley and Mr. William Oakley, both of whom were involved in Vietnam and made the comparison of Somalia to Vietnam and to Beirut. They summed it up in three basic lessons. They said, "If you go in, go in quickly, avoid entanglements with one side or the other, and get out as quickly as possible."

We have done none of those things. David Shim, the United States special coordinator for Somalia, quoted recently, August 15, what he thought our position was going to be in terms of staying in Somalia. He left the door open that we would stay there through 1994, 1995, and possibly beyond.

Mr. Chairman, famine relief is one thing, and we have done that. Nation-building is another. If the U.N. wants to undertake what has never been done before in the history of the world, fine. The United States is not in that business. It is bad enough playing cop in the world; playing God is crazy.

This is a test. It is a test. We should come to our senses, and we should get our troops out of Somalia now.

The CHAIRMAN pro tempore (Mr. DURBIN). The gentleman from Missouri [Mr. GEPHARDT] is recognized for 4½ minutes to close the debate.

Mr. GEPHARDT. Mr. Chairman, first, everyone here and all of the people in our country honor and respect and pray for the families of the young people who have been killed, who have lost their lives, trying to help Somalia be able to advance into the future with a bright future.

We respect and honor the lives of all of the young people, whether they are American, Pakistani, or of other countries, who have given their lives.

This is a very serious matter. President Bush was right when he came to Congress and said, just before he left office, that this should be done. I think it is very important as we consider this: We remember what has been done and the facts that we were presented with when we started. Over 1,000 people a day were dying of starvation in Somalia. Over 1 million refugees had been forced into exile. The United Nations efforts to deliver food to starving people had virtually been halted and stopped. It was that that we faced.

Let us also remember what has been accomplished. Mass starvation in Somalia has ended. Schools and hospitals are reopening across this country. Police forces and court systems are rebuilding, and, in some parts, representative councils are functioning.

I have asked everybody who has been there what would happen if we pulled everybody out, and the answer universally is if we pull our people out, all of the progress, all of the help that has been accomplished, would be lost in a day. Let us keep those facts in our mind as we consider what to do.

Mr. Chairman, I think this resolution is sensible. It takes what we have accomplished and says, let us ask the administration now, by the middle of October, for an assessment. Let us call for an authorization of the Congress by the middle of November, to decide again if the course we are on is one we want to continue to follow. The truth is when we started, when President Bush started, when it was handed off to President Clinton, when we handed it off to the United Nations, we have entered into a new era and a new period and a new challenge. We are not sure yet how to do peacekeeping, or certainly, peacekeeping. This is not the kind of a military assignment that we have been involved in for 50 years. It is new, it is different. We are feeling our way. We are learning. We are trying to figure it out.

I urge my colleagues to support this amendment as a first step toward bringing our troops home from Somalia.

The CHAIRMAN pro tempore. Under the rule, all time for debate has expired.

The question is on the amendment offered by the gentleman from Missouri [Mr. GEPHARDT].

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

RECORDED VOTE

Mr. STUMP. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 406, noes 26, not voting 6, as follows:

[Roll No. 463]

AYES—406

Abercrombie, J.   Armey, W.   Barlow
Ackerman, C.   Bacusos (FL)   Barrett (NE)
Ackerman, J.   Baker, B.   Barrett (WI)
Allard, J.   Baker, C.   Bartlett
Andrews (ME)   Baker (CA)   Bateman
Andrews (NJ)   Baker (LA)   Bayh
Applegate   Barca   Bellinson
Applegate   Barca   Beatles
Mr. BACHUS of Alabama, Ms. MCKINNEY, Mr. TOWNS, and Mr. CONYERS changed their vote from "aye" to "no."

Mr. Chairman, pursuant to section 3 of House Resolution 254, I offer amendments on en bloc consisting of amendment 7, as modified, amendment 8, as modified, amendment 10, printed in House Report 103-252, and amendments numbered 4, 5, 6, 7, 8, and 9, amendment 10, as modified, amendment 12, amendment 13, as modified, and amendment 17, as modified, printed in part 4 of House Report 103-252.

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

Mr. DELLUMS. Mr. Chairman, pursuant to section 3 of House Resolution 254, I offer amendments on en bloc consisting of amendment 7, as modified, amendment 8, as modified, amendment 10, printed in House Report 103-252, and amendments numbered 4, 5, 6, 7, 8, and 9, amendment 10, as modified, amendment 12, amendment 13, as modified, and amendment 17, as modified, printed in part 4 of House Report 103-252.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from California?
SEC. 1008. INCREASE

AMENDMENT OFFERED BY MR. TORRICELLI

At the end of title VIII (page 283, before line 127), add the following new section:

SEC. 825. REPORTS BY DEFENSE CONTRACTORS OF DEALINGS WITH TERRORIST COUNTRIES.

(a) REPORT REQUIREMENT.—Whenever the Secretary of Defense proposes to enter into a contract with any person for an amount in excess of $5,000,000, or for software development and purchase, or services to the Department of Defense, the Secretary shall require that person—
(1) before entering into the contract, to report to the Secretary each commercial transaction which that person conducts during the preceding three years with any terrorist country;
(2) to report to the Secretary each commercial transaction which that person conducts during the course of the contract (but not after the date specified in subsection (f)) with any terrorist country.

(b) REGULATIONS.—The Secretary of Defense shall issue such regulations as may be necessary to carry out this section.

(c) ANNUAL REPORT TO CONGRESS.—The Secretary of Defense shall submit to the Congress each year a report setting forth the persons conducting commercial transactions with any terrorist country for purposes of a contract covered by this section and the nature of those transactions.

(d) TERRORIST COUNTRY DEFINED.—A country that is included in the reports made pursuant to subsection (a) during the preceding fiscal year, the terroristic activities of which were the subject of transnational criminal transactions, that is a terrorist country with which transnational criminal transactions are conducted, and the nature of those transactions.

SEC. 1009.

AMENDMENT OFFERED BY MR. MC CURDY

At the end of title X (page 346, after line 19), insert the following new sections:

SEC. 1943. NUCLEAR NONProliferation.

(a) FINDINGS.—The Congress finds the following:
(1) The United States has been seeking to contain the spread of nuclear weapons technology and materials.
(2) Voluntary efforts by the United States, the United Nations, and the IAEA to assure nonproliferation, to prevent proliferation from occurring, and to foster international cooperation in nonproliferation have been successful.
(3) The United States has demonstrated that it is United States policy to end the further spread of nuclear weapons to new states, to prevent completion of the spread to any country of fissile material or weapons for use in weapons of mass destruction, to ensure the maintenance of nonproliferation where it has occurred, and prevent the further spread of fissile materials to new countries.
(4) The IAEA is a valuable international institution committed to nonproliferation, but the effectiveness of its system to safeguard nuclear materials may be adversely affected by financial constraints.
(5) The Nuclear Non-Proliferation Treaty codifies world consensus against further nuclear proliferation and is scheduled for review and extension in May 1995.
(6) The Nuclear Non-Proliferation Act of 1978 declared that the United States is committed to continue strong support for the Nuclear Non-Proliferation Treaty and to a strengthened and more effective IAEA, and established that it is United States policy to establish more effective controls over the transfer of nuclear equipment, materials, and technology.
(7) Comprehensive Nuclear Non-Proliferation Policy.—In order to end nuclear proliferation and reduce current nuclear arsenals and supplies of weapons-useable nuclear materials, the United States should seek in the policy of the United States to pursue a comprehensive policy to end the further spread of nuclear weapons technology, roll back nuclear proliferation wherever it has occurred, and prevent the use of nuclear weapons anywhere in the world, with the following additional objectives:
(1) Successful conclusion of all pending nuclear arms control and disarmament agreements with all the republics of the former Soviet Union and their secure implementation.
(2) Full participation by all the republics of the former Soviet Union in all multilateral nuclear nonproliferation efforts and acceptance of IAEA safeguards on all their nuclear facilities.
(3) Strengthening of United States and international support to the IAEA so that the IAEA has the technical, financial, and political resources to ensure that all countries are complying with their nonproliferation commitments.
(4) Strengthening of nuclear export controls in the United States and other nuclear supplier nations, impose sanctions on individuals, companies, and countries which comply with nonproliferation terms and conditions, and increased public information on nuclear export licenses approved in the United States.
(5) Reduction in incentives for countries to pursue the acquisition of nuclear weapons by seeking to reduce regional tensions and to strengthen regional security agreements, and to strengthen the United Nations Security Council to increase its role in enforcing international nuclear nonproliferation agreements.
(6) Support for the indefinite extension of the Nuclear Non-Proliferation Treaty at the 1995 conference to review and extend that treaty, and seek to ensure that all United Nations sign the treaty or participate in a comparable international regime for monitoring and safeguarding nuclear facilities and materials.
(7) Reaching agreement with the Russian Federation to end the production of new nuclear weapons and provide the IAEA with the political, technical, and financial support necessary to implement the necessary safeguards.
(8) Reaching immediate agreement with the Russian Federation to halt permanently the production of fissile material for weapons purposes, and working to achieve worldwide nonproliferation agreements.
(A) end in the shortest possible time the production of weapons-useable fissile materials;
(B) place existing stockpiles of such materials under bilateral or international control;
(C) require countries to place all of their nuclear facilities dedicated to peaceful purposes under IAEA safeguards.
(9) The United States and IAEA safeguards to more efficiently verify that countries are complying with their nonproliferation commitments.
(10) Strengthening IAEA safeguards to more efficiently verify that countries are complying with their nonproliferation commitments.
(11) Conclusion of a multilateral comprehensive nuclear test ban treaty.
(b) REQUIREMENTS FOR IMPLEMENTATION OF POLICY.—(1) Not later than 180 days after the date of the enactment of this Act, the President shall submit to the Congress a report, in high classification, with a classified appendix, necessary information on the following:
(A) the steps that the United States has taken and the actions the United States plans to take during the succeeding period to implement each of the policy objectives set forth in this section.
(B) Not later than 180 days after the date of the enactment of this Act, the President shall submit to the Congress a report, in high classification, with a classified appendix if necessary, which—
(1) addresses the implications of the adoption by the United States of a policy of non-first use of nuclear weapons;
(2) addresses the implications of an agreement with the other nuclear weapons states to adopt such a policy; and
(3) addresses the implications of a verifiable bilateral agreement with the Russian Federation under which both countries withdraw from their arsenals and dismantle all tactical nuclear weapons, and seek to extend to all nuclear weapons states this zero option for tactical nuclear weapons.
(d) DEFINITIONS.—For purposes of this section:
(1) The term "IAEA" means the International Atomic Energy Agency.
(2) The term "Non-Proliferation Safeguards" means the safeguards set forth in an agreement between a country and the IAEA, as authorized...
(3) The term “non-nuclear weapon state” means any country that is not a nuclear-weapon state, as defined by Article I(3) of the Statute of the Non-Proliferation Treaty.


(5) The term “nuclear weapons state” means any country that is a nuclear-weapons state, as defined by Article I(A)(5) of the Statute of the Non-Proliferation Treaty.

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Treaty” by Article I(A)(5) of the Statute of the Non-Proliferation Treaty means any country that is a nuclear-weapon state.

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(c) the inability to safeguard space launch vehicles and missiles in a manner that would provide timely warning of its diversion to military purposes; and

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(2) The term “MTCR” means the Missle Technology Control Regime established under chapter 45 or section 3507 of title 5, United States Code, or Executive Order 12938.

(5) The term “nuclear weapons state” means any country that is a nuclear-weapons state, as defined by Article I(3) of the Treaty on the Non-Proliferation of Nuclear Weapons, signed at Washington, London, and Moscow on July 1, 1968.

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(5) Previous congressional action on missile proliferation, notably title nine of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 104 Stat. 1738), has explicitly supported this policy through such actions as the statutory definition of the term “missile” to mean “a category I system as defined in the MTCR Annex, and any other unsecured man-made system of similar capability, as well as the specially designed production facilities for these systems.”

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(c) DEFINITIONS.—In this section:

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(1) The term “Missile Technology Control Regime” or “MTCR” means the policy statement, between the United States, the United Kingdom, the Federal Republic of Germany, France, Italy, Canada, and Japan, announced on April 16, 1987, to restrict sensitive missile-relevant transfers based on the MTCR Annex, and any amendments thereto.

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SEC. 1944. SENSE OF CONGRESS RELATING TO THE PROLIFERATION OF SPACE LAUNCH VEHICLE TECHNOLOGY

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(a) FINDINGS.—The Congress finds the following:

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(1) The United States has joined with other nations in the Missile Technology Control Regime (MTCR) which restricts the transfer of missiles or equipment or technology that could contribute to the design, development, or production of missiles capable of delivering weapons of mass destruction.

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(3) Transfers of missile technology or space launch vehicle technology cannot be safeguarded in a manner that would provide timely warning of diversion for military purposes.

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(4) It has been United States policy since agreeing to the guidelines of the Missile Technology Control Regime to treat the sale or transfer of space launch vehicle technology as restrictively as the sale or transfer of missile technology.

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(5) Previous congressional action on missile proliferation, notably title XVII of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 104 Stat. 1738), has explicitly supported this policy through such actions as the statutory definition of the term “missile” to mean “a category I system as defined in the MTCR Annex, and any other unsecured man-made system of similar capability, as well as the specially designed production facilities for these systems.”

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(5) Previous congressional action on missile proliferation, notably title XVII of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 104 Stat. 1738), has explicitly supported this policy through such actions as the statutory definition of the term “missile” to mean “a category I system as defined in the MTCR Annex, and any other unsecured man-made system of similar capability, as well as the specially designed production facilities for these systems.”

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(5) The term “weapon-useable fissile materials” means highly enriched uranium and separated or reprocessed plutonium.

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(b) WAIVER DESCRIPTION OF ACTIVITIES OF CLEARINGHOUSES.—The clearingshouses shall—

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(1) collect educational materials which have been prepared for the purpose of providing information to eligible persons regarding available retraining programs, in particular those programs dealing with critical skills needed in advanced manufacturing and skill areas in which shortages of skilled employees exist;

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(2) establish and maintain a data base for tracking the use of such materials based on the different needs of eligible persons; and

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(3) furnish such materials, upon request, to such educational institutions and other interested persons.

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(c) INFORMATION ACTIVITIES OF CLEARINGHOUSES.—The clearingshouses shall—

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(1) collect educational materials which have been prepared for the purpose of providing information to eligible persons regarding available retraining programs, in particular those programs dealing with critical skills needed in advanced manufacturing and skill areas in which shortages of skilled employees exist;

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(2) establish and maintain a data base for tracking the use of such materials based on the different needs of eligible persons; and

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(3) furnish such materials, upon request, to such educational institutions and other interested persons.

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(2) establish and maintain a data base for tracking the use of such materials based on the different needs of eligible persons; and

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(3) furnish such materials, upon request, to such educational institutions and other interested persons.

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The amendment as modified is as follows: At the end of title XXXI (page 589, after line 23), insert the following new section:

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SEC. 3123. TRANSFER OR LEASE OF PROPERTY AT DEPARTMENT OF ENERGY WEAPON PRODUCTION FACILITIES

(a) FINDINGS.—Congress makes the following findings:
(1) The termination or recon­figuration of weapon production activities at facilities of the Department of Energy is a consequence of the end of the Cold War and of changed United States national security requirements.

(2) The Federal Government may facilitate the economic recovery of communities that experience adverse economic circumstances as the result of the closure or recon­figuration of a Department of Energy facility and, where possible, prevent the occurrence of ad­verse economic circumstances.

(3) It is in the interest of the United States that the Federal Government work with communities that experience adverse economic circumstances as the result of the closure or recon­figuration of a Department of Energy facility and, where possible, prevent the occurrence of ad­verse economic circumstances.

(4) It is in the interest of the United States that the Federal Government work with communities that experience adverse economic circumstances as the result of the closure or recon­figuration of a Department of Energy facility and, where possible, prevent the occurrence of ad­verse economic circumstances.

The Secretary of Energy shall exercise the authority of the Administrator to transfer or lease any or all right, title, and interest of the United States in and to the property referred to in subsection (d) to any public agency if the Secretary determines that such transfer or lease will mitigate the adverse economic consequences that might otherwise arise from the closure or recon­figuration of a Department of Energy fa­cility.

(5) The Federal Government may best en­sure such reutilization and redevelopment by making available real and personal property of the Department of Energy facilities to communities affected by such closures or recon­figuration on a timely basis, and, if appropriate, at less than fair market value.

(6) Preservation of the national technology and industrial base could be assisted by the appropriate transfer, lease, or reutilization of property, facilities, and equipment which currently are not needed for the Department of Energy weapon production mission.

(b) MANAGEMENT AND DISPOSAL OF PROP­ERTY.—(1) The Administrator of General Services shall delegate to the Secretary of Energy, with respect to property covered under subsection (d), the authority of the Administrator to transfer or lease any or all right, title, and interest of the United States in and to the property referred to in subsection (d).

(2) The authority required to be delegated by paragraph (1) to the Secretary by the Admin­istrator of General Services shall not include the authority to prescribe general poli­cies and methods for utilizing excess prop­erty and disposing of surplus property.

(3) It is the interest of the United States that the Department of Energy may transfer or lease any or all right, title, and interest of the United States in and to the property referred to in subsection (d) to any public agency if the Secretary determines that such transfer or lease will mitigate adverse economic consequences that might otherwise arise from the closure or recon­figuration of a Department of Energy fa­cility.

(4) The consideration to be paid to the United States for any transfer or lease under paragraph (1) shall be for the estimated fair market value of such property or leasehold interest, unless the Administrator of General Services, or the Secretary of Energy, except that the Secretary may ac­cept consideration for an amount that is not less than 50 percent of the estimated fair market value of such property if the Sec­retary determines that—

(i) the discount is required to implement the plans established in the report under subsection (h); and

(ii) 30 days after published notice, no pri­vate or public party has made a bona fide offer for such property at the estimated fair market value.

(5) The instrument transferring or leasing property for less than the estimated fair market value under this paragraph—

shall contain a condition that all such property shall be used and maintained for the purpose for which it was transferred in perpetuity in accordance with the plans de­scribed in the report under subsection (h). This determination does not prevent or delay the Secretary from selling the property for other purposes or from making any of the transfers or leases described in subsection (d).

(6) The Federal Government may best en­sure such reutilization and redevelopment by making available real and personal property of the Department of Energy facilities to communities affected by such closures or recon­figuration on a timely basis, and, if appropriate, at less than fair market value.

(7) Preservation of the national technology and industrial base could be assisted by the appropriate transfer, lease, or reutilization of property, facilities, and equipment which currently are not needed for the Department of Energy weapon production mission.

(c) DISCLAIMER.—The authority of the Administrator to transfer or lease any or all right, title, and interest of the United States in and to the property referred to in subsection (d) to any public agency if the Secretary determines that such transfer or lease will mitigate adverse economic consequences that might otherwise arise from the closure or recon­figuration of a Department of Energy fa­cility.

(8) A facility of the Department of Energy that serves the purpose for which it was trans­ferred to the Department of Energy, including the cost of worker dis­placement and retraining in the community in which the facility or property is located; or

(9) contributed to the preservation of the national technology and industrial base by using the equipment at the facility or property; or

(10) the economic development in the community in which the facility or property is located.

(d) TERMINATION AND CONDITIONS.—The Secretary may require such additional terms and conditions with respect to a transfer or lease of property under subsection (c) as the Secretary determines necessary to protect the interests of the United States.

(1) DELAY.—The Secretary may delay the transfer or lease of any or all right, title, and interest of the United States in and to the property referred to in subsection (d) to any public agency if the Secretary determines that such transfer or lease will—

reduce the long-term cost to the Gov­ernment, including the cost of worker dis­placement and retraining in the community in which the facility or property is located.

(2) TERMINATION.—The Secretary may de­termine that the property transferred no longer serves the purpose for which it was trans­ferred, that such release, conveyance, or quitclaim will not prevent accomplishment of the purpose for which such property was so transferred.

Any such conveyance, conveyance, or quitclaim may be granted on, or made subject to, such terms and conditions as the Secretary con­siders necessary to protect or advance the interests of the United States.

(3) COVERED PROPERTY.—Property that may be transferred or leased under sub­sections (c) and (d) is the excess property and acquired real property at a fa­cility of the Department of Energy to be closed or reconfigured. The Secretary determines that such property is no longer necessary for weapon production or other missions of the Department.

(4) APPLICABILITY OF OTHER LAWS.—Prop­erty transferred or leased under subsections (c) and (d) shall be transferred or leased in accordance with—

(1) the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.), to the extent not inconsistent with this title and

(2) all applicable environmental laws, in­cluding the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(5) LIMITATION ON RELOCATION OF EQUIP­MENT.—(A) The Federal Government shall not relocate equipment from a facility, such as machine tools that could be useful in converting the facility, except in cases where buying new equipment would be significantly more cost­ly or significantly more time-consuming than moving the equipment. The Secretary shall make a finding for determining costs under this subsection.

(B) RETRUISMENT.—To the extent prac­ticable, the Secretary of Energy may make available to reutilize by the Federal Govern­ment of the Department of Energy that is not required for weapon production work in any plans the Secretary determines that such reutilization will—

reduce the long-term cost to the Gov­ernment, including the cost of worker dis­placement and retraining in the community in which the facility or property is located.

(2) contribute to the preservation of the national technology and industrial base by using the equipment at the facility or property; or

(3) assist the economic development in the community in which the facility or property is located.

(1) DEFINITION.—For purposes of this sec­tion, the term "reutilization" means the de­velopment of sites previously used in the nu­clear weapons complex of the Department of Energy for private commercial work or non­weapon production-related Government work. Such development may consist of—

(1) reutilization of the site or portions of it; and

(2) leasing of facilities or equipment to non-Department of Energy sources.

(2) USE OF DEPARTMENT OF ENERGY FACILITIES TO ENHANCE THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE THROUGH TECHNICAL TRANSFER
SEC. 1043. LIMITATION ON USE OF FUNDS FOR CERTAIN PLUTONIUM STORAGE BY RUSSIA.

(a) LIMITATION.-None of the funds authorized to be appropriated by this Act or any other Act for any fiscal year may be obli­ gated or expended for the purpose of as­ sessing the Ministry of Atomic Energy of Russia to construct a storage facility for surplus plutonium from dismantled weapons, unless the President certifies to the Congress that--

(1) that Russia is committing to halt the chemical separation of weapon-grade plutonium from spent nuclear fuel; and

(2) that Russia is taking all practical steps to halt such separation at the earliest possible date.

(b) SENSE OF CONGRESS ON PLUTONIUM POLICY.-It is the sense of Congress that the President should coordinate the activities described in subsection (a) in order to deter and respond to the proliferation and terrorism, and to provide the Congress with the necessary information to fulfill its oversight responsibilities.

(c) SOURCES OF ASSISTANCE.—Supplies and equipment provided as assistance under this section may be provided, by loan or donation, from existing stocks of the Department of Defense and the Department of Energy.

SEC. 1044. COUNTERPROLIFERATION.

(a) IN GENERAL.—Chapter 20 of title 10, United States Code, is amended by adding after the end of such chapter the following new section:

"415. International counterproliferation ac­ tivities.

"(c) COORDINATION.—The Secretary of Defense shall coordinate the activities described in subsection (a) in order to deter and respond to the proliferation and terrorism, and to provide the Congress with the necessary information to fulfill its oversight responsibilities.

(b) INTERNATIONAL COOPERATION.—The Secretary of Defense shall enhance and coordinate the activities described in subsection (a) with other entities, including the Department of State, the Department of Energy, and the Department of Homeland Security, in order to achieve the purposes of this section.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit a report to Congress assessing the extent to which the activities described in subsection (a) have been implemented and the effectiveness of such activities in preventing the proliferation and terrorism described in subsection (a). The report shall include—

(1) a description of the activities described in subsection (a) and the extent to which such activities have been implemented;

(2) a description of the assistance provided under this section and the extent to which such assistance has been utilized;

(3) a description of the international cooperation described in subsection (b) and the extent to which such cooperation has been achieved;

(4) a description of the information provided to Congress under this section and the extent to which such information has been utilized;

(5) a description of any legislative or regulatory changes necessary to improve the effectiveness of the activities described in subsection (a); and

(6) a description of any other actions taken or proposed to improve the effectiveness of the activities described in subsection (a).

The report required under this subsection shall be submitted to Congress in accordance with section 801(a) of this Act.

(d) COUNTERMEASURES.—The Secretary of Defense shall establish and implement policies and procedures to safeguard the United States from the proliferation of weapons of mass destruction, including the development, deployment, and use of countermeasures to prevent such proliferation.

(e) AUTHORIZATION OF APPROPRIATIONS.—Nothing in this section shall be construed as authorizing the expenditure of any funds for activities related to the prevention or interception of weapons of mass destruction that are not otherwise authorized or appropriated by this Act or any other Act.
CONGRESSIONAL RECORD

SEPTEMBER 28, 1993

AMENDMENT OFFERED BY MR. COOPERSMITH, MR. SHARP, OR MR. ZIMMER

At the end of subtitle XXI (page 589, after line 17), insert the following new section:

SEC. 2139. PROHIBITION ON USE OF FUNDS FOR ADVANCED LIQUID METAL REACTOR.

No funds authorized pursuant to this title or otherwise available for fiscal year 1994 or any previous fiscal year for the national security programs of the Department of Energy shall be used for the support of the advanced liquid metal reactor project and the retail pharmacy network under this section:

(a) determination of the feasibility and advisability of increasing the size of those areas determined by the Secretary under subsection (c)(2) to be adversely affected by the closure of a health care facility of the United States national security interests.

(b) consultation.—The report required by subsection (a) shall be prepared in consultation with the Director of Central Intelligence.
under this section to include all covered beneficiaries under chapter 55 of title 10, United States Code, including those persons currently excluded from participation in the military medical system by operation of section 106B(4)(1) of such title;

“(3) an estimation of the costs that would be incurred and any savings that would be achieved by improving efficiencies of operation, as a result of undertaking the increase or expansion described in paragraph (1) or (2); and

“(4) such recommendations as the Secretary considers to be appropriate.”

The CHAIRMAN. Pursuant to the rule, the amendments en bloc are not subject to a demand for a division of the question.

Pursuant to the rule, the gentleman from California [Mr. DELLUMS] will be recognized for 10 minutes, and the gentleman from South Carolina [Mr. SPENCE] will be recognized for 10 minutes.

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

Mr. DELLUMS. Mr. Chairman, I rise in support of an amendment to H.R. 2401, Defense authorization for fiscal year 1994. This amendment places a fence around $75 million in Department of Defense funding for construction of a long-term plutonium storage facility in Russia. The fence comes down if the President certifies to Congress that the Ministry of Atomic Energy in Russia is committed to halting chemical separation of weapon-grade plutonium, and that Russia is taking all practical steps to halt such separation at the earliest possible date.

The need for this amendment is clear even as the administration seeks to add another $400 million to itsrequest for $900 million assistance budget for demilitarization of the independent States of the former Soviet Union. Russia continues to operate a vast complex of facilities to produce and separate plutonium, one of the key ingredients in nuclear weapons. While the United States rejected civil plutonium use in the early 1980’s as being uneconomical, environmentally damaging and an unacceptable proliferation risk, and while we ceased production and separation of weapon-grade plutonium in 1988, Russia continues to separate plutonium from spent fuel for both military and civil purposes. The Russian nuclear ministry continues to do this despite huge existing stockpiles of some 135 metric tons of weapon-grade plutonium, and 30 tons of reactor-grade civil material. Despite its nominal designation as nonmilitary civil, the reactor-grade plutonium can also be used to make nuclear weapons. All this material is produced under conditions that fail to meet current—much less truly adequate—international standards for nuclear materials accounting and control and environmentally responsible radioactive waste management.

On September 2, the Department of Defense and the Russian Ministry of Atomic Energy [MINATOM] that will provide this Ministry with $75 million in operating, construction equipment, and training assistance for a planned storage facility for fissile material derived from the destruction of nuclear weapons. Remember, this Ministry is the same outfit that brought the Russian people the Kyshtym nuclear disaster in the Urals, Chernobyl, the recent Tomsk reprocessing plant accident, billions of curies of routine radioactive releases to the environment, and an estimated 45,000 nuclear weapons.

We should not be in the business of subsidizing or encouraging—directly or indirectly—the development of a plutonium economy in Russia, or any other country. The recent activities of MINATOM are encouraging from a nonproliferation perspective. The Ministry has announced ambitious plans for large-scale separation and use of plutonium in civil reactors, and is actively seeking agreements to extract additional plutonium contained in foreign spent fuel.

Even if the Russians insist that their antiquated production reactors must be kept in operation for electric power and district heating, either the spent fuel storage, the fuel cladding, or both can be upgraded to permit operation of the reactor without reprocessing of the spent fuel.

From a nonproliferation perspective, the real issue is not the future availability of gold-plated storage capacity—5 or more years from now—for whatever fraction of its warhead plutonium inventory, as the Administration recently decreed is essential to its military needs. No, today the real urgent nonproliferation issue is the prompt declaration and continuing periodic verification of all retired weapons and weapons-usable material stocks at current storage sites and nuclear production facilities in Russia, and in the other independent states of the former USSR. In comparison with this task, the plutonium storage facility project is just not the core of the problem.

I have worked with the administration to satisfy their concerns with this amendment. The amendment is now in a form that the administration strongly supports. I strongly urge my colleagues to support this important amendment.

Mr. SPENCE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to engage the committee chairman in a colloquy. Mr. Chairman, on pages 186 to 189 of House Report 103-200, the report accompanying H.R. 2401, the Armed Servicest Committee summarized its action on the operations and maintenance budget requests for the four military services.

Under the section marked “increases, these tables show a Peacekeeping Disaster relief budget request and not an allocation of $350 million for peacekeeping and disaster relief activities as some have suggested?

Mr. DELLUMS. If the gentleman will yield, the mere fact that the committee bill as reported contains no funds specifically earmarked for peacekeeping or disaster relief activities.

The administration request contained $350 million for those purposes. But, the committee chose to shift those funds to general operations and maintenance. Unfortunately, the committee report on the bill has confused some people on what we did. Mr. Chairman, the entries that reflect increases to each military service’s general O&M budget achieved by transferring money out of the administration request for peacekeeping and disaster relief, not into it as many have misconstrued.

Mr. SPENCE. Mr. Chairman, I thank the gentleman for this important clarification.

Mr. Chairman, I want to express my support for the amendment entitled “Transfer or Lease of Property at Department of Energy-Weapon Production Facilities,” offered by Representative HALL from Ohio. The amendment makes available to local communities equipment or other property no longer needed at Department of Energy (DOE) weapons production facilities, including equipment that can be beneficially reutilized by the community. At the Savannah River site in South Carolina, for example, DOE will be disposing of fire fighting equipment and trucks no longer needed to support the on-site fire station. Some local communities would like to purchase the equipment and trucks. One community in particular, Hollow Creek, desperately needs a replacement for its vintage 1952 pumper firetruck. I am pleased that passage of the Hall amendment will, at a minimum, give the citizens of Hollow Creek the opportunity to purchase a moderately priced firetruck which will be of benefit to the community at large.

This is just one example of the kind of equipment that will be made available by passage of the Hall amendment; there are many others.

I strongly support initiatives to aid communities adversely affected by the downsizing of the DOD and DOE infrastructure. Through no
CONGRESSIONAL RECORD—HOUSE

September 28, 1993

Mr. MEEHAN. Mr. Chairman, I thank the gentleman.
Mr. SCHIFF. Mr. Chairman, I yield 1½ minutes to the gentleman from California [Mr. DORNAN] for the purpose of a colloquy.
Mr. DORNAN. Mr. Chairman, I thank the gentleman for yielding me the time. I would like to engage in a colloquy with the distinguished gentleman from Missouri [Mr. SKELTON].

As the good chairman is aware, I had planned to offer an amendment on the floor today requiring the discharge from our military forces of HIV-positive servicemembers because they are not worldwide deployable and thereby pose a serious impediment to personnel readiness. In addition, once a member comes up HIV positive, their jet flying, paratrooper, helicopter, submarine, surface ship, fighting vehicle, artillery, rifle, and pistol days are instantly terminated. In a word, it is terribly unfair to the few healthy men and women in service requiring your healthy to deploy more often. According to the Commandant of the Marine Corps, "This not only impacts readiness but also increases the deployment tempo of fully fit military in general."

I understand, however, that the chairman plans hearings on this issue.
Mr. SKELTON. If the gentleman will yield, Mr. Chairman, the gentleman from California is not available. Let me reassure him that, as a result of earlier discussions within the committee, I intend to hold hearings as soon as possible on the readiness impact of nondeployables.
Mr. DORNAN. I thank the chairman for his reassurance and leadership on this important issue of readiness.

Mr. MEEHAN. Mr. Chairman, I thank the gentleman for yielding me the time.
Mr. SCHIFF. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. HALL].

Mr. HALL of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. HALL].

Mr. MEEHAN. Mr. Chairman, I thank the gentleman for yielding me the time.
Mr. SCHIFF. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. HALL].

Mr. HALL of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. HALL].
the part of the Defense Department investigative agencies cries out for the kind of review that can only be conducted by the IG.

One of the problems faced by the Office of the Inspector General is the enormous caseload. The purpose of this amendment is to indicate the priority we place on members of our Armed Forces whose deaths have not been properly investigated.

Our goals are clear. We would like a better explanation for the cases at hand and an examination of the pattern of failure by Defense law enforcement agencies. Absent fundamental changes in these agencies, more families will live with terrible and nagging uncertainty over the death of a loved one.

I want to thank my colleagues from New Jersey, Mr. PALLONE, who has joined me in this endeavor and Chairman DELLUMS for including the amendment in the en bloc.

Mr. DELLUMS. Mr. Chairman, I yield one minute to the coauthor of that amendment, Gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. I thank the gentleman for yielding this time to me.

Mr. Chairman, the amendment being offered by Mr. LEVY and myself calls upon the inspector general of the Department of Defense to conduct a reinvestigation of any self-inflicted death, after January 1, 1962, where the serviceman was on active duty, if there are allegations of incomplete or inadequate initial investigation and if the family makes the request.

For the last several years our attention has been drawn to repeated stories of flawed criminal investigations within the armed services.

Story after story has appeared detailing those stories that have grabbed the attention of the American public: Tailhook, the USS Iowa explosion and others.

But what happens when an American family experiences a tragedy: The unexpected death of their son or daughter in the military—and compounding that tragedy is the expectation in a finding that the death was self-inflicted?

Then, as the family receives information from various sources, questions begin to arise. Why were there no fingerprints on the gun? Why was he bruised all over? Why was he bound? Why was there no nitrate on his hands? Why was the person with their son not immediately tested? Why were his wallet and personal belongings missing?

But no one answers the questions. No one acknowledges that the questions are bona fide. No one is able or willing to respond. Request after request is made by the family under various acts. Often they are patronised, then they are ignored.

Finally the official reports are received, some including the photos of the death scene and the autopsy photos, if the family has requested them—only to discover there are even more questions.

These families develop suspicions, and over the period of time they go back and forth between belief that there was a coverup of some sort or that the investigators were simply incompetent.

So far, the military investigators response to this is to say that the families are in denial. The military says that these families simply cannot accept the fact that their sons killed themselves. Go home, the families are told, and forget your questions.

Well, let me tell you that I have grave doubts about many of the cases brought to my attention—and two of them are from my congressional district. One constituent, a 27-year-old marine, had just come out of Officers Candidate School and finished No. 1 in his class. He died at Camp Pendleton, where nine young men have allegedly committed suicide in the last 18 months.

One of my questions is whether we are really having an increase in the number of suicides or whether these are homicides that are not properly investigated because of understaffing or inexperience? How will we know without looking at the cases where questions exist?

If no one at DOD is willing to look into each of the investigations where questions have been raised that most certainly are not frivolous, how do we know, how do the parents know, exactly what quality of investigation prevailed after these young people died?

Mrs. Jakovio, my constituent, has become one of several mothers across the country who are organizing the effort to obtain reinvestigations into the deaths of their children. These families need your support of this amendment, which does not require additional funding.

Certainly throughout DOD and the armed services there is the ability to absorb a reinvestigation of these cases.

Furthermore, those such as the Department of Justice, are well able to perform expert services in pathology and ballistics.

This amendment will provide assurance to families that their questions will be answered and further, provide immediate insight into the integrity of military investigations—the product of which may be of lasting benefit to future investigations.

Mr. SPENCE. Mr. Chairman, I yield such time as he may consume to the gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Chairman, I rise in support of one particular aspect of the amendment offered by the gentleman from Indiana [Mr. McClatchy], which puts the Congress on record in support of the U.S. Government's longstanding policy of treating the export of space launch vehicle technology as restrictively as its identical military twin—ballistic missile-related exports. I firmly believe that passage of this amendment is the very least Congress should do.

The more the efforts of some State Department officials to have President Clinton loosen existing missile and nuclear nonproliferation controls.

Mr. Chairman, last week, in response to earlier congressional and press objections to relaxing existing controls on dangerous nuclear and rocket technology, Vice President Gore personally intervened and temporarily blocked any changes from being made to existing U.S. nonproliferation policy. However, this pause did not last long. Just yesterday, the President announced, during his speech to the United Nations General Assembly in New York, that he had approved the new policy recommendations being pushed by the State Department.

Passage of this amendment on space launch vehicle [SLV] controls, which is quite similar to an amendment sponsored by Senator BINGAMAN and added to the Senate version of the fiscal year 1994 Department of Defense authorization bill, is a modest, but useful step in the right direction. I should state, however, since this amendment is designed to adopt these policy changes, despite the continued misgivings that I and other Members have expressed, I will seek, during the conference committee's deliberations on this bill, to add more restrictive provisions to guard against the clear dangers these changes threaten.

What am I talking about? Mr. Chairman, at the heart of U.S. missile and nuclear nonproliferation policy has been a recognition of the need to clearly differentiate between activities that are dangerous and those that are not, and activities that are profitable and those that are not. Unfortunately, the State Department's recommendations would fuzz up these distinctions with potentially disastrous consequences for United States and allied security.

U.S. nuclear cooperation, for example, has long emphasized activities relating to reactors that do not use weapons usable uranium or plutonium over space launch vehicles that do. The reason why is simple: The mere possession of nuclear weapons usable materials brings a nation within days of having a nuclear bomb. Similarly, U.S. space cooperation has always drawn the line with the Missile Technology Control Regime (MTCR) because it clearly differentiated between activities that are clearly nuclear and those that are not.

Thus, it has been our policy not to increase the number of nations acquiring space launch vehicles or large sounding rockets since such rockets are indistinguishable from intermediate or intercontinental range ballistic missiles. Indeed, the only SLV cooperation is with the United Kingdom, charmingly led by the efforts of some before the MTCR's creation and with the People's Republic of China [PRC] or Russia, who are already recognized nuclear weapon states under the Nuclear Nonproliferation Treaty [NPT].

In both the rocket and nuclear cases, the safeguards logic of our existing nonproliferation policy has been clear. Because nuclear
activities associated with the production or use of weapons usable plutonium and uranium and rocket activities associated with SLVs or large sounding rockets brings nations so close to having nuclear weapons and ballistic missiles capable of reaching strategic targets that they are safe or safeguardable. States, after all, must provide time warning of a diversion of a safe activity to a dangerous one.

By this standard, monitoring only becomes a safeguarding assurance of a diversion in enough time to allow us to prevent the diversion from being completed. How much time is this? A useful definition was provided in the 1946 Acheson-Lilienthal report on the International Control of Atomic Energy, which estimated that “sufficient warning” meant at least a year or more. Judging from our slow response to Iraq’s and North Korea’s proliferation activities, a year’s worth of warning seems the very minimum we need.

Dangerous and civil nuclear activities involving weapons usable uranium or plutonium or SLV’s and large sounding rockets, diversions to nuclear weapons or long-range or intercontinental ballistic missiles [ICBM’s] are means to an end. By the time you had detected a diversion, assuming you were lucky enough to do so, it would be too late to do anything effective to stop it. It would be a fait accompli.

Reinforcing the safeguards logic of our current nonproliferation aversion to dangerous rocket and nuclear activities is simple economics. It turns out that both the production or use of nuclear weapons usable uranium and plutonium and starting a totally new SLV program are sure-fire money losers. As was noted in a recent editorial published in the Christian Science Monitor by a former senior Pentagon official.

Studies last year by the Commerce Department and the RAND Corporation concluded that initiating new “peaceful” SLV programs is a sure-fire money loser for any nation not already launching commercial satellites. **Dangerous ‘civil’ nuclear activities** are no different. **The world is already awash with civil uranium enriched capacity and there is no good reason to believe we need to produce highly toxic plutonium instead of cheap, safe uranium as reactor fuel is like trying to make money fueling autos with high sulfur coal.**

Brian Chow, the Rand author of a detailed study completed for the Defense Department entitled “Emerging National Space Launch Programs: Economics and Safeguards,” drove this same point home concerning SLV exports in a recent editorial in the Wall Street Journal:

Last month President Clinton persuaded Saudi Arabia to purchase $6 billion in new passenger jets from Boeing and McDonnell Douglas. The economic benefits of exporting space launch technology are not anywhere near as large. Considering the competition from Russia, the European Space Agency, Japan and others, the American share of space launch technology sales is unlikely to exceed $300 million a year. It would take 30 years of such sales to equal what we just achieved with that single aircraft sale. Furthermore, after other countries succeed in developing their own space launch capability, they may no longer ask the U.S. for launch services.

It is this economic and safeguards logic that the State Department, with the support of former State Department Under Secretary Frank Wisner, now at the Defense Department, would change. The State Department’s efforts to modify the underlying logic of our missile and nuclear nonproliferation policy are hardly new. It was in response to the August 1990 Bingaman amendment when he introduced the Senate version of the SLV resolution now included in the MCCLOSKEY amendment, a State Department report to Congress in 1989 suggested the possibility of the United States aiding emerging space launch capabilities to discourage diversions. In the case of nuclear power and nuclear fuel cycle activities. Rather than get anything effective to stop it, the Clinton policy would allow nations to become members of the MTCR even if they pursued such programs so long as they were deemed not to be for offensive purposes. Second, and related, in the Clinton administration the Defense Department, which had earlier developed large sounding rockets and SLV programs, the new Clinton policy would ratchet U.S. concern back to a skeptical attitude with case-by-case review of applications for U.S. assistance to such programs. Third, and finally, the proposed Clinton policy would offer cooperation with the United States on such large rocket programs as an incentive to get nations interested in joining the MTCR.

In the nuclear field, the changes to U.S. policy are no less significant. These were highlighted in a State Department paper handed to foreign governments several months ago and in a White House press release issued September 11 and later withdrawn but not contradicted. First, the United States would no longer be concerned about other nations producing or using weapons usable uranium and plutonium for civilian purposes so long as these nations were located in regions deemed by the administration to be stable and trustworthy; the PRC, Russia, and other countries would be allowed to adopt their own view of what constitutes a trustworthy nation and will follow our lead in establishing cooperative relationships with these nations to develop SLV’s.

This is not the sort of information we want non-nuclear weapons state members of IAEA to have access to. Yet, it would be more difficult to keep this information from them in an organization that is so clearly dedicated to the principle of equal treatment of all members. Indeed, Iran, a nation that the Honorable James Woolsey, the Director of Central Intelligence, has publicly testified is working to develop nuclear weapons, is on the IAEA’s Board of Governors.

Second, it makes no sense to indulge or allow our friends to engage in uncontrolled civil nuclear activities involving the production or use of weapons usable uranium or plutonium when we are trying to get all the world’s other nations to avoid these activities altogether. This is doubly so when there is no technical means to safeguard such activities. Trying to argue otherwise for our friends in stable regions is a delusion.

Finally, the administration’s professions will not go unheeded in the IAEA belies any sound understanding of that organization’s key weaknesses. It is far behind in meeting its safeguarding responsibilities for safe activities and yet is overly eager to educate Iranians and other questionable members in sensitive nuclear fuel cycle activities. Rather than get this agency into more dangerous duties, we ought to be disciplining it to live up to its current list of responsibilities.

As for the administration’s missile recommendations, these too leave much to be desired. In fact, the viewpoint of some of the widely respected industry publications Space News and Jane’s Defense Weekly have raised serious and legitimate questions about PRD-8 in recent editorials and analyses. The editorial that ran in Space News was most telling. As it noted:

**those behind a policy shift want to show friendship to other nations as a means of encouraging democracy and convincing them to join in nonproliferation efforts. Selling launch technology as a friendly gesture reflects inexorable naivete about defense matters on the part of these public servants.**

The argument, of course, is that the United States could help eliminate the danger of the development of ICBM-capable rockets who are truly trustworthy. The problem with this supposition is that other MTCR members likely will not share our views as to who is and isn’t trustworthy; the PRC, Russia, and other countries would not adopt their own view of what constitutes a trustworthy nation and will follow our lead in establishing cooperative relationships with these nations to develop SLV’s.
There is also the problem of undermining what few clear successes we have had in the missile nonproliferation field. The Washington Post editorial rightly noted that United States policy succeeded in getting South Africa, Taiwan, and Argentina all to drop their plans for so-called peaceful SLVs and that only by sticking to our principles concerning the interchangeability of SLVs and ballistic missiles would we have prevented the missiles from being dropped, albeit rather late in the game, their SLV cooperation with India. The Indians have continued their program, of course, but just recently their program suffered a test-launch failure that clearly suggests just how important foreign rocket assistance is. What will happen when we bring Argentina, India, South Africa, and Brazil into the MTCTR, as Clinton administration officials have claimed they want to do? Many officials in these countries still want to develop large rockets. Will the United States refuse to assist them because we consider them untrustworthy—after we support their actions? And when we bring Argentina, and Brazil into the MTCTR, as Clinton administration officials have claimed they want to do? Many officials in these countries still want to develop large rockets. Will the United States refuse to assist them because we consider the United Nations as well. We are all aware of the tremendous pressures which are placed on military families today, and the need for programs to assist families to cope with such pressures. I want to discuss the value of just such a program which has been successfully implemented throughout the Marine Corps.

In fiscal year 1992, Congress appropriated funds to expand the new Parent Support Program, a 2-year-old pilot program aimed at preventing child and spouse abuse at Camp Pendleton. The Camp Pendleton program operated in direct collaboration with Children's Hospital of San Diego.

Today, the NPSP is fully operational at all 18 major Marine bases, reaching the families where child and spouse abuse are most likely to occur. The Commandant has indicated that the program's services have received high praise from Marine Corps commanders, active duty personnel, and family members. However, shrinking dollars and operating budgets make it difficult for the marines to continue funding this effort. In light of the program's continued demonstrated value and success, I would like to work with you and Mr. DELLUMS to ensure that the fiscal year 1995 authorization bill adequately supports the funding necessary for the program.

Mr. HUTTO. I agree with the gentleman from California about the importance of child abuse prevention programs to the Armed Forces, and I am also aware of the New Parent Support Program's implementation and success throughout the Marine Corps. However, I must point out that this type of program has applicability to the other branches of the military services. After all, more than 50 percent of the forces are now married. I would be happy to work with the gentleman from California to ensure this program is adequately supported.

Mr. DELLUMS. Mr. Chairman, I yield 3 minutes to my distinguished colleague, the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. I thank the chairman for yielding this time to me.

Mr. Chairman, I want to explain that I will not be offering the amendment for which I was given permission by the House and Senate to consider the ground wave emergency network. I think there is a waste of money there. But that amendment was dealt with by the Senate in a way that would affirm the vote. It did not seem to me it would be a productive use of the time of the House to take up that effort here, especially since I understand some people concerned with this are going to be dealing with it as a financial matter in the Committee on Appropriations.

So, therefore, I am explaining, albeit tersely, why I will not be offering that amendment.

Mr. SPENCE. Mr. Chairman, I am pleased to yield the minutes to the gentleman from California [Mr. CUNNINGHAM] for a colloquy. Mr. CUNNINGHAM. I thank the gentleman for yielding this time to me.

Mr. Chairman, I would like to engage the distinguished chairman of the Readiness Subcommittee in a brief colloquy concerning the provision of family advocacy services to military personnel.

Mr. HUTTO. Mr. Chairman, will be gentleman yield to me?

Mr. CUNNINGHAM. I would be happy to engage in a colloquy with the gentleman from California on a subject that is of such importance.

Mr. CUNNINGHAM. We are all aware of the tremendous pressures which are placed on military families today, and the need for programs to assist families to cope with such pressures. I want to discuss the value of just such a program which has been successfully implemented throughout the Marine Corps.

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Mr. DELLUMS. Mr. Chairman, I yield 3 minutes to my distinguished colleague, the gentleman from Nebraska [Mr. HOAGLAND].

Mr. HOAGLAND. Mr. Chairman, I do appreciate the gentleman yielding this time to me.

The Rules Committee has allowed an amendment that I requested that would strike section 942 beginning on page 311.

Now, I intend not to offer that amendment to the bill right here, that the U.S. Space Command, which is located in Colorado and is associated with the U.S. Strategic Command for the rest of this year and for the rest of next year, and further that no element or component of the Space Command located in Colorado can be transferred to the Strategic Command.

Now, let me tell you the reason for that provision in the bill, inserted as I understand it by Members of the Colorado delegation, is in response to Gen. Colin Powell's report, the chairman of the Joint Chiefs of Staff report on "Roles, Missions and Functions in the Armed Forces," which recommends that there could be considerable economic savings achieved by merging the Space Command with the Strategic Command.

This report recommends that at least a study be made of that because there might be major economies associated with merging the two commands.

Now, the effect of this provision is to take away from the Pentagon the authority to change these command structures.

Now, I think that is bad policy. This response is made by the Colorado delegation in order to try to preserve in Colorado a command that has been there for a long time. It is understandable that the Colorado delegation should try to do that, but command decisions, where they are to be located, whether they are to be merged, what the size of them is to be, have traditionally been made by the Pentagon. They have never been made by this body or by the Senate. It has never been in statute. Command decisions have long been made by the Pentagon and I think they should stay there, because they are best able to evaluate the most economically way of organizing our armed services.

So the effect of this amendment is to yield segments of Congress that have a personal interest in maintaining a command in one place or another and to undermine the basic principles of our base closing strategy and philosophy, which is to vest with an impartial commission decisions of this sort, because they are more likely to be in the best interests of the country.

Now, let me emphasize that if this makes it all the way through into law, and I think it is not going to become of opposition in the Senate, this would create a new standard of congressional control that all of us will be required to abide by. Each of us that has a command would be expected to put language in law prohibiting movement of that command anywhere else.
The CHAIRMAN pro tempore. (Mr. DURBIN). The time of the gentleman from Nebraska [Mr. HOAGLAND] has expired.

Mr. DELLLUMS. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN pro tempore. The gentleman has the right under the rule to move to strike the last word for an additional 5 minutes of debate time.

Mr. DELLLUMS. Mr. Chairman, I yield to the gentleman from Nebraska for the purpose of allowing the gentleman to conclude his remarks.

Mr. HOAGLAND. Mr. Chairman, I thank the gentleman for yielding this additional time to me.

Now, the basic problem with this approach, as I indicated before, is that it erects a new standard of congressional competence. It would require all of us that have commands in our districts to insert language protecting those commands from transfer or shrinkage by the Pentagon.

The gentleman would put all of us with bases in our districts under the standard of putting a moratorium on having any of the bases closed or moved anywhere else in the country. It is not good policy. Decisions of this sort should be left with the appropriate authorities.

Now, this issue was dealt with in the Senate extensively. Senator EXON and Senator Brown debated this on the floor of the Senate, negotiated in private, and finally executed a letter signed by Senator BROWN and Senator CAMPBELL on behalf of Colorado and Senator EXON on behalf of Nebraska, a letter to Secretary ASPIN calling on the Pentagon before it makes a decision about the Space Command to consult thoroughly with Canada so that its interest can be represented.

I will insert a copy of this letter immediately following my remarks.

Now, it is my understanding that this is very likely to be deleted in conference. Rather than put this issue to a vote here and consume at least 30 additional minutes of time and with considerable confidence that this bad policy will not be adopted in conference, I thank the gentleman for yielding time to me, and I will not be offering the amendment allowed by the Rules Committee.

Mr. Chairman, I include the letter referred to earlier, as follows:


Hon. Les ASPIN, Secretary of Defense, The Pentagon, Washington, DC.

Dear Secretary ASPIN: As the Defense Department formulates its final report on a possible move or merger of U.S. Space Command and U.S. Strategic Forces Command, it is especially important that the government of Canada be thoroughly consulted. For thirty-five years, the bilateral agreement established between the North American Aerospace Defense Command has served as the cornerstone of North American defense. As you know, plans for merger, without consultation, could cause significant disruption in this important relationship.

Consequently, we ask that Canada be consulted specifically on any proposed functional or organizational change, and seek the effect of any proposed merger of the two commands on existing agreements or practices of the two countries in defending the U.S. and Canada.

Furthermore, as you formulate a final report on the study, we ask that you include in your report:

(a) all of the costs, including potential environmental costs, that would be incurred through relocation of U.S. Space Command or any of its elements, functions or missions; and

(b) the result of consultations with the government of Canada, and the effect of such a merger on the defense agreements and practices of the two countries.

Thanks in advance for your assistance in this effort.

Sincerely,

Hank Brown,
U.S. Senator.
Ben Nighthorse
Campbell,
U.S. Senator.
Jim Exon,
U.S. Senator.

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. HOAGLAND. I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. HOROWITZ. Mr. Chairman, I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. Mr. Chairman, I thank the gentleman for yielding this additional time to me.

This is not in my district and nobody was trying to pull a fast one.

Obviously what we have come from was the Joint Chiefs review, as the gentleman pointed out.

But one of the great concerns is SPACECOM provides many benefits, such as Intelligence, navigation, weather, communications, and STRATCOM consolidates all the strategic nuclear weapons.

Our real concern was do you want to mix the peaceful part of space with the nuclear part of space? For a very long time we wanted to keep a bright line between those two things that went back to the days when we all hoped that space would be a lot more peaceful and that it would be something we could all work together on as a planet to have eyes and ears there. We are not sure we want to put our eyes and ears in the peaceful part with the strategic nuclear weapons part. That is where the language came from, and we will be more than happy to work this out.

Mr. Chairman, I rise in opposition to the Hoagland amendment, which would strike section 942 of the bill. This section properly places a moratorium on the merger of Space Command with Strategic Command.

I am very troubled by a possible merger of Space Command [Spacecom] with Strategic Command [Stratcom], as suggested in the recommendations study released earlier this year. Such a merger would raise a number of very basic policy issues which should be fully reviewed by the Congress.

By design, Spacecom and Stratcom have vastly different missions. Spacecom provides the many benefits from space systems, such as intelligence, navigation, weather, and communications, while Stratcom consolidates all strategic nuclear weapons. Should we be mixing these fundamentally different missions? What would be gained by such a merger?

Will a move of Spacecom to Stratcom, lessen the importance of space systems, to the benefit of Stratcom’s main mission, strategic offensive nuclear programs? Isn’t this like mixing gasoline with fire?

I am also concerned that a merger may turn future space funding into a cash cow for funding strategic offensive nuclear programs. Throughout this debate, speaker after speaker has pointed out how the needs of today will change as the cold war is over. The need for strategic nuclear weapons is vastly diminished, despite the arguments of those still married to cold war thought and rhetoric. By combining these two commands, the strategic nuclear portion may be hidden under a space cloak, yet sucking money away from space programs.

In my mind, one would need a compelling reason to merge the two commands, and frankly, the risks do not appear to outweigh the benefits. In any event, this is an issue of major policy significance that should be fully reviewed and debated by the Congress. Section 942 merely places a moratorium on a possible merger and would allow the Congress to fully review such a proposal.

Finally, it is my understanding that the Chairman of the Joint Chiefs of Staff, Gen. Colin Powell, was quoted in “Defense News” on September 27 saying that this merger would not occur in the near future because of limitations in funding. Let us keep these and missions study released earlier this year. Such a merger would raise a number of very basic policy issues which should be fully reviewed by the Congress.

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Mr. HORN. Mr. Chairman, I am going to insert in the RECORD material concerning the national defense authorization bill. In doing this I want to thank the chairman of the Committee on Armed Services, the gentleman from California [Mr. DELLUMS], thank the gentlewoman from Colorado [Mrs. SCHROEDER], the chairman of the relevant subcommittee, for including in this legislation the law enforcement proposal whereby involuntarily retired members of the services would have an opportunity to work for local police and sheriffs' offices, especially in high crime areas.

Mr. Chairman, this is a defense conversion proposal. We have dedicated men and women of all races and ethnicities, and it is very important that this go through.

FEDERAL HELP TO FIGHT CRIME ON THE STREETS

Mr. HORN, Mr. Chairman, I rise today in strong support of H.R. 2401, the National Defense Authorization Act for Fiscal Year 1994. Section 1332 of this legislation expands on the Troops to Teachers Program contained in Fiscal Year 1993 National Defense Authorization Act to include support for the recruitment and hiring of law enforcement and health care workers. This language incorporates provisions from two bills, H.R. 1245 by the gentlewoman from Maryland [Mrs. WYNE] and, my legislation, H.R. 2474, the Community Security Act in which I was joined in a bipartisan coalition by Mr. TOWNS, Mr. GILMAN, Mr. HOBSON, Mrs. JOHNSON of Connecticut, Mr. MCCADDE, Mr. MCKEON, Mr. MOOREHEAD, Mr. PASTOR, Mr. CONGREY, Mr. COTTS, Mr. FLANAGAN, Mr. SHAYS, Mr. TERRY, Mr. TRAPPID, Mr. UPTON, and Mr. WAXMAN.

We believe this section will expand on an already successful program to channel members of the Armed Forces who are being separated into areas that directly benefit our communities—namely law enforcement and health care. President Clinton's recently announced crime initiative contains a section to provide for the retraining of up to 1,500 veterans who are leaving the military for jobs with State and local police departments. Section 1332 begins this process.

I wish to thank the gentlewoman from Colorado [Mrs. SCHROEDER] the chairman of the Research and Technology Subcommittee and Mr. DELLUMS, the chairman of the House Committee on Armed Services, and the committee for including this needed program in this year's authorization bill.

Mr. Chairman, I ask consent to insert in the RECORD, the report language on the bill, a column from the Los Angeles Times on H.R. 2474, and various resolutions of endorsement from mayors and representatives of retired military personnel, veterans, and national and local police and sheriffs organizations.
They could qualify for local public service and the federal government would subsidize 40% of their salaries. The Act will encourage young Americans to sign up for four-year stints at their local police departments in exchange for federal scholarships. Current funding is allocated for the hiring of several thousand police officers during the next four years.

Neither of these measures will provide enough cops to make a colossal difference; and officers by themselves cannot solve the manifold problem of crime in America. But as ambitious as they are, and as much as they say it, these proposals are useful and imaginative tools that absolutely deserve support.

CITY OF LOS ANGELES,

HON. STEVE HORN,
House of Representatives, Washington, DC.

DEAR MR. HORN: I would like to offer my strong support for the early enactment of the Community Security Act of 1993 (H.R. 2474) which you have introduced in Congress. It addresses both the need to transition military personnel into civilian jobs as well as the need to get more police officers on the streets of our cities.

As I stated in my campaign for Mayor of Los Angeles, there can be no economic recovery in our city without the promise of physical safety. That is why we need to generate and stay in Los Angeles if they can feel reasonably sure that their employees and customers will be safe. Residents will only live and continue in the city as long as they and their families can count on the same level of safety. And without new business activity, a city can continue to shrink and our citizens will continue to suffer.

This is why I have set a goal of putting 3,000 additional police officers on the streets of Los Angeles over the next four years. I believe that your legislation would help us accomplish this goal, and therefore I would urge others to support your initiative.

Sincerely,

RICHARD HORN,
Mayor.
CITY OF LONG BEACH,

HON. STEVE HORN,
House of Representatives, Longworth House Office Building, Washington, DC.

DEAR CONGRESSMAN HORN: The City of Long Beach is in support of your proposal, contained in the Fiscal Year 1994 National Defense Authorization Bill, to assist military personnel laid off due to defense cutbacks to obtain jobs in law enforcement and to receive federal funding to provide financial assistance to local governments to hire these individuals.

It is critical for the Federal government to provide employment assistance to military personnel as they return to civilian life. By funding these opportunities through local government, your proposal will assist both local community and individual needs. In addition to this important proposal, the City of Long Beach also supports legislation to provide direct funding to cities to hire new police officers. We are currently pursuing a portion of the $150 million now available for officers and will actively pursue any additional federal funding made available for police. Providing additional police officers for our residents is a top priority. Any assistance from the Federal government in this effort will allow local resources to be used on other critical local services.

I urge that you can be of further assistance in this effort, please feel free to contact me at (310) 570-6812.

Sincerely,

JAMES C. HANKLA, City Manager.

CONGRESSIONAL RECORD—HOUSE
September 28, 1993
NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1994
(Report of the Committee on Armed Services, House of Representatives on H.R. 2401)

SECTION 333—PROGRAMS TO PLACE SEPARATED VETERANS IN HIGH-GRADE ENGINEERING AND LAW ENFORCEMENT POSITIONS WITH LAW ENFORCEMENT AGENCIES AND HEALTH CARE PROVIDERS

This section would incorporate statutory language, based on H.R. 1245 and H.R. 2474, to expand the “troops to teachers” program to also include support for the recruitment and hiring of law enforcement and health care workers.

The committee directs the department to coordinate implementation of this program with the Justice Department and the President’s Office of National Drug Control Policy, and recommends that emphasis be placed on placement of law enforcement officers recruited under this program in high-crime areas where a shortage of police officers exists.

[From the Los Angeles Times, Sept. 19, 1993]

TROOPS TO COPS: IMAGINATIVE PROPOSAL

They could also help cities and suburbs lack police that might tempt carjackers. Where are the police?

Most Americans want more cops, but few municipalities can afford to expand their police departments because of cuts in state and local police departments. The Senate authorization bill. The details—including the language, based on H.R. 1245 and H.R. 2474, to coordinate implementation of this program in its inclusion to the Authorization Act—have been incorporated by Motion (Hernandez-Ferraro) with the recommendation that any member of the armed forces discharged from the armed forces to obtain employment as local law enforcement officers, substantially as recommended by Motion (Hernandez-Ferraro).

SUMMARY

Council Motion (Hernandez-Ferraro) urges the City to support the Community Security Act of 1993, H.R. 2474 (Horn), which directs the Secretary of Defense to enter into agreements with local governments who are experiencing high crime, to hire honorably discharged armed forces personnel and train them to be law enforcement officers. The Defense Department, however, would not allow this stipulation and states that the fyve members of employment with an incremental reduction of funding. The Mayor also recommends support of H.R. 2474.

The basic content of this bill has been included in H.R. 1401, the Defense Authorization bill. In all likelihood, the Authorization bill will be passed and approved before the bill proposed by Congressman Horn. There has been some distinct modifications to the original bill in its inclusion to the Authorization bill. This could impact local communities. For purposes of clarity, we would recommend a reconciliation of the two bills.
in jargon rather than terminology, but we would request that these issues be considered.

There has been a concern expressed that this legislation might require local communities to modify their existing selection processes. However, the bill(s) are silent on this issue and contracts or grant provisions and requirements have not been developed. It is premature to speculate that the City would be asked to modify its selection criteria.

Respectfully submitted,

INTERGOVERNMENTAL RELATIONS COMMITTEE

CITY AND COUNTY OF DENVER
July 23, 1993

Hon. Peter H. Goldsmith,
House of Representatives, Longworth House Office Building, Washington, DC.

Dear Congressman Horn: Thank you for taking time to send materials to me on your bill, H.R. 2474, the Community Security Act of 1993. I am very interested in expanding the community-based policing program here in Denver. I am also committed to helping returning members of the Armed Forces train and find jobs in our post-Cold-War community. I believe our people are our “peace dividend.”

Denver’s own Congresswoman Pat Schroeder has been pursuing, in the House Armed Services Committee, an increase in a program turning troops into teachers, police and health care workers. It is a program I am supporting very enthusiastically. Some of the details differ from your bill, especially in the length of the support commitment to local governments by the Department of Defense, but I am hopeful that her work, your bill and others will be considered and a program forged from all of these ideas which benefit Denver and other cities.

Yours truly,

WELLINGTON E. WEBB
Mayor

CITY OF MIAMI, FLORIDA
July 23, 1993

Congressman Stephen H. Horn,
Longworth House Office Building, Washington, DC.


Dear Congressman Horn: This letter is written to support your efforts in bringing about the Community Security Act of 1993. As you know, the Department of Defense provides a great benefit to major cities throughout the United States and would put many qualified people who have served this country back to work.

I would certainly support any agreement between the Department of Defense and our local law enforcement agencies to train these individuals and hire them in order to create a safer environment for our citizens and visitors.

Please keep my office informed as to the implementation of this legislation.

Very truly yours,

XAVIER L. SUAREZ

CITY OF VIRGINIA BEACH,
Virginia Beach, VA, August 12, 1993.

Hon. Steven H. Horn,
House of Representatives, Longworth House Office Building, Washington, DC.

Dear Congressman Horn: Thank you for your letter concerning H.R.2474, the Community Security Act of 1993. After discussions with our Chief of Police, Charles Wall, I enthusiastically support this measure.

Virginia Beach, and all of Hampton Roads, has a large number of military personnel many of whom retire here. If the cities were able to hire these former military personnel as police officers, it would be a great benefit. Although Virginia Beach has a high police rate, our neighboring jurisdictions are not as fortunate. Furthermore, because of budget constraints the City has been unable to hire as many police officers as we would like in recent years.

By copy of this letter, I am informing our two Congressional representatives, Owen B. Pickett and Norman Sisisky of my support of this measure. Please keep me informed on the progress of this measure, and I wish you success in having it enacted into law.

Sincerely,

METHYRA E. OBERNDORF
Mayor

NON COMMISSIONED OFFICERS ASSOCIATION OF THE UNITED STATES OF AMERICA

Hon. Stephen H. Horn,
House of Representatives, Longworth House Office Building, Washington, DC.

Dear Mr. Horn: The Non Commissioned Officers Association of the USA (NCOA) appreciates your support for H.R. 2474, the Community Security Act, that would permit members of the armed forces who are discharged or released from active duty to obtain employment with law enforcement agencies.

NCOA fully supports H.R. 2474. The bill will extend employment opportunities to former members of the military services while at the same time providing a valuable contribution to the communities of this country. The high level of professionalism and ethical work habits of military members provide the best source for recruiting that most major police agencies lack. In addition, the military personnel laid off due to defense cutbacks is a bi-partisan issue. The 14 co-sponsors of this legislation represent a combination of law-and-order Republicans and big city Democrats who usually are at odds.

The League supports this legislation because it will provide a source for recruiting quality individuals and also provide an initial source of monetary support.

Under this legislation, the Department of Defense would subsidize the salaries of involuntarily separated service members hired by local law enforcement agencies.

The first year a veteran is hired, their salary is paid by the Department of Defense. The subsidy would then drop 20 percentage points per year so by the third year, the local jurisdiction would be responsible for their entire salary.

Since 1988, 550,000 active duty and civilian personnel have been cut from the rolls of the armed services, and that is an untapped resource for recruiting that most major police departments, including the L.A.P.D., have failed to take advantage of.

The League supports HR #2474 and encourages all local governments to fully support this opportunity and all citizens to contact their Congressional representatives to ensure its approval.

CITY OF LONG BEACH

Hon. Steven H. Horn,
House of Representatives, Longworth House Office Building, Washington, DC.

Dear Congressman Horn: The Long Beach Police Department is in support of your proposal, contained in the Fiscal Year 1994 National Defense Authorization Bill, to assist military personnel laid off due to defense cutbacks to obtain jobs in law enforcement and health care professions by providing financial assistance to local governments to hire these individuals.

It is critical for the Federal government to provide employment opportunities for these former military personnel as they return to civilian life.

By funding these opportunities through the National Defense Authorization Bill, will assist local community and individual needs. Allowing these skilled individuals to become law enforcement and health care providers will assist local government in meeting two of the most increasing demands on its limited resources.

If the Long Beach Police Department can be of further assistance in this effort, please contact this office at (310) 570-7301.

Sincerely,

WILLIAM C. ELLIS
Chief of Police.

NATIONAL SHERIFF'S ASSOCIATION,
Alexandria, VA, September 8, 1993.

Hon. Stephen H. Horn,
House of Representatives, Longworth House Office Building, Washington, DC.

Dear Congressman Horn: The National Sheriffs’ Association, representing over 22,000 law enforcement professionals nationwide, would like to express our support and thanks for your introduction of H.R. 2474, the Community Security Act. Our legislative...
Mr. Chairman, with only minimal surveillance in the last few years, the Army has discovered more than 700 cases of Lyme disease among its troops—a 300-percent increase over the last 2 years alone. Several of these affected soldiers have received medical discharges for problems associated with Lyme.

It would be unforgivable if it seems to me, Mr. Chairman, to allow Lyme disease to spread. We cannot and must not allow this to happen. We can do more.

I have contacted the Army. I asked them what it would take to construct a Lyme disease program, and they said very simply, Colonel Wiles, the commanding officer at the Environmental Hygiene Agency: a $500,000 start up cost and a $500,000 annual appropriation to do the job.

Mr. Chairman, it is a very modest amount of money that can help protect our soldiers. Hopefully this legislation will go forward and be approved in conference.

Mr. STARK, Mr. Chairman, I urge support for the en bloc amendment, which contains the McCloskey-Stark-McCurdy amendment on nuclear nonproliferation. If this amendment passes, it will be the strongest and most comprehensive policy statement ever made by the U.S. Government on stopping the spread of nuclear weapons.

The McCloskey-Stark-McCurdy amendment sets the following policy goals:

A comprehensive nuclear test ban,

A global ban on the production of weapons-useable fissile material for any purpose, military or civilian, with all stockpiles of material put under bilateral or international controls,

Strategic nuclear reductions below START II for the United States and Russia, with additional reductions by France, China, and Britain,

Stronger nuclear export controls and International Atomic Energy Agency (IAEA) safeguards,

A ban on the production of new nuclear warheads,

Reports on the possibility of eliminating all tactical nuclear weapons and adopting a policy of no-first-use.

Together these policies will close loopholes in the Nuclear Non-Proliferation Treaty (NPT), while helping build international support for a non-first-use.

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Together these policies will close loopholes in the Nuclear Non-Proliferation Treaty (NPT), while helping build international support for a non-first-use.
With each closing and reconfiguration, unique and valuable equipment will become surplus to the Government’s needs. The closing of facilities will result in laying off some of our most highly skilled defense workers, including scientists, engineers, and technicians. In some cases, the value of the equipment depends on maintenance workers who are trained in the equipment's special application. It is within the combination of both the equipment and the workers that the technology resides.

The solution to our problem of maintaining technologies and preserving jobs is complex and will involve considerably more study on a site by site basis. However, it has become clear that any solution will involve the quick transfer of facilities from defense to commercial applications. Speed is necessary because highly trained, skilled workers whose jobs are slated for elimination will not wait for the day when they are notified of their last pay check.

At the Mound plant, in my district, workers are already looking for new jobs which could result in the loss of the specialized technology in which they are trained.

Speed is also necessary for the communities which face an uncertain future with the loss of a major employer in the Department of Energy. Also, some of the weapons production facilities are located in the center of urban areas and take up valuable real estate — real estate which could be turned into income-producing showplaces of defense conversion. Or, if left fallow, real estate that could become eye sores and monuments to Government inaction. Our communities must make plans now so they can prepare for the day when the Government will finally turn over the keys and walk away.

Unfortunately, laws and regulations governing the transfer and lease of buildings, equipment, and land create a maze of complicated technicalities that can grind at a frustratingly slow pace. Moreover, there are no statutes which establish economic development as a theoretical goal but a practical reality if we can move quickly. At the Mound plant, in my district, specific buildings, equipment, and the equipment contained within, have a high potential for reutilization based on discussions with interested businesses.

There are already commercial uses for the buildings, equipment, and real estate at the Department of Energy facilities which are scheduled to be closed. Reutilization is not a theoretical goal but a practical reality if we can move quickly.

With the appropriate statutory authority, the Department of Energy can move quickly on these sites at the Mound plant and other facilities scheduled to phase out defense production work. Defense conversion can work by preserving technologies, jobs, and communities associated with Department of Energy facilities that are no longer needed because of the end of the cold war.

Mr. SLATTERY. Mr. Chairman, I rise today in support of the amendment offered by Representatives LEVY and PALLONE which directs the Department of Defense inspector general to reinvestigate the deaths of servicemembers who allegedly died from self-inflicted injuries. I am confident that passage of this amendment will open a new door for the families of those servicemembers who, according to the Air Force and the Department of Energy, determined that Allen Shults died of a self-inflicted injury in July 1992, at Keesler AFB in Biloxi, MS. His parents, Linda and Royal Shults of Aicholson, KS, have gone to great expense to conduct their own limited personal investigation into Allen’s death. The results of their efforts to get some answers to their questions have raised even more questions regarding the circumstances of Allen’s death. Linda and Royal have convinced me that the Air Force’s investigation may have been designed to fit the conclusion the service desired. After reviewing some of the elements of this case as presented to me by Linda and Royal, I believe this case should be reviewed by some other entity other than the Air Force. Linda and Royal’s results are proud of their son’s service to our Nation and they deserve answers instead of denial. Mr. Chairman, I urge passage of the Furse-Spratt amendment to clarify the language in this authorization bill regarding banning further R&D on low-yield nuclear weapons, or mininukes. For those of you not familiar with this issue, let me recap the committee actions.

Mr. SPRATT. Mr. Chairman, I rise in strong support of the amendment offered by Ms. FURSE. For those of you not familiar with this issue, let me recap the committee actions.
serves and I chair, was completing its mark up of the Department of Energy Defense Budget, press reports surfaced that DOE labs had spent some $2 million in fiscal year 1993 on Phase I studies—conceptual, paper studies—for low-yield nuclear weapons, so-called mini-nukes. On July 24, the House voted decisively, by a bipartisan vote of 272–146, to eliminate funding for this program from the energy and water development appropriations bill.

The advanced liquid metal reactor (ALMR) program and associated work on actinide recycling raise numerous economic, environmental, and proliferation concerns. Development of ALMR technology will continue to require substantial Government funding for many years. However, ALMRs will continue to be less economical than new light water reactors for the foreseeable future. In addition, independent scientists believe that ALMRs' and associated actinide recycling will not substantially decrease the environmental risks from nuclear waste. Consequently, ALMRs will add to the already large amounts of new hazardous waste. ALMRs also pose substantial proliferation risks because they both produce plutonium through reprocessing and can breed it from a reactor blanket. The proliferation risks, noted by the Office of Management and Budget in correspondence concerning the administration's initial decision to terminate the ALMR program, are critical national security concerns. The House already has approved an amendment to H.R. 2401 condemning plutonium reprocessing by other countries as a potential national security threat.

Because the civilian funding for the program is threatened, ALMR proponents now seek new funding for their technology as a national defense program, especially for plutonium disposition. In the past, Congress has authorized the evaluation of two other kinds of nuclear reactors—advanced light water and modular high-temperature gas-cooled—as potential designs for a new military production reactor. Last year, because of concerns about plutonium stockpiles, Congress also authorized and funded a review of the potential use of these two reactor types for plutonium disposition. Congress has not authorized any funding for the ALMR for either of these missions, though, and no economic or national security incentive exists to do so. The use of extended yield weapons in the current stockpile is clearly a serious proliferation threat. ALMA proponents now seek new funding for their program from the Department of Energy.

I urge my colleagues to support this amendment.

Mr. COPPERSMITH. Mr. Chairman, I rise in support of the en bloc group of amendments to H.R. 2401 now under consideration. In particular, I wish to express my strong support for the amendment I have offered together with my colleagues, PHIL SHARP and DICK ZIMMER, and to thank the Armed Services Committee for its consideration of these proposals.

The amendment we offer is simple. It bars use of national security program funds of the Department of Energy to support a civilian program, the advanced liquid metal reactor (ALMR). On July 24, the House voted decisively, by a bipartisan vote of 272–146, to eliminate funding for this program from the energy and water development appropriations bill.

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amendment that would bar funding for the advanced liquid metal reactor (ALMR) from the national security programs of the Department of Energy [DOE]. The Clinton-Snappe-Zimmer amendment has been endorsed by taxpayer organizations, environmentalists, and arms control groups who contend that the ALMR is uneconomic, lacks environmental benefits, and poses a serious nuclear proliferation threat. DOE is currently developing six kinds of advanced nuclear reactors for future civilian use—four light water, one gas-cooled, and the ALMR. In the past, DOE has also considered the advanced light water and gas-cooled reactors for potential use as new military production reactors.

The Clinton administration originally proposed termination of the ALMR program because of its lack of commercial applications, but supporters of the program persuaded the administration to partially restore funding. Nevertheless, because of problems with the technology, on June 24 the House voted 272-146 to end the civilian program as part of the fiscal year 1994 energy and water development appropriations bill.

Supporters of ALMR's are now seeking to continue this technology as a DOE national security program for potential future production of tritium and use in the disposition of plutonium. However, ALMR's are not well-suited for either of these purposes, especially plutonium disposition.

First, ALMR's have such a slow plutonium transmutation rate that they could take over 100 years to consume current military stockpiles. In the meanwhile, plutonium stockpiles would require dangerous and costly surface storage at some site. Furthermore, use of an ALMR system would cost billions of dollars more than other alternatives such as vitrification. As a result, even DOE's July 1993 plutonium disposition study rated the ALMR much lower than other reactor options.

Furthermore, the ALMR system poses a grave proliferation threat. Instead of being used to destroy plutonium, ALMR's could be used to produce plutonium either by reprocessing of spent fuel rods or by using the reactor core as a breeder to produce more plutonium that it consumes.

A legislative amendment is necessary for successful implementation, which would expand the language in the committee report to make clear that support for the ALMR would not be supported by expanded plutonium disposition activities. Second, in fiscal year 1993 DOE reprogrammed $1 million for the ALMR for defense funds without authorization from Congress, indicating the need for such clarifications. Third, the Senate has authorized $25 million as part of its defense authorization bill for fiscal year 1994 and is considering providing the full amount in the fiscal year 1994 energy and water development appropriations bill.

I would like to point out that the actions of the Senate create a new Government program to pay for ALMR development at a time when Congress should be considering cutting spending and ending Government programs instead. Therefore, for all of these reasons I urge my colleagues to support the en bloc amendment offered by the House Armed Services Committee.

Mr. SPENCE. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.
Defense, the 1995, the Secretary of Defense shall submit under this section and the status of the Amendments and Base Closure and Realign­
ment professionals to manage the reuse planning and development at base clo­sure sites.

The site managers will work with local communities to develop reuse plans, work through land zoning and entitlement processes, and manage the environmental remediation on base. The site managers will be selected in consultation with the affected local communities which will help foster better understanding and communica­tion on reuse alternatives and community priorities.

Today, at site after site, differing ob­jectives, bureaucratic decisionmak­ing processes, and poor understanding of community needs prevent the Defense Department and affected communities from reaching consensus on reuse op­tions.

It is well known that the private sec­tor cleans up and develops large tracts of land all the time. The private sector does so within the ability to do the same for closing military bases. My amendment will demonstrate how the private sector, using market tech­niques and reasonable business prac­tices, can expedite the reuse of mil­itary facilities.

To help assign motivations, the amendment includes an economic in­centive for all parties to maximize eco­nomic value of base property. The sale proceeds from these parcels of land that are sold at public sale would be di­vided equally between the Defense De­partment, the local community, and the site manager.

This amendment does not change the existing land disposal process. Rather, it gives the Secretary of Defense an­other tool to use in helping commu­nities recover the economic loss associ­ated with base closures.

So I urge my colleagues to give this their support. I believe the chairman of the subcommittee of jurisdiction and the ranking Republican have reviewed the matter and understand that we are flexible, in hopes that we can attain the support of the administration be­fore the conclusion of the conference.

Mr. Chairman, since 1988, we have closed 56 major military installations and over 60 minor facilities. Under the 1993 round of base closures, we will close another 35 major instal­lations and 95 smaller facilities nationwide.

We all know that base closures cause sig­nificant economic hardship for affected communities. We owe it to these communities to ensure they have an opportunity to recover the economic losses associated with a base closure. Unfortunately, the current base clo­sure reuse process is just not getting the job done. Bureaucratic delays, differing objectives and poor understanding of community needs are severely restricting the ability of local com­munities to reuse the military sites. As a re­sult, not one base has been successfully closed and redeveloped since 1988.

To help alleviate these problems, I am offer­ing an amendment to establish a model pro­gram which seeks to create a partnership be­tween the three key participants in base reuse activities—DOD, local communities and the private sector. This amendment gives the Secre­tary of Defense the authority to enlist the services of qualified and experienced site management professionals to manage the reuse planning and development at base clo­sure sites.

Mr. Chairman, my amendment does not cre­ate a new base disposal program. Rather, it creates opportunities and incentives for pre­disposal cooperation and planning that do not currently exist. It streamlines the pre-disposal planning process and applies free-market techniques to land disposal preparation. It is well known that the private sector cleans up and develops large tracts of land all the time. The private sector has the expertise and the ability to do the same for closing military bases. My amendment will demonstrate how the private sector, using market techniques and reasonable business practices, can expe­dite the reuse of military facilities.

Closing bases is not an easy task. However, we recognize that it is a necessary task. But, as we tell communities that have sup­ported the military for decades that we no longer need their support, we should not at the same time condemn them to economic stagnation because the Federal bureaucracy impedes their ability to reuse base property.

My amendment attempts to eliminate the bureaucratic delays by using a more stream­lined, private sector approach to land use de­velopment. It will give communities a chance to quickly reuse military bases and revitalize their local economies. The incentives con­tained in the bill will help ensure that the Gov­ernment gets the best deal. And, finally, by keeping costs down and maximizing land val­ues, the Defense Department, local commu­nities and the site manager will all realize higher returns.

Mr. Chairman, I urge my colleagues to join me in supporting this important economic de­velopment initiative.

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

Mr. HUNTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me just say on our side, we too want to see streamlining. We want to see if there are more effi­cient alternatives to the presently very slow base closing process and base dis­posing process. We want to see those given a chance to work.

Mr. Chairman, we do have a number of questions. The gentleman has made it clear that he is going to be working with DOD, and is working with them right now. We will get a chance to ana­lyze this and work with it before we go to conference. Because of that, we are not going to oppose this amendment at this time.

Mr. Chairman, I yield such time as he may consume to the distinguished gent­leman from Oklahoma [Mr. McCURDY], the chairman of the Subcommittee on Military Construction.
Mr. McCURDY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I too want to commend the gentleman from California [Mr. FAZIO] for his effort. I think it is important for Members to note that in this bill there is a bipartisan consensus that we need to accelerate the process of turning this land over to communities and to the private sector, that there has been too much bureaucratic red tape that has caused confusion among agencies, and just the sheer time alone has been far in excess of what was ever anticipated.

Mr. Chairman, we have bases that were scheduled for closure that we cannot bring to that final stage. We seek maximum flexibility. The administration would like to have maximum flexibility.

Mr. Chairman, we were able to resolve a couple of amendments earlier in the day regarding the transfer of properties. The other body has included in their bill language which gives the discretion to the Secretary of Defense on a case-by-case basis to move from sit to sit transfer without consideration, all the way up to market value.

The gentleman from California [Mr. FAZIO], in addition to that, is trying to look at pilot programs wherein the private sector's talents and expertise might be brought to bear. I think we should consider all of these.

Mr. Chairman, based upon that, I am willing to work with the gentleman as we go through conference to see if we can come up with an agreement. For that reason, I would be inclined to support and accept the amendment offered by the gentleman from California [Mr. FAZIO].

Mr. HUNTER. Mr. Chairman, let me just say one thing that we are concerned about, is we want to see less bureaucracy. We want to see more speed, and I come from different places on the political scale, but the one thing that I have spent a great deal of time working on is the way up to market value.

Mr. FAZIO. Mr. Chairman, I am not sure why the gentleman thinks we are about to inject partisan politics into this. I know I have the gentleman from California [Mr. PACKARD] about to speak in favor of this. The gentleman and I come from different places on the political scale.

What we are trying to do is put an experimental program into place so it could use the private sector, people who understand land use and how to develop it for higher and better purposes, put them in the position to make the transaction.

Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. FAZIO], the author of the amendment.

Mr. FAZIO. Mr. Chairman, I must say I have a serious hesititation about this amendment. I am listening to this discussion very intently. If I can feel confident that there will be a cordial working out of this in conference, with full attention to the need to maintain the political aloofness of this process, I will refrain from calling a vote. But if I, at the point that that happens, have a fear that this is an avenue for the interjection of partisan politics in this disposal process, I will call for the vote.

Mr. HUNTER. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. FAZIO], the chairman of the committee that will assist in guiding this process in conference, or the other body, I can assume that this is not a partisan matter here. In fact, I just visited Members on your side of the aisle who are members of my committee, including the gentleman from South Carolina [Mr. SPEARS], who serves honorably as the ranking Republican member.

What we seek here simply is maximum flexibility. Give us an opportunity to work these matters out in conference.

Mr. ARMEY. Mr. Chairman, will the gentleman yield?

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

Mr. ARMEY. Mr. Chairman, with all due respect, and I hope you all take this in good humor, I feel much more reassured by the chairperson of the committee than the chairman of the DCCC. We have kept politics out of the process.

My concern with this amendment is the possibility of interjecting politics again into the process, so that we would have a flexibility on the part of the administration, or even the Department, to do favors or to decline from doing favors on a partisan basis, interjecting politics, once again, into the process of disposing of the properties.

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with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

Mr. SPEAKER pro tempore (Mr. REYNOLDS). Is there objection to the request of the gentleman from New Mexico?

Mr. YOUNG of Alaska. Mr. Speaker, reserving the right to object, I probably will not object. Will the gentleman explain what we are doing here. This is unexpected.

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

Mr. YOUNG of Alaska. I yield to the gentleman from New Mexico.

Mr. RICHARDSON. Mr. Speaker, what we are doing here, I believe, first of all, has been cleared with the minority ranking member of the Subcommittee on Native American Affairs, the gentleman from Wyoming [Mr. THOMAS]. What we are simply doing is going to conference on the Indian Tribal Justice Act.

Mr. YOUNG of Alaska. Mr. Speaker, we are not agreeing to anything on the Senate side at this time?

Mr. RICHARDSON. Mr. Speaker, if the gentleman from New Mexico will continue to yield, that is correct.

Mr. YOUNG of Alaska. This is just so the Speaker can appoint conferees to this legislation?

Mr. RICHARDSON. Mr. Speaker, the gentleman is correct.

Mr. YOUNG of Alaska. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. Miller of California, Richardson, and Thomas of Wyoming.

There was no objection.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2295, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1994; AND SUPPLEMENTAL APPROPRIATIONS FOR THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION ACT, 1993

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-261) on the resolution (H.Res. 261) waiving certain points of order against the conference report on the bill (H.R. 2403) making appropriations for the Treasury, Postal Service, and General Government Appropriations Act, 1994.

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-262) on the resolution (H.Res. 262) providing for consideration of the bill (H.R. 2403) making appropriations for the Treasury Department the U.S. Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1994, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING CERTAIN POINTS OF ORDER AGAINST H.R. 3116, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT FOR FISCAL YEAR 1994

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-263) on the resolution (H.Res. 283) waiving certain points of order against the bill (H.R. 3116) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2351, ARTS, HUMANITIES AND MUSEUMS AMENDMENTS OF 1993

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (H. Rept. 103-264) providing for consideration of the bill (H.R. 2351) to authorize appropriations for fiscal years 1994 and 1995 to carry out the National Foundation on the Arts and Humanities Act of 1965, and the Museum Services Act, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5 of rule 1, the Chair will now put the question, to suspend the rules on which further proceedings were postponed on Monday, September 27, 1993, in the order in which that motion was entertained.

Votes will be taken in the following order:

1. Concurrent Resolution 4, de novo;
2. Concurrent Resolution 5, de novo;
3. Concurrent Resolution 6, de novo.

PRINTING OF "SENATORS OF THE UNITED STATES: A HISTORICAL BIBLIOGRAPHY"

The SPEAKER pro tempore. The unfinished business is the question de novo of suspending the rules and concurring in the Senate concurrent resolution, Senate Concurrent Resolution 4, as amended.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. MANTON] that the House suspend the rules and concur in the Senate concurrent resolution, Senate Concurrent Resolution 4, 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 concur in.

The title of the Senate concurrent resolution was amended so as to read: "Concurrent resolution providing for the printing of the book entitled 'Senators of the United States: A Historical Bibliography' as a Senate document.

A motion to reconsider was laid on the table.
RURAL ELECTRIFICATION LOAN RESTRUCTURING ACT OF 1993

Mr. DE LA GARZA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3213) to increase the interest rates electric and telephone borrowers pay under the lending programs administered by the Rural Electrification Administration and otherwise restructure the lending programs carried out by that Administration, as amended.

The Clerk read the following:

H.R. 3213

Do it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. SHORT TITLE.

This Act is cited as the "Rural Electrification Loan Restructuring Act of 1993." (1)

SEC. 2. ELECTRIC AND TELEPHONE LOAN PROGRAMS.

(a) INSURED ELECTRIC AND TELEPHONE LOANS.—

(1) IN GENERAL.—Section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 953) is amended—

(A) by striking subsections (b) and (d);

(B) by redesignating subsection (c) as subsection (b); and

(C) by inserting after subsection (b) (as so redesignated) the following new subsection: —

"(c) INSURED ELECTRIC LOANS.—

(1) Harding Loans.—

(A) IN GENERAL.—The Administrator shall make insured electric loans, to the extent of qualifying applications for the loans, at an interest rate of 5 percent per year to an applicant for loan who meets each of the following requirements:

(i) The average revenue per kilowatt-hour sold by the applicant is less than 120 percent of the average revenue per kilowatt-hour sold by all utilities in the State in which the applicant provides service.

(ii) The average residential per kilowatt-hour sold by the applicant is not less than 120 percent of the average residential revenue per kilowatt-hour sold by all utilities in the State in which the applicant provides service.

(iii) The average per capita income of the residents receiving electric service from the applicant is less than the average per capita income of the residents of the State in which the applicant provides service, or the median household income of the households receiving electric service from the applicant is less than the median household income of the households in the State.

(B) Severe Hardship Loans.—In addition to hardship loans that are made under subparagraph (A), the Administrator may make an insured electric loan at an interest rate of 5 percent per year to an applicant for a loan if, in the sole discretion of the Administrator, the applicant has experienced a serious hardship.

(C) Limitation.—Except as provided in subparagraph (D), the Administrator may not make a loan under this paragraph to an applicant for the purpose of furnishing or improving electric service to a consumer located in an urban area (as defined by the Bureau of the Census) if the average number of consumers per mile of line of the total electric system of the applicant exceeds 17.

The title of the Senate concurrent resolution was amended so as to read: "Concurrent resolution providing for the printing of the book entitled 'Guide to Research Collections of Former United States Senators' as a Senate document.'"

A motion to reconsider was laid on the table.

PRINTING OF "SENATE ELECTION, EXPULSION, AND CENSURE CASES"

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and concuring in the Senate concurrent resolution, Senate Concurrent Resolution 6, as amended.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. MANTON] that the House suspend the rules and concur in the Senate concurrent resolution, Senate Concurrent Resolution 6, 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 of the Senate concurrent resolution was amended so as to read: "Concurrent resolution providing for the printing of the book entitled 'Guide to Research Collections of Former United States Senators' as a Senate document.'"

A motion to reconsider was laid on the table.
September 28, 1993

CONGRESSIONAL RECORD—HOUSE 22787

"(C) Loan Term.— (1) In General.—Subject to clause (i), the applicant for a loan under this paragraph may elect to have the interest rate and the term for which an interest rate shall be determined pursuant to subparagraph (B), and, at the end of the term (and any succeeding term selected by the applicant under this paragraph), may replace the loan for another term selected by the applicant.

(ii) Maximum Term.—The applicant may not select a term that ends more than 35 years after the beginning of the first term the applicant selects under clause (i).

(iii) Administrator.—The Administrator may prohibit an applicant from selecting a term that would result in the total term of the loan being greater than the expected useful life of the assets being financed.

(D) Call Provision.—The Administrator shall offer any applicant for a loan under this paragraph the option to include in the loan agreement the right of the applicant to prepay the loan on terms consistent with similar provisions of commercial loans.

(E) Waiver.—The Administrator may waive any applicable requirement of subparagraph (A)(11) in any case in which the Administrator determines that such waiver would prevent the plan from meeting the requirements of such subparagraph.

(F) Hardship Loans.—(A) In General.—The Administrator shall make insured telephone loans, to the extent of qualifying applications for the loans, at an interest rate of 5 percent per year, to any applicant who meets each of the following requirements:

(i) The average number of subscribers per mile of line in the service area of the applicant is more than 17.

(ii) The applicant is capable of producing net income or margins before interest of not less than 100 percent (but not more than 300 percent) of the interest requirements on all of the outstanding and proposed loans of the applicant.

(iii) The Administrator has approved a telecommunications modernization plan for the State under paragraph (3) and, if the plan was developed by telephone borrowers under this title, the applicant is a participant in the plan.

(G) Insured Telephone Loans.—

(H) Concurrent Loan Authority.—On request of any applicant for a loan under this paragraph during any fiscal year, the Administrator shall:

(i) consider the application to be for a loan under this paragraph and a loan under section 408 for the fiscal year.

(ii) if the applicant is eligible for a loan to make a loan to the applicant under this paragraph in an amount equal to the amount that, when added to the total amount of loans for which the applicant is eligible under this paragraph and under section 408 for the fiscal year, bears to the total amount made available for loans under this paragraph and under section 408 for the fiscal year, the same ratio that the then current cost of money to the Government of the United States for loans of similar maturity, but not more than 7 percent, bears to the total amount made available for insured telephone loans for the fiscal year;

(iii) if the applicant is capable of producing net income or margins before interest of not less than 4 percent (but not more than 10 percent) of the interest requirements on all of the outstanding and proposed loans of the applicant.

(II) Administrator.—The Administrator need not require any applicant for a loan made under this section, to have applied for a loan guarantee under section 407(b), to have been issued pursuant to section 407(b)(4)(C), or to have received from another source as a condition of approving the application for the loan or adhering to the terms of a loan agreement entered into before the date of enactment of the Act, any requirement that would prevent the plan from meeting the requirements of this paragraph.

(J) Effect of Waiver.—If, not later than 1 year after final regulations are promulgated to carry out this paragraph, any State, either by statute or through the public utility commission of such State, develops a telecommunications modernization plan that meets the requirements of subparagraph (B), the Administrator shall approve the plan for the State. If a State does not develop a plan containing the requirements of the preceding sentence, the Administrator shall approve any telecommunications modernization plan for the State that meets the requirements that is developed by a majority of the borrowers of telephone loans made under this title who are located in the State.

(J) Authority to Waive Tier Requirement.—For purposes of subparagraph (A), a telecommunications modernization plan must, at a minimum, meet the following objectives:

(i) The plan must provide for the elimination of party line service.

(ii) The plan must provide for the availability of telecommunications services for improved business, educational, and medical services.

(iii) The plan must encourage and improve computer networks and information transfer in rural areas.

(iv) The plan must provide for—

(a) rural telephone service, including a telephone number for subscribers in rural areas;

(bb) video images; and

(cc) data at a rate of at least 1,000,000 bits of information per second; and

(ii) the proper routing of information to subscribers.

(iv) Authority to Repeal.—(A) In General.—The Administrator may make insured telephone loans for the acquisition, purchase, and installation of telephones, lines, systems, and facilities (other than buildings used primarily for administrative purposes, vehicles not used primarily in connection with the furnishing of service, and other property related to the furnishing, improvement, or extension of rural telecommunications services) at interest rates equal to the then current cost of money to the Government of the United States for loans of similar maturity, but not more than 7 percent, that are equal to or less than the interest rate of 5 percent per year, to any applicant who meets the following requirements:

(I) The average number of subscribers per mile of line in the service area of the applicant is more than 15, or the applicant is capable of producing net income or margins before interest of not less than 4 percent (but not more than 10 percent) of the interest requirements on all of the outstanding and proposed loans of the applicant.

(ii) The Administrator has approved a telecommunications modernization plan for the State under paragraph (3) and, if the plan was developed by telephone borrowers under this title, the applicant is a participant in the plan.

(III) The plan must provide for uniform deployment schedules to ensure that advanced telecommunications services are deployed at the same time in rural and nonrural areas;

(v) The plan must provide for such additional requirements for service standards as may be required by the Administrator.

(III) Authority to Repeal.—On request of any applicant for a loan under this section during any fiscal year, the Governor of the telephone bank shall—
"(A) consider the application to be for a loan under this section and a loan under section 305(d)(2); and

(B) if the applicant is eligible for a loan, make an insured loan under this title in an amount equal to the amount that the applicant is eligible to receive under this and section 305(d)(2), as the amount made available for loans under this section for the fiscal year.

(10) On request of any applicant who is eligible for a loan under this section for which funds are not available, the applicant shall be considered to have applied for a loan under section 305(d)(2); and

(c) by adding at the end the following new subsection:

"(e) Loans and advances made under this section on or after November 5, 1998, shall bear interest at a rate determined under this section, taking into account all assets and liabilities of the telephone bank. This subsection shall not apply to loans obligated before the date of enactment of this subsection. Funds are not authorized to be appropriated to carry out this subsection until the funds are appropriated in advance to carry out this subsection.

(1) FUNDING.—

(a) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—Section 314 of such Act (7 U.S.C. 960c) is amended to read as follows:

"(b) FISCAL YEARS 1994 THROUGH 1998.—In the case of each of fiscal years 1994 through 1998, there are authorized to be appropriated as defined by the Bureau of the Census:

(1) ELECTRIC HARDSHIP LOANS.—For loans under section 305(c)(1)—

(A) for each fiscal year 1994, $125,000,000; and

(B) for each of fiscal years 1995 through 1998, $125,000,000, increased by the adjustment percentage for the fiscal year.

(2) ELECTRIC MUNICIPAL RATE LOANS.—For loans under section 305(c)(2)—

(A) for fiscal year 1994, $600,000,000; and

(B) for each of fiscal years 1995 through 1998, $600,000,000, increased by the adjustment percentage for the fiscal year.

(3) TELEPHONE HARDSHIP LOANS.—For loans under section 305(c)(3)—

(A) for fiscal year 1994, $125,000,000; and

(B) for each of fiscal years 1995 through 1998, $125,000,000, increased by the adjustment percentage for the fiscal year.

(4) TELEPHONE COST-OF-MONEY LOANS.—For loans under section 305(d)(2)—

(A) for fiscal year 1994, $125,000,000; and

(B) for each of fiscal years 1995 through 1998, $125,000,000, increased by the adjustment percentage for the fiscal year.

(5) MISCELLANEOUS AMENDMENTS.—

(1) LOANS FOR RURAL ELECTRIFICATION.—Section 2 of such Act (7 U.S.C. 902) is amended—

(A) by inserting "before the Administrator;"

(B) by striking "telecommunication service in rural areas, as hereinafter provided;" and inserting "electric and telecommunication service in rural areas, as provided in this Act, and for the purpose of assisting electric borrowers to implement demand side management, energy conservation programs, and on-grid and off-grid renewable energy systems;"; and

(C) by adding at the end the following new subsection:

"(b) By January 1, 1994, the Administrator shall issue interim regulations to implement this subsection (a) and make loans for the purpose of assisting electric borrowers to implement demand side management, energy conservation programs, and on-grid and off-grid renewable energy systems. If the regulations are not issued by January 1, 1994, the Administrator shall consider any demand side management, energy conservation, or renewable energy program, system, or activity that is approved by a State agency to be eligible for the loans.

(2) LOANS FOR ELECTRICAL PLANTS AND TRANSMISSION LINES.—Section 4 of such Act (7 U.S.C. 904) is amended by inserting after "central station service" the following:

"(A) and for the furnishing and improving of electric service to persons in rural areas, including by assisting electric borrowers to implement renewable energy programs, and on-grid and off-grid renewable energy systems;"

(3) DEFINITIONS.—Section 13 of such Act (7 U.S.C. 913) is amended—

(A) by inserting "before "the Administrator;"

(B) by striking "city, village, or borough having a population in excess of fifteen hundred inhabitants" and inserting "urban area," as defined by the Bureau of the Census;"

(C) by inserting "the purpose of determining the eligibility of a distribution borrower for assistance under this Act;"

(D) by inserting "central station service" before "the Administrator;"

(4) GENERAL PROHIBITIONS.—Section 18 of such Act (7 U.S.C. 918) is amended—

(A) by inserting "(a) NO CONSIDERATION OF BORROWER'S LEVEL OF INCOME, DEBT, OR LIEN ACCOMMODATIONS.

(A) by inserting "before the Administrator;"

(B) by adding at the end the following new subsections:

"(a) Loan Origination Fees.—The Administrator or the Governor of the telephone bank may not charge any fee or charge not expressly provided in this Act in connection with any loan made or guaranteed under this Act.

(c) Consultants.—

(1) GENERAL.—To facilitate timely action on applications by borrowers for financial assistance under this Act and for approvals required of the Rural Electrification Administration or the Administrator, the following new section is added at the end of the following new section: "The preceding sentence shall not be construed to make section 406(b)(2) or (4) applicable to any such loan or guarantee."

(2) MISCELLANEOUS AMENDMENTS.—

(1) LOANS FOR RURAL ELECTRIFICATION.—Section 2 of such Act (7 U.S.C. 902) is amended—

(A) by inserting "before the Administrator;"

(B) by striking "telecommunication service in rural areas, as hereinafter provided;" and inserting "electric and telecommunication service in rural areas, as provided in this Act, and for the purpose of assisting electric borrowers to implement demand side management, energy conservation programs, and on-grid and off-grid renewable energy systems;"; and

(2) MISCELLANEOUS AMENDMENTS.—(A) by striking "electric" and inserting "electric and telecommunication service in rural areas, as provided in this Act, and for the purpose of assisting electric borrowers to implement demand side management, energy conservation programs, and on-grid and off-grid renewable energy systems;".

(3) DEFINITIONS.—Section 13 of such Act (7 U.S.C. 913) is amended—

(A) by inserting "before "the Administrator;"

(B) by striking "city, village, or borough having a population in excess of fifteen hundred inhabitants" and inserting "urban area," as defined by the Bureau of the Census;"
Rural Development Act (amended by adding at the end of the new subsection:

U.S.C. 901-1926(a)(1)) is amended by inserting after the

The Rural Development Administration shall encourage and facilitate the full and equal participation of all entities to participate in programs administered by the Rural Develop­

Section 307. Prohibition Under Rural Develop­

SEC. 370. Prohibition Under Rural Develop­

THE SPEAKER pro tempore (Mr. REYNOLDS). Pursuant to the rule, the gentleman from Texas [Mr. DE LA GARZA] will be recognized for 20 min­utes, and the gentleman from Kansas [Mr. ROGERS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the legislation that we bring to the floor today will restruc­

SEC. 2. Expanded Eligibility for Loans for Water and Waste Disposal Facili­

SEC. 3. Expanded Eligibility for Loans for Water and Waste Disposal Facili­

SEC. 306(a)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926a(a)(1)) is amended by inserting after the first sentence the following new sentence: "The Secretary may also make loans to any borrower to whom a loan has been made under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.), for the conservation, de­

SEC. 6. Regulations.

Except as provided under section 30(b) of the Rural Electrification Act of 1936 and section 370 of the Consolidated Farm and Rural Development Act, as added by sections 266(c)(1) and 6 of this Act, not later than 45 days after the date of enactment of this Act, the Secretary shall issue interim final reg­

Such fee shall be in addition to the penalties and other payments re­

(3) Maximum Rate Option.

6. Regulations.

SEC. 306 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2006b) is amended by adding at the end the following new subsection:

(4) Rural Economic Development.

SEC. 364 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2006d) is amended by adding at the end the following new subsection:

(3) in General.—A borrower of a loan or loan guarantee under the Rural Electrifica­

1. Loans From Other Credit Sources.

Section 307 of such Act (7 U.S.C. 937) is amended by adding at the end the following new subsection:

The purpose of the 2-percent Loan Program was to encourage electric and tele­

Our Nation's budget problems dic­

The bill will first eliminate REA's authority to make 2-percent loans. The purpose of the 2-percent Loan Program was to encourage electric and telephone cooperatives to provide service to high cost, unpopulated areas served by privately owned utili­

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Our Nation's budget problems dic­

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Our Nation's budget problems dic­

The bill will first eliminate REA's authority to make 2-percent loans. The purpose of the 2-percent Loan Program was to encourage electric and telephone cooperatives to provide service to high cost, unpopulated areas served by privately owned utili­
house and barn. They know the difference the REA programs made in their lives.

Nevertheless, there are people today who say REA has outlived its usefulness. Nothing could be further from the truth. Mr. Speaker, REA is needed now more than ever.

We hear about the need to build the information highway of the future. This is a part of the infrastructure that will lay the foundation to a high-technology, high-wage future for our economy.

Rural America wants to be a part of that revolution. People in our small towns, and on remote farms and ranches, see a whole host of information sources, educational advantages, and economic opportunities through the use of advanced telecommunications.

To take part in this telecommunications revolution, rural America needs affordable lending to build the necessary infrastructure and modernize its electric and telephone systems. The lack of modern telecommunications capability and reliable electric service puts rural residents and rural businesses at a distinct disadvantage.

With the help of the REA, rural electric cooperatives and rural telephone companies can give rural businesses an opportunity to compete in this new high-technology economy. With the help of the REA, rural electric cooperatives and rural telephone companies can provide people living in our small rural communities and in remote areas with the same level of residential service that urban America has come to take for granted.

This bill provides REA with the authority to promote statewide modernization of telecommunications services for rural areas.

Mr. Speaker, I want to commend Congressman HOSTEN ENGLISH of Oklahoma, the chairman of our Subcommittee on Environment, Credit and Rural Development, for his yeoman's work on this legislation earlier this year and his help in accommodating concerns from the floor and the agriculture committee consideration last week. I also want to thank our ranking minority members PAT ROBERTS, BOB SMITH of Oregon, and JOHN BOEHNER of Ohio for their help and their willingness to cosponsor this legislation.

Mr. Speaker, this legislation is made even more necessary and urgent by the fact the conferees on the agriculture appropriations bill, anticipating our reforms, have defunded the 2-Percent Loan Program and reallotted funds to the new accounts with the expectation that this authorizing language would be sent to the President.

Mr. Speaker, for all these reasons, I urge my colleagues to support passage of H.R. 3123.

Mr. Speaker, for the RECORD I include correspondence and a cost estimate from the Congressional Budget Office:

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The costs of this bill fall within budget functions 270 and 450.

The basis of estimate: REA Insured loans. CBO estimates that the bill would authorize $125 million for fiscal year 1994 and a total of $595 million for the 1994-1998 period of the subsidy costs of REA insured loans. These estimates represent the expected government subsidy required for the loan levels specified in the bill. For electric utilities borrowing from the REA, the bill would authorize $125 million at the 5 percent interest rate and $500 million at the average rate paid by municipal utilities on their debt. For telephone utilities borrowing from REA, the bill would authorize $125 million at the 5 percent rate and $125 million at a rate equal to the rate on new borrowing by the U.S. Treasury for debt of comparable maturity.

The bill authorizes REA loans for the 1994-1998 period for up to 5 percent of the new borrowing by the U.S. Treasury.

The bill authorizes REA loans for the 1995-1998 period at the fiscal year 1994 levels adjusted for inflation. Estimates are made that the loan levels would require subsidy appropriations of $1 million for loans to electric utilities and $40 million for loans to telephone utilities. The amounts are based on the assumption that the new borrowing by the U.S. Treasury will grow at 2 percent per year and that the increasing nominal loan levels will follow the nominal changes in the Consumer Price Index.
September 28, 1993

CONGRESSIONAL RECORD—HOUSE

about $123 million worth of savings. Also, it might be pointed out that this legislation does not have what became a very controversial provision; namely, the question of municipal annexation and hostile condemnation. That is a subject that the committee will have to deal with at a later date, at another time, but it is not in this legislation tonight.

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

Mr. Speaker, I would like to first associate myself with the remarks of the distinguished chairman of the Committee on Agriculture, and my friend and colleague, the distinguished chairman of the subcommittee that has worked so long and hard for this reform effort. I associate myself with their remarks.

Mr. Speaker, this bill has been described as being nearly identical to legislation the House adopted in its reconciliation package this summer, that is correct. This bill is a reform effort that will be followed up later this year with additional legislation that will come before the full committee. I support the legislation.

Mr. Speaker, I yield 2 minutes to my friend and distinguished colleague, the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Mr. Speaker, I thank the gentleman for Yielding time to me.

Mr. Speaker, I rise in support of this rural electric bill. I think it makes some necessary changes that we have been looking for and seeking to work on for some time, and yet continues the important program. If a person comes from a place like I do in Wyoming, where the average density for rural electric programs is somewhere below five, the necessity to have available capital is very, very important. Of course, if we are going to have a growing economy in the rural areas, and particularly in the West, this rural electric program is an important part of the element that is necessary to provide for that.

There have been changes. We no longer have the 2-percent program. The 5-percent program is available in certain circumstances, but generally this funding would be equal to that of municipal bonds, municipal paper. I think that is a fair proposition. I think that is the way it ought to be.

Mr. Speaker, I am pleased that I am not here. I happen to agree with the rural electric in terms of the territorial issue. I think when a city annexes into a rural area, that is no reason why that co-op cannot continue to serve, but I really do not think it is a function of the Federal Government to do that.

Therefore, I rise very much in support of this issue. I certainly congratulate the chairman and the ranking Republican for their work that they have done here. The gentleman from Oklahoma [Mr. ENGLISH] has continued to be a very strong supporter of the rural electric program, as I am, and I appreciate the work I urge support for the bill.

Mr. ROBERTS. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. ZIPPER].

Mr. ZIPPER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I applaud this committee for its work on restructuring the REA loan program and keeping it on merit and need, rather than on a first-come, first-served basis. I have got to confess that I believe that this is a program that is being reformed when it should be eliminated; that REA has accomplished its purpose of electrifying America and providing America with telephone service, and the time for the REA I believe is long past.

The President himself recognized the need to wind down this program and urged that the loan authority be reduced. That recommendation is not reflected in this legislation. I regret that. In fact, although the committee did reduce the loan backlog in total, it created a brand new municipal rate loan program at $600 million. That means that there is a net result of additional funding, additional taxpayer subsidies, rather than less.

I am not insensitive to the needs of rural communities. I live in one. However, I do believe that this is a time when we have to reevaluate programs that seem to have taken on a life of their own. This is one of them.

There is a saying in Washington that "old government agencies never die. They don't even fade away." Although I commend the members of the Committee for doing a good job of reforming a program that was wildly out of date, the best thing to have done was to eliminate it and to recognize the fact that our taxpayers dollars could be spent much better elsewhere.

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

Mr. Speaker, I thank my friend, the gentleman from New Jersey [Mr. ZIPPER] for his confession. Perhaps if he believes that REA is outdated, perhaps we could have an amendment when we consider further reform to exempt the State of New Jersey from the REA and continue the program in Kansas, Oklahoma, Texas, Wyoming, and other areas.

I think my urban colleagues who really do a lot of complaining about REA having served its purpose need to understand that there are still areas of this country where party lines and analog switching systems, systems many of us would assume were long since gone, are still common. In large metropolitan areas, we enjoy being able to call numerous telephone exchanges in multicounty areas for all kinds of goods and services; in rural areas, a phone call to the town 15 miles down the road or maybe 30 miles may mean a toll charge.

Mr. Speaker, this bill is nearly identical to legislation the House adopted in its budget reconciliation package this summer with the major exception that the controversial municipal annexation-condemnation provision is not included. I believe this bill is a reform effort that will be followed up later this year when the Committee on Agriculture fully reorganizes the Department of Agriculture. I support the adoption of H.R. 3123.

The legislation eliminates the current two-percent hardship and 5-percent direct electric and telephone loan programs and replaces them with a 5-percent hardship lending program at an authorized program level of $125 million each. Rural electric cooperatives may use a direct lending program with interest rates pegged to tax-exempt municipal bond rates. Rural electric cooperatives and companies are eligible for direct loans at cost-of-money rates with a program authorization of $198 million. Both electric and telephone interest rates are capped at 7 percent depending on consumer densities, system revenues and costs, net income margin requirements of borrowers and per capita income of the areas served.

States or coalitions of telephone companies within States also would be required to develop and approve a telecommunications modernization plan that would upgrade services in rural areas, including the elimination of party line service. I believe my urban colleagues who grouse about REA having served its purpose need to understand there still are areas of this country where party lines and analog switching systems, systems many of us would assume were long since gone, are still common. In large metropolitan areas, we enjoy being able to call numerous telephone exchanges in multicounty areas for all kinds of goods and services; in rural areas, a phone call to the town 15 miles down the road may mean a toll charge. If we want to do something for rural Americans—and for the American economy—we need to upgrade rural telecommunications service.

In addition to the telecommunications provisions, the bill also makes important changes in program administration and loan making decisions within REA, including the prohibition of making a loan on assets whose useful life is less than the term of the loan. Electric co-ops with consumer densities in excess of 17 per mile would not be eligible for 5-percent loans or have the availability of a 7-percent interest cap on loans to serve or improve services in an urban area.

Finally, Mr. Speaker, the bill prohibits the packaging or tying of electric power service with some other utility service. For instance, it has been cited that on numerous occasions electric cooperatives have offered low-interest or no-interest loans for water and waste water facilities to businesses agreeing to buy the rural co-op's electric power. This practice
Mr. GUNDERSON. Mr. Speaker, for almost 60 years, the Rural Electrification Administration (REA) has responded to the challenge, first, providing universal electrical and telephone services to rural America and, now, modernizing those services so that our farmers, ranchers, and rural businesses can remain competitive in the 21st Century.

Meeting this challenge is no small accomplishment given the budgetary climate facing our country as a whole and the desire of the Congress to reduce federal expenditures. Most importantly, to make wholesome reductions in REA funding, much work has gone into H.R. 3123 both during and after the reconciliation process to solve government outlays on the REA program while, at the same time, preserving the electric and telephone programs which are so vital to the future of rural America.

The result is a program providing loans to rural electric borrowers at an interest rate equal to that available on the market to municipal-owned utilities and loans to rural telephone companies at the cost of that money to the Government. While H.R. 3123 provides for a combined $250 million of 5 percent interest hardship loans to rural electric and telephone companies in low-density areas with below-average household incomes, these new terms represent a significant departure from the $864 million of time honored subsidies available currently. As noted, however, these changes are a necessary transition under our current budgetary conditions.

The only thing missing from this legislation, Mr. Speaker, is language preserving the territorial integrity of the REA service areas. In a time when we are most concerned about the status of the Federal Treasury, it seems to me that we ought to be taking those steps necessary to insure the financial viability of our rural electric cooperatives (REA).

One of the greatest threats to the ability of our RECs to repay their Federal loans is the uncompensated loss of service territory to municipal annexation. How can we expect an REC to maintain its repayment schedule, to invest in the modernization of its facilities and services to its subscribers, or to plan for the future when it can lose some of its biggest and best customers overnight when an adjacent municipality and its utility annexes a portion of the service area of the REC?

Recognizing this inconsistency, we had language in the reconciliation package providing territorial protection for RECs. However, for whatever reason, it has been dropped from this legislation. It is incumbent upon me to warn my colleagues that, unless we address this growing problem of unrestricted municipal annexation in the very near future, we will be back here discussing the rising default rate among REA borrowers and the resulting increased cost of the rural electric program.

Despite this deficiency, Mr. Speaker, this is a good piece of legislation and urge my colleagues to vote for it.

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

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

The SPEAKER pro tempore (Mr. BARCIA of Michigan). The question is on the motion offered by the gentleman from Texas [Mr. DE LA GARZA] that the House suspend the rules and pass the bill, H.R. 3123, 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.

The title of the bill was amended so as to read: "A bill to improve the electric and telephone loan programs carried out under the Rural Electrification Act of 1936, and for other purposes."

A motion to reconsider was laid on the table.

UNITED STATES GRAIN STANDARDS ACT AMENDMENTS OF 1993

Mr. DE LA GARZA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2689) to amend Public Law 100-518 and the U.S. Grain Standards Act to extend through September 30, 1998, the authority of the Federal Grain Inspection Service to collect fees to cover administrative and supervisory costs, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2689
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "United States Grain Standards Act Amendments of 1993".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Short Title and Table of Contents</td>
</tr>
<tr>
<td>2</td>
<td>Limitation on administrative and supervisory costs</td>
</tr>
<tr>
<td>3</td>
<td>Authorization of appropriations</td>
</tr>
<tr>
<td>4</td>
<td>Inspection and weighing fees; inspection and weighing in Canadian ports</td>
</tr>
<tr>
<td>5</td>
<td>Inspection and weighing pilot programs</td>
</tr>
<tr>
<td>6</td>
<td>Licensing of inspectors</td>
</tr>
<tr>
<td>7</td>
<td>Prohibited acts</td>
</tr>
<tr>
<td>8</td>
<td>Statutory fines</td>
</tr>
<tr>
<td>9</td>
<td>Equipment testing and other services</td>
</tr>
<tr>
<td>10</td>
<td>Violation of subpoena</td>
</tr>
<tr>
<td>11</td>
<td>Standardizing commercial inspection</td>
</tr>
<tr>
<td>12</td>
<td>Elimination of gender references</td>
</tr>
<tr>
<td>13</td>
<td>Repeal of temporary amendment</td>
</tr>
<tr>
<td>14</td>
<td>Authority to collect fees; termination of advisory committee</td>
</tr>
<tr>
<td>15</td>
<td>Effective dates</td>
</tr>
<tr>
<td>16</td>
<td>Amendments</td>
</tr>
<tr>
<td>17</td>
<td>Administrative and supervisory costs</td>
</tr>
</tbody>
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Section 7D of the United States Grain Standards Act (7 U.S.C. 79d) is amended—

(1) by striking "inspection and weighing" and inserting "services performed"; and

(2) by striking "1996" and inserting "1998".

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

(a) REALAUTHORIZATION.—Section 19 of the United States Grain Standards Act (7 U.S.C. 78h) is amended by striking "duty period beginning October 1, 1988, and ending September 30, 1993" and inserting "1988 through 1992".

(b) LIMITATION.—Such section is further amended by striking "and 17A of this Act" and inserting "17B, 16, and 17A".

SEC. 4. INSPECTION AND WEIGHING FEES; INSPECTION AND WEIGHING IN CANADIAN PORTS.

(a) INSPECTION AUTHORITY.—Section 7(a) of such Act (7 U.S.C. 79a) is amended—

(1) in the second sentence of subsection (c)(2), by inserting after: "shall be deemed to refer to:" the following: "official weighing or;"

(2) in the second sentence of subsection (d), by inserting "before the period at the end of this Act, or as otherwise provided by agreement with the Canadian Government;" and

(3) in the first sentence of subsection (b), by inserting "before the period at the end of this Act, or as otherwise provided in section 7(c) and subsection (d)."

SEC. 5. INSPECTION AND WEIGHING PILOT PROGRAM.

(a) INSPECTION AUTHORITY.—Section 7(k)(2) of the United States Grain Standards Act (7 U.S.C. 79k(2)) is amended by inserting before the period at the end of the following: "except that the Administrator may conduct pilot programs to allow more than one official agency to carry out inspections within a single geographical area without undermining such objectives":

(b) LICENSING AUTHORITY.—The second sentence of section 7A(1) and of such Act (7 U.S.C. 79a(1)) is amended by inserting before the period at the end of the following: "except that the Administrator may conduct pilot programs to allow more than one official agency to carry out the weighing provisions within a single geographical area without undermining such objectives:

SEC. 6. LICENSING OF INSPECTORS.

Section 8 of the United States Grain Standards Act (7 U.S.C. 78c(4)) is amended—

(1) in subsection (b), by striking ("persons employed" the following: "or supervised under a contractual arrangement"); and

(2) in the first proviso of subsection (b), by striking "independently under the terms of a contract for the conduct of any functions;" and

(1) in subsection (a), by striking "Persons employed" the following: "or supervised under a contractual arrangement"); and

(2) in the second proviso of subsection (b), by striking "Except as otherwise provided in sections 7(f) and 7A(d), no person": and

(3) in the first proviso of subsection (b), by striking "independently under the terms of a contract for the conduct of any functions;" and

(1) in subsection (a), by striking "Persons employed" and inserting "only the following: "or supervised under a contractual arrangement"); and

(2) in the second proviso of subsection (b), by striking "independently under the terms of a contract for the conduct of any functions;" and
SEC. 8. CRIMINAL PENALTIES.

and shall, or conviction thereof, be subject

sentence; and

to imprisonment for not more than twelve

year or a fine of not more than $10,000, or

both, for each subsequent offense subject to this sub­

section, such person.

SEC. 9. EQUIPMENT TESTING AND OTHER SER­VIC­ES.

Section 16 of the United States Grain Standards Act (7 U.S.C. 87e) is amended—

(1) in subsection (b), by striking the third sentence; and

(2) by adding at the end the following new subsections:

(g) TESTING OF CERTAIN WEIGHING EQUIPMENT.—(1) Subject to paragraph (2), the Ad­ministrator may provide for the testing of weighing equipment used for purposes other than weighing grain. The testing shall be performed—

(A) in accordance with such regulations as the Administrator may prescribe; and

(B) for a reasonable fee established by regulation or contractual agreement and suf­ficient to cover, as nearly as practicable, the estimated costs of the testing performed.

(2) Testing performed under paragraph (1) may not conflict with or impede the objec­tions specified in section 2.

(h) TESTING OF GRAIN INSPECTION INSTRUMENTS.—(1) Subject to paragraph (2), the Ad­ministrator may provide for the testing of grain inspection instruments used for com­mercial inspection. The testing shall be performed—

(A) in accordance with such regulations as the Administrator may prescribe; and

(B) for a reasonable fee that is established by regulation or contractual agreement and is sufficient to cover, as nearly as prac­ticably, the estimated costs of the testing performed.

(2) Testing performed under paragraph (1) may not conflict with or impede the objec­tions specified in section 2.

(i) ADDITIONAL FEE SERVICES.—(1) In accordance with such regulations as the Ad­ministrator may provide, the Administrator may perform such other services as the Ad­ministrator considers to be appropriate.

(2) In lieu of the fees authorized by sections 7, 7A, 7B, 17A, and this section, the Administrator shall collect reasonable fees to cover the estimated costs of services performed under paragraph (1) other than stand­ardization, compliance, and foreign monitoring activities.

(j) TO the extent practicable, the fees collected under paragraph (2), together with any proceeds from the sale of any samples, shall cover the costs, including administra­tive and supervisory costs, of services per­formed under paragraph (1).

(k) DEPOSIT OF FEES.—Fees collected under subsections (g), (h), and (i) shall be de­posited into the fund created under section 7.

(l) OFFICIAL COURTS.—The Admin­istrator may grant to an agency within the Depart­ment of Agriculture the authority provided by this Act to serve as an official agency under the Grain Standards Act Amendments of 1970, for a reasonable fee established by the Administrator for services performed by the agency within the Department of Agriculture.

SEC. 10. VIOLATION OF SUBPOENA.

Section 17A of the United States Grain Standards Act (7 U.S.C. 87k(a)) is amended by striking "the penalties set forth in subsection (a) of this Act" and in­serting "the penalties set forth in subsection (a) of this Act, for a period of not less than one year or a fine of not more than $10,000, or both the imprisonment and fine."

SEC. 11. STANDARDIZING COMMERCIAL INSPECTION.

Section 22(a) of the United States Grain Standards Act (7 U.S.C. 87k(a)) is amended by striking "the National Conference on Weights and Meas­ures, or other appropriate governmental, scien­tific, or educational organizations".

SEC. 12. ELIMINATION OF GENDER REFERENCES.

(a) REFERENCES TO HIM.—(1) Section 3 of the United States Grain Standards Act (7 U.S.C. 75) is amended—

(A) in subsection (a), by striking "his delegates" and inserting "a delegate of the Sec­retary"; and

(B) in subsection (b), by striking "his delegates" and inserting "a delegate of the Ad­ministrator."

(2) Sections 4(a), 7(b), 7(e)(2), 12(b), and 13(a)(2) of such Act (7 U.S.C. 76a, 76b, 76k(e)(2), 76k(a)(2), and 76k(a)(2)) are each amended by striking "his" and inserting "the Ad­ministrator."

(3) Section 5(a)(1) of such Act (7 U.S.C. 77(a)(1)) is amended by striking "his agent" and inserting "the shipper's agent."

(4) Section 9 of such Act (7 U.S.C. 85) is amended in the first sentence by striking "his license" and inserting "the license."

(5) Section 15(a)(7), 15, and 17(b) of such Act (7 U.S.C. 87a, 87b, and 87f(e)) are each amended by striking "his" and inserting "the person's"

(6) Section 13(a)(3) of such Act (7 U.S.C. 87d(a)(3)) is amended by striking "his duties" and inserting "the duties of the officer, em­ployee, or inspection personnel."

(b) REFERENCES TO HER.—(1) Section 8(a) of such Act (7 U.S.C. 84(a)) is amended in the first sentence by striking "him" and inserting "the person."

(2) Section 9 of such Act (7 U.S.C. 85) is amended by striking "him" and inserting "the licensee."

(c) REFERENCES TO HE.—(1) Sections 5(b), 7(a), 7(b), 7(e), 7(c), 7(a), 8(c), 8(f), 10(a), 11(a), 11(b), 12(c), and 14(b) of such Act (7 U.S.C. 77(b), 76a, 76k(e)(2), 76k(a), 76k(a)(4), 76k(a)(5), 87a(c), 87f(b), 87f(c), and 87f(b)(c)) are each amended by striking "he" each place it appears and inserting "the person."

(2) Sections 10(b), 13(a)(9), 14(a), and 17(a)(c) of such Act (7 U.S.C. 86(b), 87b(a)(3), 87c(a), and 87f(1)(c)) are each amended by striking "he" and inserting "the person."

(3) Sections 11(b)(1) and 17(a)(2) of such Act (7 U.S.C. 87(f)(1) and 87f(1)(a)(2)) are each amended by striking "he" and inserting "the person."
also extends the authority of that agency to recover administrative and supervisory costs through the user fees it charges for services.

Under the U.S. Grain Standards Act, the Federal Grain Inspection Service is responsible for setting standards that serve as a common language within the grain industry. FGIS oversees the official weighing and inspection of all grain destined for the export market. The agency also monitors the weighing and inspection system for our Nation's internal domestic markets.

Mr. Speaker, the U.S. grain inspection system serves as the standard and model for the world. An official inspection certificate issued by FGIS facilitates commerce by allowing both buyer and seller to have confidence in the identified quantity and quality of any shipment of American grain that is entered into trade. This legislation will make our current grain inspection system even better.

H.R. 2689, as reported and before the House, is a comprehensive proposal to improve the standardization and compliance activities of FGIS through fiscal year 1998. It also provides that user fees—which the agency collects to cover the cost of providing weighing and inspection services to be calculated to include the recovery of administrative and supervisory costs through fiscal year 1998.

The committee bill also authorizes FGIS to conduct pilot programs that allow for competition among agencies, designated by the Service, to carry out official inspection and weighing services in the domestic market.

Under the current provisions of the Grain Standards Act, each designated agency is authorized to provide these services exclusively for a given geographical area. This exclusivity was mandated by Congress in an effort to prevent competition that would benefit the industry through lower fees for the weighing and inspection services that designated private agencies provide.

This bill also continues our goal of eventually eliminating male-specific references, such as "he" and "his," that appear in many of our agricultural laws. The bill eliminates all gender-specific references from the U.S. Grain Standards Act.

Other provisions of the bill as reported would authorize FGIS to collect fees for the use of its equipment and services by entities not involved in the grain industry; allow FGIS to issue inspection services to individuals or companies under a contractual arrangement with official designated State agencies; and reduce paperwork by eliminating the current quarterly report to Congress on official complaints; and limit the value of any mementos offered or received by any FGIS employee who meets with an official representative of a foreign government to no more than $20.

The bill increases the criminal penalties for first-time violators who knowingly engage in prohibited acts, which include as deceptive loading and manipulation and falsification of weights. The bill makes these violations felonies rather than misdemeanors, and carries with it a sentence of up to 12 months imprisonment or a $10,000 fine, or both.

Mr. Speaker, the Committee on Agriculture considered proposals to regulate or prohibit grain handlers adding water to grain. The practice of adding water is ostensibly done to control accumulations of harmful, explosive grain dust. There are concerns within the industry, however, that some companies which use water as a dust-control measure actually add ing weight to the grain and thereby fraudulently misrepresenting its value.

The committee bill also authorizes the committee to include the recovery of administrative and supervisory costs through fiscal year 1998. The committee bill also authorizes the committee to include the recovery of administrative and supervisory costs through fiscal year 1998.

Mr. Speaker, it would appear that the simple solution to this controversy is to ban the addition of water. Yet there is ample evidence to suggest that the application of minute amounts of water is an effective method of controlling the accumulation of grain dust. Failure to control dust has led to massive explosions in grain elevators that cost workers their lives.

The committee has been assured that FGIS, through its rulemaking process, will give careful consideration to proposals submitted by interested parties to avoid, as much as possible, the loss of life and safety of industry employees while preserving the integrity of our grain marketing system. In the meantime, our committee will continue to conduct oversight and report our findings and any necessary legislation to the House.

Mr. Speaker, this bill is straightforward and necessary. The authority for the agency to collect sufficient user fees to cover weighing and inspection services expires on September 30, 1993, and that is why we bring the bill to the floor today. I urge my colleagues to support the passage of H.R. 2689.

Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from South Dakota [Mr. Johnson], chairman of the subcommittee, who has done a tremendous amount of work, and certainly produced an excellent compilation of the legislation in order method may be intentionally added.

Mr. JOHNSON of South Dakota. Mr. Speaker, I thank the gentleman for yielding the time.

Mr. Speaker, I rise today in support of H.R. 2689, which would extend the authorities of the Federal Grain Inspection Service [FGIS] through September 30, 1993. I am proud to come to the floor as chairman of the Subcommittee on General Farm Commodities, and bring before my colleagues the first bill reported out of this subcommittee under my tenure.

The Federal Grain Inspection Service was mandated by Congress in 1976 to be the agency responsible for implementing and administering the official U.S. grain standards programs. The FGIS' primary responsibilities include the inspection of most of the grain exported from U.S. export facilities and designating State or private entities to perform inspection and weighing services at interior locations under the supervision of the FGIS.

Mr. Speaker, the FGIS came into existence because of fraud and corruption that overtook the private entities who were carrying out inspections and weighing at U.S. export facilities. This wrongdoing led to lost sales and wary customers, with much of the impact being borne by U.S. grain farmers.

When Congress mandated its consent to allowing pilot projects for competition at interior locations, the FGIS role as the official inspection agency for U.S. exports is maintained. The committee bill, as amended by subcommittees and full committee action, contains several provisions which should help the FGIS continue to cut their operating costs and streamline agency operations. While the agency has undertaken a number of actions to decrease the cost of export inspections and reduce staff, these additional provisions will provide further flexibility to lessen the impact of decreasing export inspections.

It should be noted that the cost of FGIS export inspections has gone from 24 cents per metric ton in 1987 to 22 cents per metric ton in 1993, and the work force has also dropped during that same time from nearly 1,000 employees, down to 600 individuals at the end of calendar year 1992.

The additional authorities given to the FGIS include expansion of FGIS grain licensing authority beyond only employees of official inspection agencies to include contract inspectors. FGIS would be able to take advantage of its unique capabilities and expertise in the weighing of commodities and other items. The agency would also be allowed to test weighing equipment used for purposes other than weighing grain and also to test grain inspection instruments used for commercial inspections on a fee basis. Other similar types of activities would be allowed on a fee basis if the need arises and the Administrator deems it appropriate.

The authority is expanded to allow the FGIS to work with the Canadian Government in carrying out official inspections in Canadian ports. This would
elminate the need for FGIS personnel to be stationed in Canadian ports on a full-time basis.

H.R. 2689 increases the penalty for violations of the Grain Standards Act, making willful violations of the law, such as deceptive loading and manipulation and falsification of weights, felonies rather than misdemeanors. This could mean a penalty of up to 12 months imprisonment or a $10,000 fine, or both. However, violation of a sub-penalty would remain a misdemeanor under the Grain Standards Act.

Mr. Speaker, my colleagues will find no mention of the addition of water to grain in this legislation. It is my intention to hold hearings on this issue, and for the timeline in FGIS’ proposed rule, the addition of water to grain go on as scheduled. I hope that some consensus on this issue can be reached within the grain growing and handling sector and among my colleagues, which is in the best interest of maintaining the quality of U.S. grain and workplace safety.

I am also pleased that this legislation, through the Wheat Standards Act gender neutral with the deletion of all gender-specific language.

Mr. Speaker, I would urge my colleagues to join me in supporting this routine reauthorization.

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

Mr. Speaker, I rise in support of H.R. 2689, a bill to authorize the Federal Grain Inspection Service [FGIS] to collect fees to cover administrative and supervisory costs. It is essential that H.R. 2689 be enacted to ensure the integrity of the U.S. grain inspection programs.

H.R. 2689 extends the authority of FGIS to collect fees to cover the costs of administration and supervision of the official inspection system through 1998. This current authority expires on September 28, 1993.

The bill allows FGIS to contract with Canadians and eliminate the cost of FGIS employees stationed in Canada. Pilot projects to allow more than one official agency to perform inspections within the same geographical area are authorized and FGIS is authorized to issue licenses to contract employees.

Penalties are increased by making willful violations of the Act felonies rather than misdemeanors and the quarterly report to Congress on official complaints is eliminated.

FGIS is provided with the authority to test weighing equipment; test grain inspection instrumentation, and, to undertake other activities on a user fee basis. Additionally, FGIS is authorized to work with technical and scientific organizations to promote greater uniformity in commercial grain inspection programs.

The United States has the most advanced and reliable grain marketing system in the world and the official

grain inspection program operated by USDA is a vital part of that process. I urge my colleagues to support H.R. 2689.

Mr. ALLARD. Mr. Speaker, I rise in support of H.R. 2689, a bill to extend the authority of the Federal Grain Inspection Service [FGIS] to collect fees to cover administrative and supervisory costs and for other purposes. H.R. 2689 was introduced at the request of the administration. It is essential to continue the authority of FGIS because it plays a critical role in the successful marketing of U.S. grain, both here at home and in foreign markets.

FGIS was established by the Congress to establish and maintain official standards for grains; perform weighing and inspecting services for all grain for export and, upon request, for domestic uses; and, supervising the official grain and weighing system.

H.R. 2689 continues several provisions of the U.S. Grain Standards Act, including the collection of inspection and weighing fees to recover administrative and supervisory costs, as amended, through 1998. I believe that 5 years is a sufficient length of time to provide this authority to FGIS. As we all are aware, we are in the midst of proposals to reinvent the Federal government, as proposed by Vice President GORE, and a reorganization proposal for the Department of Agriculture. In fact, it is proposed that FGIS be combined with the Packers and Stockyards Administration to form the Grain Inspection, Packers and Stockyards Administration. Since there are several changes proposed that can affect FGIS, it is appropriate to continue its authority for a specific period of time.

Additionally, since FGIS performs official grain export inspections, supervises State-operated agencies that perform export inspections; and, supervises State and private agencies designated to perform inspection in the domestic market—all for user fees—it is essential to insure proper oversight of the activities and the fees charged. I realize that FGIS has instituted cost-effective operating procedures and will continue to look for new technology to improve the inspection process. Nevertheless, it is our responsibility to make sure that the actions of any agency and the fees charged to the users of its services are appropriate and reflect good management practices.

The Committee on Agriculture plans to continue its oversight of FGIS and to hold hearings on issues raised during consideration of this bill, including those issues related to the addition of water to grain for purposes of dust suppression.

I urge my colleagues to support H.R. 2689.

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

Mr. DE LA GARZA. Mr. Speaker, I have no further 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 Texas [Mr. DE LA GARZA] that the House suspend the rules and pass the bill, H.R. 2689, 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.

The title of the bill was amended so as to read: ‘A bill to amend the United States Grain Standards Act to extend the authority of the Federal Grain Inspection Service to collect fees to cover administrative and supervisory costs, to extend the authorization of appropriations for such Act, and to improve administration of such Act, and for other purposes.’

A motion to reconsider was laid on the table.

NATIONAL FOREST FOUNDATION ACT AMENDMENT ACT OF 1993

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent to take from the Speaker’s table the Senate bill (S. 1381) to improve administrative services and support provided to the National Forest Foundation, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill, as follows:

S. 1381

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

SECTION 1. SHORT TITLE.

This Act may be cited as the National Forest Foundation Act Amendment Act of 1993.

SEC. 2. PURPOSE.

It is the purpose of this Act—

(1) to provide for start-up and matching funds for project expenses to carry out the National Forest Foundation Act; and

(2) to extend the funding authorization for start-up expenses for 1 year.

SEC. 3. ADMINISTRATIVE SERVICES AND SUPPORT.

(a) IN GENERAL.—Section 405 of the National Forest Foundation Act (16 U.S.C. 583) is amended—

(1) in subsection (a)—

(A) by inserting ‘‘, project,’’ after ‘‘adminis­

trative’’; and

(B) by striking ‘‘following the date of en­

actment of this title’’ and inserting ‘‘begin­

ning October 1, 1992’’;

and

(2) In subsection (b)—

(A) by striking ‘‘from the enactment of this title’’ and inserting ‘‘beginning October 1, 1992’’; and

(B) by inserting ‘‘and project’’ after ‘‘ad­

ministrative’’;

(b) TECHNICAL AMENDMENT.—Section 410(b) of such Act (16 U.S.C. 583j—8(b)) is amended by striking ‘‘following the date of enactment of this title’’ and inserting ‘‘beginning Octo­

ber 1, 1992.’’

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that all Members
GERMAN-AMERICAN DAY

Mr. WYNN. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 121) to designate October 6, 1993 and 1994 as "German-American Day," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

There was no objection.

GERMAN-AMERICAN DAY

Mr. WYNN. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 121) to designate October 6, 1993 and 1994 as "German-American Day," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

Mr. GILMAN. Mr. Speaker, reserving the right to object, but I inform the House the minority has no objection to the legislation now being considered. I rise in strong support of Senate Joint Resolution 121.

Mr. Speaker, as a cosponsor of House Joint Resolution 155, I am delighted to speak in support of this resolution and commend my colleague, the distinguished chairman of the Committee on Foreign Affairs, the gentleman from Indiana, [Mr. HAMILTON], for introducing this bill recognizing German-American Day.

The United States has been greatly enriched through the contributions of her citizens of German heritage. From Carl Schurz to Albert Einstein, our history, our science, our art, our politics, and our diplomacy, even our cuisine, have benefited significantly from what German immigrants have brought to us from their homeland across the Atlantic.

Today, our recognition of the many and varied achievements of German-Americans serves as a reminder of the very close ties between this country and Germany. Germany is a pillar of Europe, its economic powerhouse, and a force for peace and stability. We salute the people of Germany for their steadfastness and courage and we commend them for their regained unity.

Further reserving the right to object, I am pleased to yield to one of the senior members of the Committee on Foreign Affairs, the gentleman from Nebraska [Mr. BERREUTER].

Mr. BERREUTER. I thank the gentleman for yielding to me under his reservation.

Mr. Speaker, as chairman of the Congressional Study Group on Germany, this Member rises in strong support for House Joint Resolution 155.

In October 1683, 13 families from the community of Kerefeld in Central Europe set foot in the New World near Philadelphia, thus becoming the first of many German-American settlers. In the years that followed, as word of the Germans' prosperity and satisfaction in the New World filtered back home, the emigration flow continued. Looking for farmlands and communities where they could sink their roots and ply their skills, German-Americans were among the largest ethnic groups to participate in the westward movement. Indeed, in Congressman's home State of Nebraska, German-Americans constitute the largest single ethnic group. Today, almost in one four Americans can claim German heritage. German-American Friendship Day provides this body with an opportunity to celebrate the very positive relationship we today enjoy with the people of Germany and its Government.

Mr. Speaker, as we know, Germany now faces a large but welcomed challenge. From two countries with vastly different political, economic, and cultural environments, a single nation must be forged. Unification may have proven more difficult than anticipated, but the end result will surely be a stronger, more vibrant nation.

We in the United States, of course, support our German friends in this endeavor of unification. House Joint Resolution 155, designating German-American Day, provides this body an opportunity to voice that support.

This Member congratulates the chairman of the Committee on Foreign Affairs, the distinguished gentleman from Indiana [Mr. HAMILTON], for introducing today's resolution. As a former and first chairman of the Congressional Study Group on Germany, he understands well the importance and value of German-American relations. This Member commends him for his initiative, and urges all Members to support House Joint Resolution 155.

Mr. GILMAN. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. I thank the gentleman for yielding to me under his reservation.

Mr. Speaker, I also want to add that in the State of Texas, shortly after the Spaniards, came many middle European peoples, among those were the Germans, who now settled across central Texas and the upper part of my congressional district. They have made a major contribution. They came as farmers, and many of them are still on the land. Throughout central Texas, the music, the food, and other aspects of the Germans still prevail in some of the rural communities, and indeed in San Antonio there is a church that still conducts services in German on Sundays.

Mr. Speaker, I have the great pleasure and pride to inform my colleagues that I married into a German family, the Schunior family. So I share kinship with constituents in my congressional district.

Mr. Speaker, I commend the gentleman for bringing this resolution from the Committee on Foreign Affairs.

Mr. GILMAN. I thank the gentleman from Texas for his supportive remarks, as well as the gentleman from Nebraska [Mr. BERREUTER] for his support of this bill.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Mr. BARCIA of Michigan. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. Res. 121

Whereas German Immigrants first arrived in America at Jamestown, Virginia, in October 1606, and the 400th anniversary of the arrival of these first Germans will be celebrated in 2006; Whereas the first German settlement in America was founded on October 6, 1683, at Germantown, Pennsylvania, and October 6, 1983, was designated as the German-American Day. (Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 6, 1993 and 1994 are each designated as "German-American Day"); and Whereas German-Americans are proud of the existing friendship and cooperation between the Federal Republic of Germany and the United States; Whereas the German-American Friendship Garden in Washington, D.C., is evidence of this cooperation; Whereas German-Americans support expansion of the existing friendship between Germany and the United States, and will continue to contribute to the culture of the United States, support its government and democratic principles, and help ensure the freedom of all people; Wherein German unification stands as a symbol of greater international cooperation and has emphasized the prominent position of Germany in the European community and between the East and the West; Whereas Congress unanimously passed joint resolutions designating October 6th of 1987, 1988, 1989, 1990, 1991, and 1992, each as "German-American Day": Now, therefore, be it Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 6, 1993 and 1994, are each designated as "German-American Day"). and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe these days with appropriate ceremonies and activities.

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

NATIONAL BIOMEDICAL RESEARCH DAY

Mr. WYNN. Mr. Speaker, I ask unanimous consent that the Committee on
Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 111) designating October 21, 1993, as "National Biomedical Research Day," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. GILMAN. Mr. Speaker, reserving the right to object, I do not object, but would simply like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. Res. 111

Whereas the biomedical research community in the United States is recognized as the world leader in discovering knowledge that promotes the health and well-being of people throughout the world;

Whereas biomedical research offers the best hope for breakthroughs in the detection and treatment of diseases in the future;

Whereas biomedical research has helped to increase the lifespan of people in the United States by 25 years through the development of vaccines, antibiotics, and antiretroviral drugs;

Whereas biomedical research has contributed to the virtual elimination of epidemic diseases such as cholera, smallpox, yellow fever, and bubonic plague; and in the United States biomedical research has helped to prevent such childhood killers such as polio, diphtheria, tetanus, pertussis, and Sudden Infant Death Syndrome;

Whereas biomedical researchers are working diligently toward cures for diseases such as Acquired Immune Deficiency Syndrome (AIDS), Alzheimer's disease, cancer, arthritis, diabetes, epilepsy, multiple sclerosis, heart disease, lupus, mental illness, and countless other diseases that afflict millions of people in the United States;

Whereas the Congress has consistently demonstrated a financial commitment to maintaining the preeminence of the United States in biomedical research through support of such agencies as the National Institutes of Health, the Alcohol, Drug Abuse and Mental Health Administration, the Centers for Disease Control, and the Veterans Administration;

Whereas the products and byproducts of biomedical research contribute to the health of the United States economy by reducing disease and promoting reproduction; Now, therefore, be it

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That October 21, 1993, is designated as "National Biomedical Research Day," and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such 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.

MENTAL ILLNESS AWARENESS WEEK

Mr. WYNN. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 61) to designate the week of October 3, 1993, through October 9, 1993, as "Mental Illness Awareness Week," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

Mr. GILMAN. Mr. Speaker, reserving the right to object, I do not object, but would simply like to inform the House the minority has no objection to the legislation now being considered.

Mr. Speaker, I rise in strong support of House Joint Resolution 148, a measure to designate the week of October 3, 1993, through October 9, 1993, as "Mental Illness Awareness Week." I commend the gentleman from Oregon [Mr. WYDEN] for introducing this important measure.

Since 1973, Federal law has prohibited discrimination on the basis of mental illness in federally funded programs. Those provisions, however, have not eliminated mental illness, and those that have kept our Nation's mentally disabled people from participating fully on the job and in the activities of daily life.

Unfortunately, many of these remaining barriers result from ignorance and misunderstanding. Mental Illness Awareness Week is intended to help to dispel the basis of much of the discrimination against the mentally disabled by education and by recognition.

Mr. Speaker, I urge my colleagues to join in support of this measure, to provide the mentally disabled with the help and recognition they so richly deserve.

Mr. Speaker, further reserving the right to object, I am pleased to yield to the chief sponsor of this legislation, the gentleman from West Virginia [Mr. WISE].

Mr. WISE. I thank the gentleman for yielding and greatly appreciate his yielding to me.

I want to thank the gentleman from New York [Mr. GILMAN], the gentleman from Maryland [Mr. WYNN], and members of the committee for moving this legislation forward. I would just like to say that I saw some figures that I found very instructive, as well as the importance of this legislation.

One out of five Americans at some time during the next 6 months will suffer from either an emotional disorder or substance abuse problem. Indeed, in our State of West Virginia, a small State, 42,000 people receive direct assistance from mental health programs and many more, obviously, require it, as is the case across the country.

Indeed, the very staggering statistic to me and the one that illustrates the need for all this is that at some time during our lives, one-third of us are going to have some sort of significant emotional disorder or abuse problem. So this becomes even more significant, particularly with both parties moving forward on national health legislation and the necessity to recognize that mental illness and illness are indeed one and the same and must be considered as such.

Mr. Speaker, I appreciate the time the gentleman has yielded to me.

Mr. GILMAN. Mr. Speaker, I thank the gentleman from West Virginia [Mr. WISE] for his supporting comments.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. (Mr. BARCIA of Michigan). Is there objection to the request of the gentleman from Maryland [Mr. WYNN]?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. Res. 61

Whereas mental illness is a problem of grave concern and consequence in the United States and it is widely, but unnecessarily, feared and misunderstood;

Whereas on an annual basis 40,000,000 Americans suffer from clearly diagnosable mental disorders, including mental illness, alcohol abuse, and drug abuse, which create significant disabilities with respect to employment, school attendance, and independent living;

Whereas more than 11,200,000 United States citizens are diagnosed with schizophrenia, manic depressive disorder, and major depression, and these individuals are often disabled for long periods of time;

Whereas 26 percent of homeless persons suffer serious, chronic forms of mental illness;

Whereas mental illness, alcohol abuse, and drug abuse affect almost 22 percent of adults in the United States in any 1-year period;

Whereas mental illness interferes with the development and maturation of at least 12,000,000 of our children;

Whereas a majority of the 30,000 American citizens who commit suicide each year suffer from a mental or an addictive disorder;

Whereas our growing population of elderly persons faces many obstacles to care for mental and emotional disorders;

Whereas 20 to 25 percent of persons with AIDS will develop AIDS-related cognitive dysfunction and as many as two-thirds of

CONGRESSIONAL RECORD—HOUSE 22797
persons with AIDS will show neuro-psychiatric symptoms before they die.

Whereas mental illness, alcohol abuse, and drug abuse result in staggering costs to society.

Whereas research in recent decades has led to a wide array of new and more effective modalities of treatment (somatic, psychosocial, and service delivery) for some of the most incapacitating forms of mental illness, including schizophrenia, major affective disorders, phobias, and phobic disorders; and Whereas appropriate treatment of mental illness has been demonstrated to be cost-effective in terms of restored productivity, reduced use of other health services, and lessened social dependence; and Whereas recent and unparalleled growth in scientific knowledge about mental illness has generated the current emergence of a new awareness of opportunity for future research advances and fruitful application to specific clinical problems: Now, therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of October 8, 1993, through October 14, 1993, is designated as "Mental Health Week".

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

There was no objection.

CLINTON HEALTH CARE PLAN: KILL OR CURE—A EUROPEAN VIEW

The first problem the Economist sees with the Clinton approach is the employer-mandate, which requires employers to provide insurance for all employees and to pay 80 percent of the premium, while the employee pays the remaining 20 percent. According to the Economist, "like any extra tax on labour, this threatens to destroy jobs, especially in small firms that have been unable to afford health coverage in the past. If the savings have been the source of most of America's recent new jobs," the Economist contends that a "link between employment and healthcare coverage has been bad for competitiveness and the mobility of the workers. It should be abandoned." The second concern presented by the Economist is that the plan does not adequately control costs. If there was no tax exemption for health insurance costs and if employers did not pay all or a portion of employee health care premiums, then employees would have more incentive to see that costs are kept down since they would be footing the bill for their own health care. Additionally, the tax exemption for health insurance costs for businesses is not an incentive to decrease costs, it only serves to hide health care costs. According to the Economist: "until the exemption is scrapped, health care will suck in resources that could have been put to better use elsewhere." They contend that unless employers and employees have a financial stake in decreasing costs, health care costs will only increase.

It seems that the administration does not trust that the market will work to keep costs down and therefore has proposed caps on health care costs. The Economist notes that:

"The caps will soon be challenged by rising costs. And since no administration would be willing explicitly to ration care, the caps could well lack credibility. That might be an incentive for providers to reach for the caps sooner rather than later."

The editorial states that the third problem with the Clinton proposal is its "outrageously dishonest claims concerning costs to taxpayers." It in the market will do a better job of covering and the benefit package offered with the only one excise tax increase. They conclude that this is unrealistic. Additionally, they point out that there is an assumption made by the administration of "enormous but unspecified savings in Medicare and Medicaid—savings that rely on an immediate slowing of health-care costs; and by assuming extra tax revenues from companies and individuals, on the ground that health-care reform will boost profits and pay."

Additionally, the Economist editorialists conclude that there are several costs regarding the Medicare Program. While long-term care and prescription drug benefits are to be added to the Medicare Program, the administration has proposed a cap on growth in Medicare spending. Also, the Medicare Program will remain separate from the national health care system created thus keeping the Medicare recipients out of the market system where their presence could work to help keep prices down.

Moreover, according to the Economist, the administration makes assumptions regarding the supposed savings of the Clinton plan. The editorialists state the following: "While it is probable that the savings reaped in one area can simply be applied to another, Barry Bosworth from the Brookings Institution, once the Director of Jimmy Carter's Council on Wage and Price Stability, says that if the savings come out as predicted, it will be one of the great accidents in history."

The Economist summarizes its concern regarding the costs to taxpayers as follows:

"Finance is often the Achilles heel of American public policy. Nowhere more so than in health care. Middle America now expects health care reform, costs to be lower than before, and more "medicare" coverage without paying for it either in higher taxes or in reduced benefits. In the longer term, the combination of managed competition with controls on health insurance premiums should indeed mean that..."
September 28, 1993

CONGRESSIONAL RECORD—HOUSE 22799

America spends less on health care than it does in any other major economic entity. Each state to set up one or more "regional health alliances." Employers and employees will pay "premiums" into the alliance similar to the medical premiums that companies and individuals now pay to insurers. These premiums will allow the alliances to bargain with local health plans for the most competitive care. Consumers can choose from among a number of health plans offered by each alliance.

Each plan must offer at least a basic package of government-subsidized benefits. These are as generous as those currently offered by the biggest corporations, and probably more so. Mr. Clinton proposes a set of "hard" budget caps to be imposed if health costs exceed a preordained figure, $5 billion. His health-care adviser, insists that the caps are merely a "backstop" while the market is allowed to work. Paul Ellwood, the leader of the Jackson Hole group of health-care reformers, disagrees. He says that the president's plan "is very anticipatory in its sweep, yet leaves very little to the workings of the market." If that is so, the caps will soon be challenged by rising costs. And since no administration would be willing explicitly to defy the courts, it would soon lack credibility. That might be an incentive for providers to reach for the caps sooner rather than later.

More contentious even than the caps are savings from fat due to be cut out of the system. Five-year savings of $114 billion are said to lurk in the federal-state Medicaid programme for the poor, with another $34 billion in federal Medicare for the old. Some $47 billion of so-called "bicarriage" in other federal programmes. And $5 billion is textbook Reaganesque: it represents the gain to the Treasury when the success of this plan translates into higher company profits and lower tax breaks.

On September 21st the president's budget director, his chief economist and the head of the Office of Management and Budget trooped out before the press to promise that all the numbers in the health-care reform were watertight. Since no reform on this scale has been tackled, there is no way to test that. What is improbable is that the savings reaped in one area can simply be applied to another. Barry Bosworth from the Brookings Institution and Michael Hintlian, a editor of Jimmy Carter's Council on Wage and Price Stabilization, says that if the savings come out as predicted, it will be "one of the great accidents in history." Yet these savings (forecast to be $441 billion and $304 billion) are half of all the savings that are included) matter. For the Clinton plan mandates new subsidies and spending worth $350 billion. Some $80 billion is to be set aside for long-term care. Another $12 billion, or $72 billion goes towards a new prescription-drug programme for Medicare. The price for buying off the pensioners' lobby. It is clear that Mr. Clinton does not dare bring Medicare into the regional alliances, as he proposes for Medicaid. This prevents the instability of a core federal commitment to the generous benefits. The Clinton plan destroys incentives, on which every health-care programme is shot-through with reverse incentives. What should Americans do? They should seize the levers of an industry that accounts for one-seventh of the American economy. What should Congress do? It should not carefully examine the financing of the new health-care programme early in the debate about who should live and who should die.

Mr. Clinton is adamant that the uninsured—47 million of them—must be brought quickly into the fold. Only then can pressure be brought to bear upon rampant health costs. The administration's additional assumption is that the supposed incentives in the new system will drive down costs—and that, where incentives are not relevant, fat will be squeezed out. The administration says it is creating competition through the alliances, which will drive down costs and make health care the most competitive care. It is the guarantee that everyone will be entitled to receive care. It is the generosity of the benefits. It is the guarantee that existing entitlements without being nullified. Mr. Clinton's plan is more likely to raise spending than to cut it.

"KILL OR CURE?"

Not since Franklin Roosevelt's War Production Board has it been suggested that so large a part of the American economy should suddenly be brought under government control. Never, ever, has a usurping president so dramatically reassured a nation as did Bill Clinton when he addressed Congress on the night of September 22nd. Armed with his plans for reforming health care and waving his "security card," Mr. Clinton makes it clear that he will provide coverage for the 37 million who are uninsured, jobless or fall ill. This guarantee will be "one of the great accidents in history." How will this be done? Mr. Clinton's plan destroys incentives, on which every health-care programme is shot-through with reverse incentives. What should Americans do? They should seize the levers of an industry that accounts for one-seventh of the American economy.

A GROSSLY FLAWED PLAN

The Clintons deserve praise for starting the surgery needed to mend America's health-care system. Since Truman failed to push national health insurance through Congress in 1949, successive presidents have tackled the issue timidly (Johnson, Nixon, Carter) or not at all (Reagan, Bush). Such nervousness is understandable. It is a subject that alarms and excites; it resists rational analysis. Yet the president wants health-care reform at almost any cost. Such haste no doubt has admirable motives. But it has precluded a national discussion about America's priorities in health care, and, notably, about where a finite amount of money and medical resources should be directed; in other words, a debate about who should live and who should die.
leaves 37m Americans, a quarter of them children, with no health insurance at all. Yet the system so lacks discipline over costs that the latest long-term plan—flaunting failure to contain the growth on health gobbles up 14% of the country’s GDP each year. (Most other rich countries spend 7-9%—a figure that is steady, unlike America’s, which is still increasing.) Health spending is the single biggest contributor to federal and state budget deficits. Businesses and patients are squealing too: soaring health-care bills wreck their best efforts to stay competitive.

Mr. Clinton’s aims are right. He wants universal access to a standard health-care plan. The second flaw is that the plan does too little to control costs. The first flaw is that the plan requires employers to offer fee-for-service plans alongside managed care, through employers and increase the incentive to opt for cheaper health plans.

The second flaw is that the plan does too little to control costs. The heart of the Clinton plan—a wiser course would be to scrap the tax exemption immediately. That would reduce the incentive for people to buy insurance through employers and increase the incentive to opt for cheaper health plans.

Mr. Clinton’s aims are right. He wants universal access to a standard health-care plan. However, the Clinton administration’s proposals for trade agreements would cost $10 billion a year in environmental development fund, and a way to offset revenues lost from lowering the tariffs with Mexico are not drafted yet.

The devil will certainly be in these details. The devil will certainly be in these details.
pray to God that never happens—for a Member of the Congress to stand before his or her constituents and say, 'Well, I didn't know, or I didn't realize'.

Mr. Speaker, we still have time to read every line of these proposed documents. The committees-of-concern are meeting to discuss the details and they should have the details to go over. This historic body has that right, it has been given that responsibility and it should rise to the occasion. The American people expect no less of us.

U.S. GRAIN STANDARDS ACT AMENDMENTS OF 1993

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

Mr. GLICKMAN. Mr. Speaker, I rise today in support of H.R. 2889, Grain Standards Act Amendments of 1993. I congratulate Mr. OXLEY and Chairman DE LA GARZA for creating this bill, it is a good bill and ask my colleagues to support it.

In preparation for reauthorizing FGIS, the committee held a hearing and several briefings to discuss its performance, responsibilities and authorities with the Administration and users of the agency's services. To me, the most striking discovery was that FGIS had reduced its staff levels from 975 in 1982 to 646 today.

Ironically, these cutbacks happened during a decade marked by dramatic growth in employment at the Department of Agriculture. The same growth we are now trying to eliminate through a USDA reorganization process in which I have been actively involved. Therefore, I commend FGIS for restraining its employment during a time when other agency had that objective in mind.

The idea of cost cutting still remains a primary objective of FGIS because it heavily relies on user fees. To improve its fee income, FGIS must maintain services at a low cost. It has done so by cutting overhead and implementing good managerial practices. Also, unlike grain for export, grain inspection for internal transactions is completely voluntary. Therefore, FGIS strives to create low-cost services for internally-used grain to generate income.

During the debate on this bill, FGIS asked the committee for new authorities to allow it even more opportunities to cut costs and improve services. Also, users of the agency offered similar suggestions to ensure that FGIS had the means to cut overhead and improve services. The committee responded to these requests by placing a number of provisions in H.R. 2889.

The bill allows the Administrator to hire contractually grain inspectors; to inspect and test, for a fee, weighing equipment other than equipment used to weigh grain; and to test and inspect, for a fee, grain inspection instruments used for commercial inspection.

The bill as reported out of the subcommittee includes an amendment that I had offered. The amendment prohibited the addition of water to grain with a few exceptions. Unfortunately, because Members of the full committee were unaware there a provision existed, they struck this provision at the full committee level. Fortunately, because FGIS recently published a proposed regulation prohibiting the addition of water to grain, there is still hope that adding water will eventually be prohibited. Adding water to soybeans, wheat, or corn, thereby increasing their weight, translates into a half cent, a full cent, or several cents more per bushel. If a grain handler unknowingly pays for added water and it subsequently evaporates, then to recapture the initial cost of the grain, the handler is forced to add more water. Since grain normally changes hands four to five times, the potential for several applications of water before the grain reaches its final destination.

Adding water to grain deteriorates its quality, especially if the grain is stored in moist and humid places, such as ocean vessels used for exporting grain, or grain elevators. No doubt poor quality affects purchasers' buying decisions. Can U.S. producers, suffering from low exports and low prices, afford to pay for such a material in the world market "a poor quality supplier?"

Several overseas buyers have contacted FGIS to inform it of their concerns about the grain quality problems and the potential applications of water before the grain reaches its final destination.

Adding water to grain creates. Recently, the South African corn importing agency notified FGIS that, because of possible water-related quality problems, it will no longer purchase corn from United States export ports where water is added.

Over the past decade, technology and new management practices in grain elevators have greatly minimized the chances of dust explosions occurring. In addition of other means of controlling dust, such as adding a vegetable oil mixture to grain, especially corn. Additionally, control dust and an operator will not have to keep applying oil as it must if it uses solely water.

According to FGIS, adding water to grain could actually increase the chances of dust explosions occurring. Wet grain often causes enclosures around belts and buckets. This increases the static electricity in these enclosed areas, which can become an ignition source for a dust explosion.

Most major grain companies strongly support the prohibition of adding water to grain and they presently do not add water to grain. However, if the playing field is not level, meaning if the prohibition does not take affect, the companies presently not adding water may be forced to begin doing so to remain economically competitive.

Therefore, I commend FGIS for reauthorizing this bill and believe that FGIS should not be hindered in implementing its regulation because of the committee's inaction. I believe the committee's inaction simply was a result of not knowing the facts, the facts. I hope will be resolved once the committee or subcommittee holds a hearing. Again, I thank the chairman and Mr. JOHNSON for creating this bill and strongly urge my colleagues to vote for it.

IN HONOR OF THE LATE JACKSON BETTS

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

Mr. STOKES. Mr. Speaker, I want to thank my colleague from Ohio, MICHAEL OXLEY, for reserving this special order today to pay tribute to a former member of the Ohio congressional delegation, the late Jackson E. Betts. His recent passing is a loss to our State and the Nation. As dean of the Ohio congressional delegation, I am pleased and honored to join MIKE OXLEY and others today in recognizing his many contributions to the Congress and the State of Ohio.

Jackson Betts was elected to the House of Representatives in 1961 and represented the northern Ohio region until his retirement in 1972. Prior to his election to Congress, from 1937 until 1947, he served in the Ohio House of Representatives, where he chaired the judiciary committee. He was elected speaker of the Ohio House in 1945.

Mr. Speaker, during his tenure in the U.S. Congress, Jackson E. Betts was respected and admired by his colleagues. As a senior Republican, he became his party's second-ranking member on the powerful Ways and Means Committee. In the obituary which appeared recently in the New York Times, Jackson Betts is remembered for his successful efforts to change the questions posed by the U.S. Census Bureau while conducting its surveys. His fight eventually led Congress to eliminate the jail term for failing to answer census questions.

Mr. Speaker, as we gather on the floor today, we pay tribute to Jackson Betts, a dedicated human being and respected legislator. I join my colleagues in expressing my deepest sympathy to his wife, Martha Neeley Betts, his family, and many friends.

REGARDING INTRODUCTION OF RENT-TO-OWN LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 5 minutes.
Mr. GONZALEZ. Mr. Speaker, today I am introducing legislation to regulate the multi-billion-dollar nationwide rent-to-own industry. Under rent-to-own contracts, consumers can acquire goods such as televisions, VCRs, and refrigerators through weekly or monthly payments, but usually at exorbitant cost. For the luxury of purchasing these goods over time, a consumer often pays two or three times retail price. While the industry does serve the short-term needs of such transient people as military personnel, it also takes advantage of the low-income consumer whose primary objective is to purchase the rent-to-own product. Through rent-to-own, a poor woman pays $1,200 for a $400 television set that a rich man can buy on credit for $450. The industry has said it is providing opportunities to consumers who otherwise have no means to own these goods. But at what price the opportunity?

On March 31, the Committee on Banking, Finance, and Urban Affairs held a hearing in order to answer this question. We heard from rent-to-own customers, State attorneys general, legal aid attorneys, and consumer groups that the cost is much too high. Rent-to-own customers often pay the equivalent of 200 to 300 percent interest on common consumer goods.

The rent-to-own operators point to the services they provide their customers in defense of their stores' high prices. Yet, industry documents reveal that customer service is a major source of complaints. The rent-to-own industry claims that the majority of its customers return goods rather than purchasing them. However, industry documents indicate that the majority of customers intend to purchase the goods at the time they enter into the contract. The incredible weekly or monthly payments that rent-to-own customers may have to make may prevent many of these customers from actual ownership.

Most unfortunate is that rent-to-own is targeted at low income and minority consumers. It is not rare to find rent-to-own stores in the same neighborhoods that check cashers and pawn shops inhabit. It is the very individuals who can least afford to pay the premiums charged by these predatory industries who must often rely on them for goods and credit. The all too common abusive practices of the rent-to-own industry have prompted the Better Business Bureau to issue warnings to consumers about rent-to-own transactions.

Despite the national and growing presence of the rent-to-own industry, it remains unregulated by the Federal Government. The industry has deliberately fashioned its transactions in such a way as to evade such consumer protection laws as the Truth in Lending Act, the Consumer Leasing Act, the Fair Debt Collection Practices Act and the Magnuson-Moss Act. In the absence of controlling Federal law, rent-to-own operators have been battling in courtrooms and State legislatures around the country to ensure their statutes are not enforced. They have prevailed in a majority of States, thus guaranteeing that rent-to-own arrangements are free from State usury ceilings. Yet, attempting to have it both ways, a rent-to-own company is now arguing in a Kansas tax court that it is in the sales business in order to avoid paying State taxes on rental property. Drawing a distinction between the rent-to-rent business and rent-to-own, this dealer claims that when a customer contracts with a rent-to-own company, both parties anticipate that the customer may—and probably will—end up owning the merchandise. In litigation, consumers have also claimed that these arrangements are really sales contracts masquerading as leases to avoid limits on usurious interest. Some courts have agreed.

One thing is clear. The industry cannot have it both ways. Rent-to-own operators cannot be lessors in order to evade State usury ceilings and Federal disclosure laws, and yet be sellers in order to escape State property taxes.

On September 22, 1993, the Wall Street Journal featured an article about Rent-a-Center, the largest operator of rent-to-own stores. That front page article, entitled, "Peddling Dreams, A Marketing Giant Uses Its Sales Prowess To Profit on Poverty," provides a remarkable detailed account of that company's outrageous collection and repossession practices, high pressured sales pitches and outlandish marketing techniques aimed at welfare recipients. Among other accounts, the article describes how a Rent-a-Center employee repossessed the refrigerator of a diabetic customer and proceeded to throw her insulin on the floor. The article describes how a Rent-a-Center customer was intimidated into performing involuntary labor when he pawned a rent-to-rent necklace. The horror stories go on and on. I am submitting this article for the RECORD.

It is clear that Congress must determine what measures are necessary to best arm consumers against these unconscionable, abusive practices.

Nonetheless, my bill recognizes the unique feature of rent-to-own contracts—the consumer's ability to unilaterally terminate the contract. This bill would permit a rent-to-own operator to charge a reasonable termination fee and in return provide the consumer with this unique right to terminate the contract with no penalty.

This bill also recognizes that rent-to-own operators may provide services that some customers find attractive. Under the bill, rent-to-own operators would be permitted to offer services, but they would be required to disclose those services up front and estimate their value. By requiring such disclosure, the consumer will be able to determine the true cost of renting the product.

In short, my bill will provide rent-to-own consumers with the myriad safeguards extended to consumers of credit sales—limits on interest and other fees, mandated disclosures, warranty protections and prohibitions against abusive collection practices.

The poor pay more—and in rent-to-own, suffer at the hands of a sophisticated, greedy business that today enable rent-to-own operators perfect freedom to prey on those who have little or no choice but to submit to outrageous, unconscionable practices.

PEDDLING DREAMS: A MARKETING GIANT USES ITS SALES PROWESS TO PROFIT ON POVERTY (By Alix M. Freedman)

Recordings star Tina Turner, Frank Sinatra and the Beatles have made Thorn EMI PLC famous in entertainment circles. But a very different group of people is now making Thorn rich.

Though it doesn't advertise the fact, the most profitable subsidiary has nothing to do with the Superstars who record under its various music labels. Instead, the largest single contributor to Thorn's operating profit is its most obscure, and by far its least famous in entertainment circles; a poor, urban American.

Since buying Rent-A-Center in 1987, London-based Thorn has expanded it briskly, using both acquisitions and aggressive marketing tactics introduced by the unit's top executive, a former Pizza Hut marketing whiz. Thorn now thoroughly dominates the industry, which is known as rent-to-own because renters who make every weekly payment, usually for weeks, become owners.

Rent-A-Center USA controls 25% of the $2.8 billion U.S. market; the chain has more outlets than its four biggest competitors combined.

HIGH-PRESSURE SALES

Along the way, through its high-pressure methods have sometimes turned coercive and offensive, according to accounts by 50 former store employees and company executives who have left within the past 18
CONGRESSIONAL RECORD—HOUSE

September 28, 1993

months. Scrambling to meet ambitious sales targets set under Thorn, Rent-A-Center employees routinely encourage unsophisticated customers to rent more goods than they can afford. Sometimes, customers fall behind in payments. Rent-A-Center repossesses the goods and re-rents them.

Customers who manage to make every installment on time are treated more kindly, Thorn suggests. He says the item's real value—at an effective annual interest rate, if the transaction is viewed as a credit sale, that can top 200%. In the Utah market, most Rent-A-Center customers pay a total of $1,003.56 over 18 months for a new Sanyo VCR with a suggested retail price of $2,998.36—for an effective annual interest rate of a breathtaking 231%.

While the rent-to-own business has always been gritty, Thorn has made it even tougher. Unit sales hold up because most customers handling repossessions have been known to bring along members of a feared motorcycle gang as well as to vandalize customers' homes, extract sexual favors from strapped customers and even, in one instance, force a late payer to do involuntary labor.

Salespeople might be called upon to repossess a former store manager in Cambridge, Md. "This is one of those jobs where if you have any kind of conscience you won't sleep well at night."

No one at Rent-A-Center knows how many are in the offing. House Banking Committee Chairman Henry Gonzalez, a Democrat from Texas, is expected next week to introduce a bill that would classify rent-to-own transactions as credit sales. Since some 30 states cap credit-sale interest rates at 21% or less, the bill would slash the rent-to-ownwindow's effective interest rates. Some 30 states cap credit-sale interest rates at 21% or less, the bill would slash the rent-to-ownwindow's effective interest rates.

In addition, two class-action suits filed in Minnesota federal courts allege that Rent-A-Center charges usurious interest and do not end up buying the product and they are able to cancel rentals at any time without a penalty, he points out. Store managers—who are required to obtain income and other financial information from customers—also act as financial planners for customers, he says, adding that the "worst thing" employees can do is rent-to-own goods whose "eyes are bigger than their stomachs."

Rent-A-Center denies that its transactions are credit sales, because most customers don't end up buying the product and they can cancel at any time. Thus, it argues, it doesn't charge interest at all.

Rent-A-Center officials do concede that abuses occur and that the rent-to-own business has, in the past, been sloppier than most companies see it as part of the solution rather than as part of the problem. Rent-A-Center Chief Executive Walter E. "Bud" Gates points to his efforts to clean up the image by putting in place new standards, training manual. Salespeople are supposed to do the "right thing, every time". Instead, the manual instructs employees to focus on "features and benefits," such as Rent-A-Center's free delivery and repair, and most of all, the low weekly price.

The total is usually revealed only in the rental agreement that customers sign at the end of the sales process, former store managers say.

The advertised weekly price is designed to yield each store about 3½ times its cost of purchasing the merchandise from Rent-A-Center headquarters. The total is jacked up further by a one-time processing fee (typically $7.50) and late fees (typically $5). The total price is usually revealed only in the rental agreement that customers sign at the end of the sales process, former store managers say.

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For Rent-A-Center, however, the benefit is considerably larger: The protection plan is a $99 million annual revenue booster, much of which comes from a line, and in my best estimate, 30% of the $37 million racked up from the other fees, according to internal company financial records.

For Rent-A-Center has long justified its high prices by citing customer defaults and the costs associated with its free repairs. But part of Rent-A-Center's secret of success is the costs associated with its free repairs. But part of Rent-A-Center's secret of success is the costs associated with its free repairs. And the actual figure is closer to 10% than a conventional retailer's former director of budgets, forecasts and financial planning, to pitch added products. Employees are also encouraged to try "upsell," or trade up or "skip," or stolen rate than a conventional retailer. Rent-A-Center's Wichita headquarters staff recommends the same product.

In some markets, employees are expected to sell hundreds of hundreds of thousands of dollars each week, in a drill known as blanket brochuring. You would have the projects weeks before the [welfare] checks came out, you'd go back and knock on doors and fill out the work forms there. Corporate was in on it, the stores were in on it. These were voluntary. Something the zone manager denies. "It's bringing in and work them until they can't take it anymore and then send them on their way," Mr. Richards says.

Mr. Gates acknowledges that the company's total turnover should be less than 25% of its 50,000 store employees. That gives employees a chance, according to the training manual, to pitch added products. Employees are also encouraged to try "upsell," or trade up or "skip," or stolen rate than a conventional retailer. Rent-A-Center urges customers to pay their rental bills on time. If you fail to make all your payments, you're fired with extraordinary speed. In Utah's six-outlet market of 28 employees, for example, more than a dozen people were fired, including seven store managers, during the 18 months ended in July, according to two of the former managers.

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delinquent dollars topped 9%. (His former zone manager could offer for other rea­
sons.) Mr. Baker, the former store manager in Maryland, characterizes repossession as "the dirtiest part of the whole business."

His view was borne out in court, last October. On Halloween night in 1991, three Rent-A-Center employees in Utica, N.Y., dressed up, respec­
tively, as the Cookie Monster, a gorilla and an alien life form and knocked on a cus­
tomer's door. Once inside, they successfully repossessed a home-entertainment system on which payments hadn't been made in almost three months. Gary Gerhardt, the store man­ager who blessed this plan, calls the ruse "a last-ditch effort," adding, "It was the only way we could think to get someone in the door."

At the crack of dawn one Sunday, Mr. Myers, the store manager in Victorville, Calif., until March 1992, pulled off a particu­larly tough repossession by enlisting three burly Hell's Angels. He adds that in other in­stances he vented his spleen on delinquent customers. Feeling he had made a mistake, Mr. Horton ordered him to ride in the back of his van, and left him there during Mr. Horton's absence. The [25]store manager currently earns a salary of $30,000, and more than 80% received bonuses last year.

As for Rent-A-Center's future, chances are it won't be quite so freewheeling. Aside from the lawsuits and the House bill, the Senate is drafting legislation. The Internal Revenue Service is also examining the rent-to-own in­dustry. And Pennsylvania's attorney general has concluded that Rent-A-Center is violat­ing a state law capping annual interest rates at 18%; it is asking the firm to give refunds. The state also is examining reports that Rent-A-Center engages in illegal collection practices, including threatening to break into late payers' homes.

Despite the proliferating challenges, Mr. Gates remains optimistic. He is hard at work on his latest pet project, "Rent-A-Center 2000." This store of the future, being tested in Kansas City, Kan., features a play area for children, a "wall of fame" with photos of star customers and a "troubled times" pro­gram that enables renters to skip or defer payments temporarily.

Rent-A-Center is also branching out into new rental areas. One of its most successful products has been in a category among the largest customers of Harry Win­ston Inc., the famed jeweler to such clients as Imelda Marcos and the late Duchess of Windsor, which supplies lower-end baubles to the chain. Its new ventures, Rent-A-Center will surely be able to count on its current cu­stomers, a loyal lot: Most feel they can't get quality goods any other way.

Nancy Thornley, an Ogden, Utah, housewife, for example, was diligently handing over about $361 a month in rental payments to Rent-A-Center in 1991 when she lost a leg in a divorce. Faced with a $1,000 bill for a prosthetic limb, she arranged to defer part of her rental tab, she says. But shortly after she returned home from the hospital, she says, her store manager called her. The employees showed up without notice on a Saturday afternoon, accused her of being three months behind in payments and carted away all the furniture she had left. "I thought it was a total humiliation," she says. "All my neighbors were watching." A year later, though, Ms. Thornley was back, having been imputed by Rent-A-Cen­ter letters and "We Want You Back" con­tacts. The annual meeting held at Bally's in Las Vegas, scores of managers clambered on stage to collect bonus checks at a festive gala. Indeed, the total compensation of the store manager of the year was awarded a year's use of a new red Corvette, a trip to the Ritz Carlton in Maui and bonus of $25,000.

Rent-A-Center estimates that when he fell behind paying for a gold ring, he says, add­ed, "I felt like there was nowhere else to go."

PAYMENT CLOSE. "Will you be paying monthly, or is weekly more convenient?"

Assumptive Close. "Let's get the order started."

Delivery Close. "You can have that del­ivered by 4:00 p.m. today, or will 5:00 be more convenient?"

Choice Close. "This comes in beige or brown, which would you prefer?"

Choice Close. "This comes in beige or brown, which would you prefer?"

Decision Close. "This comes in beige or brown, which would you prefer?"

Summary Close. "Well * * * you agree it's an excellent price, you like the fabric, and we can deliver by 5:00 p.m. today. Do you want to fill out an order?"

Upselling: While using the sales talk, be aware of and take opportunities to upsell the customer. Upselling means becoming aware of a customer need and satisfying it. Many times, a customer might not even be aware of his/her own needs. Opportunities to upsell will come when you see the customer wants to rent. Make at least 5 attempts to close with every customer. Closing methods include:

TRIBUTE TO FORMER PRESIDENT GEORGE BUSH

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

Mr. HYDE. Mr. Speaker, we are here on this special order to honor former President George Bush, and there are several Members present that I would like to recognize. First, Mr. Speaker, I yield to the gen­tleman from California [Mr. DORNAN] because he told me he had to go accept a sword somewhere.

Mr. DORNAN. I need another sword, I have no more red hair.

Come to think of it, Mr. Speaker, I could use more red hair.

Mr. HYDE. I did not want to ask the gentle­man where the sword was going to be used.

Mr. DORNAN. It is from Toledo, Spain, the American Society for the
Preservation of Tradition, Family and Property. It is over at the Mayflower Hotel, but they can wait for this moment and this special order that the gentleman has taken out tonight for a truly wonderful American who has been, not only a great example to his own family, I think, but to all people in public service.

Mr. HYDE. I'm going to leave to you to discuss the career of your fellow Navy World War II veteran, George Bush, and his outstanding Naval career that began on his 18th birthday when his father drove him to a recruiting station, and he signed up in the tradition of everybody in his family, more than noblesse oblige, but the burning desire to serve and to be part of history. I'm going to leave to you what you said to me when I asked you what's the main thing that you think of when you think of George Bush, and you said to me, 'character.' I'm going to leave that to you because this is certainly a fact.

I just want to announce a special order way ahead of time. I am going to do an hour that I hope my colleagues will join me for on George Bush on his 70th birthday next June 12, God willing that we are here.

But what I would like to talk about briefly tonight is friendship.

1940

In the 12 years that we all got to know George Bush, the man and the public servant, serving as Ronald Reagan's Vice President, and then 4 years as the great leader of this Nation, I never once saw this distinguished American where he was not upbeat, in a good mood, and thinking about ways to help.

I think you can learn an awful lot about a man or a woman by observing their children. You can certainly observe a lot about Barbara Bush and the kind of wife and mother she has been by looking at their lovely, smart daughter, Dorothy, and those four stalwart sons, who I think we are going to hear a lot from in the politics of this country.

But you can also learn a lot about a father, and about a grandfather, from the clan that he has built around him.

George Bush is, to me, the very essence of the word "friend" and the word "friendship." I have never known in my life, and probably never will know in my life, anybody who can never let a moment go by, if someone did him a kindness or said something to him that he thought was beneficial to this country, where he would not sign, handwriting a note. This involved hours and hours out of every month of his life to thank people for their friendship, to reward people with a personal little note if they were doing something good for their fellow man or for their country.

I think as the years go by, in the next few coming years, I want to say very positively here, we will come as American citizens with each passing day to more and more and more appreciate not only what a fine man George Bush has been, but what a great President he was.

I would only hope that a World War II veteran like yourself, Mr. HYDE, will find time, with your Illinois primaries behind you, to go to the Normandy beaches on June 6 of next year for the 50th anniversary, and that whoever else goes in delegations from the U.S. Government, I would hope that George Bush would find time to go there with a few friends. Because it was in 1944, as one of the youngest aviators in the Navy, that he first entered combat and began his 56 missions and very close brushes with death.

I hope that Americans who did not get to know George Bush personally will observe over the coming years, because I think he is going to be around a long, long time, that they will observe the great dignity with which he will conduct himself and has already conducted himself as a former President. And that as time goes by, they will come to appreciate that it is only very difficult for someone who has spent his life in service and his life respecting the truth, and who put together such an amazing coalition of nations. 28 of them, in Desert Storm, to liberate a small country that had been run over by a thug, Saddam Hussein, that people will come to reevaluate a fine presidency that was shredded during the election campaign last year.

I think that history is not going to be, as some of the newspaper folks say, kind to George Bush. No, it is not that soft. History is going to be excellent to George Bush. And when they look at year after year of his presidency, 1989, you think of that year, you think of the Berlin Wall coming down. 1990, you think of Russian citizens voting for the first time, a free election box and voting for Yeltsin. And, by sheer coincidence, that took place on his birthday, June 12th. It was Christmas when the bloody hammer and sickle flag came down and that beautiful light blue, white, and red banner of Russia, the State of Russia, went up.

So many great things happened so fast that it was the very gentlemanness of the man, of George Bush, that kept him from actually celebrating with his fellow citizens the collapse of what John F. Kennedy had called a long twilight struggle, this evil of communism, that killed more human beings than Hitler ever could have murdered in his 12 years, this nightmare ended. And it was the decency of George Bush to not celebrate, but to do what he could to try and help further the process, rather than cause any more consternation in the agony of a nation that had thrown off three quarters of a century of the yoke of tyranny.

So, Mr. HYDE, I am so pleased you have taken out this special order. Go for it. Try to let that 1 million audience that is out there, with cameras panning this House this afternoon, if listening, there are a million, a million and a quarter people out there who want to hear good things about this great American.

Mr. HYDE. I certainly want to thank the gentleman from California [Mr. DORNAN], who was a very early and enthusiastic supporter of George Bush.

I now am very pleased to recognize chairman of the Republican great State of Kansas [Mr. ROBERTS].

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

I think we are far enough removed from the controversies of the past to see things in perspective, and yet maybe close enough in time to recall very vividly the personal accomplishments that are his real legacy.

Mr. Speaker, I have some comments here by our leader, the Honorable
CONGRESSIONAL RECORD—HOUSE 22807

September 28, 1993

MICHEL. There is just an excerpt that I would like to read. Bob will be saying this later when we revise and extend our comments and when we continue, which I think is an excellent idea that was raised by our colleague from California, on the President's 70th birthday as a tribute to him.

Bob Michel has said this:

I believe history will record that George Bush ably, even at times heroically, led our nation during a time of great unprecedented transition from one to another, one of the most difficult periods for leadership in our history. In such a time when so many ideas and events are undergoing rapid change, a leader cannot bring to bear the sharply focused power of his abilities on just one big problem.

Now, there have been more critical times in our history and more desperate times, perhaps. But, to my knowledge, there never has been a time in which suddenly the certainties of decades, even generations, really crumbled before our very eyes. And, if you think about it, we are talking about the Berlin Wall, a symbol for us all, the Cold War, Europe emerged from the communist dark ages. The economy, and we are talking about the global economy, underwent various convulsions. Great multinational deals were taking place in our country and around the world. Incredibly, savage ethnic conflicts flared up. A dictator tried to capture the energy of the free world, upon which we all depend. And, ironically, the very benefit of the Cold War's end resulted in new problems by eliminating many of the military bases and the jobs we have in this country.

Each administration has its mixture of successes and failures, and I would guess that the Bush Presidency is no exception to this ironclad rule. But one fact is inescapable, Today Saddam Hussein does not control the oil of Saudi Arabia and Kuwait. He does not stand as of next June.

As whip, I had the privilege and honor to yield to the distinguished gentleman from Illinois for a very fine presentation.

Mr. Speaker, I thank the gentleman from Illinois for yielding to me and for my participation.

Mr. HYDE. Mr. Speaker, I thank the gentleman for a very fine presentation.
National Broadcasting for Clinton, the Clinton Broadcasting System, and the American Broadcasters for Clinton. And Sabato’s analysis in item after item after item of the level of one-sided, negative publicity masquerading as news. I think people will look back and see the entire history of the 1992 campaign in a very different light as that kind of information becomes available.

Finally, let me say, after a lifetime of public service, a lifetime of genuinely risking his life, risking his good name, taking a time out that he did not need to, pursuing an office that he did not need in terms of family standing or personal fortune, I think for those of us who have known George and Barbara Bush personally, the thing that is most stunning is the genuine decency, the genuine civility, and the genuine commitment to patriotism of this couple.

I know of no couple I have ever had the opportunity and the privilege to be engaged with at a personal level who are as decent and as kind and as thoughtful, given the total scale of their activity.

As recently as 8 days ago, when Mary Anne and I had a chance to be with President Bush in the process of the Israeli-Palestinian negotiations and to realize that it was his courage, it was his determination, it was his willingness, frankly, to risk re-election and to recognize that he was losing some support in some key States in the country. He was losing some potential support for his campaign, but he believed so deeply in the process he was following to attempt to create an opportunity for a genuine peace settlement in the Middle East that he was prepared to stake his reputation in history on doing the right thing, even if it increased the risk of not getting re-elected.

I think that night at the White House he had to have some satisfaction in knowing that when history looks back on his contributions to the rise of civilization across the planet that he will have been a very major definier and a very major manager of the process of beginning to bring together the democratic states in a way which has never before been seen.

I think all of us can say of him that he is a man of whom much has been expected, much has been given, and I think in the coming decade we will see even more contributions, as he continues to remain active as an important citizen of his country and as he and Barbara give to their country as I think they have to because it is who they are. As patriots, they could not walk away, because they truly love America. And they will want to serve in many ways.

I thank my good friend for giving us this time.
writing him a personal note, because I had had the privilege of meeting his mother on one occasion, and I felt very compassionately about him at the time, because I knew he had been a great first term President Bush. I did not write a very long note, but I wrote a genuine note to him.

He did not have to respond. I would not have expected the President of the United States to respond, but in his own way he sent me a personal thank-you note for sending him that note of condolence, something that is touching, something that is typical of the President, something that I do not think very many people would expect of their President. That was the way he was during the time I got to know him.

I knew him best during his Presidency. I served in leadership during that time, all 4 years of our Republican leadership. We used to go down to the White House and have meetings. He always inquired about things that were on the agenda, went around the room, paid attention, cared a lot. He was known in history primarily because he did serve during a time when his great leadership allowed much of what happened to break down the cold war to occur, and to end the situation in the great embattlement between the United States and the Soviet Union.

He will be remembered because of Desert Storm and tremendous leadership. I know of no President in my lifetime, who has been more respected and admired by other world leaders than George Bush, for a reason, because George Bush had a sense of presence, a sense of history and understanding of the world, an understanding of the problems of the great nations and the small nations of this world.

For that reason, he really could be a President of peace through strength. Understanding that, he carried us through a very difficult time with a minimum loss of life and casualty to a victory in Desert Storm that I do not think anyone else could have had the White House at that time could have done. As a result of that, I believe that he will be long remembered in the history books and by the American public for the strength that he conveyed and the representation of our Nation.

Having said that, I think part of George Bush has been neglected so far this evening. That is the part on the domestic side. Domestic issues were often considered to be issues he was weak on. That is really not true. The fact of the matter is that President Bush was very concerned about issues that I spoke with him on. I spent a lot of time working on domestic issues with him.

The biggest problem he had, as opposed to President Reagan, there was no time during his Presidency when we had a Senate that was in control of our party, the Republican Party, this party. He did not have one body that was Democrat, he had both bodies, the House and the Senate; so it became extremely important for him in the later years of his 4-year term, to get his programs through, to get even compromises agreed upon that would have been reasonable and responsible.

One of his great achievements, one that he believed was historic, great, and I think it will go down in history as being that, was the passage of the Americans With Disabilities Act. Some businessmen today are still grumbling about the paperwork they have to do with that, but I can assure the American public that it would have been a far more difficult course had a different President with a different mindset been there.

George Bush was very aware of two things: One, the difficulty of the disabled and the handicapped in being employed in the work place, and the problem they had and the need for legislation to assure that they had their civil rights.

On the other hand, he was also very concerned about the businessman, particularly the small businessman, and the fact that government can be over-burdensome, and already has been in so many ways. He worked long and hard to reconcile those two conflicting important policy issues, and produced a product that is now the law, and one which we will have on the books for many years to come.

In other areas, he was not as fortunate to get compromise through. One area that I worked with him on, and the gentleman from Illinois (Mr. Hyde) had worked with the President so much on, was the crime area. George Bush I do not recall having been more forceful in any speech that I ever heard him give, more forceful on the subject of crime. I think he realized, and does to this day, that there is an inevitable necessity for us to control violent crime in this country if we are going to put the families back together. We also need to be able to do other things domestically and economically that are important in this Nation. We cannot have runaway lawlessness and have a society that has order in it and that can work.

We tried, with his leadership, to produce legislation during his 4 years that really would have ended many of the problems we have today in the law enforcement area, to give police officers more power and influence, to provide an opportunity to really put deterrence and swiftness and certainty back in our punishment system, to end the endless appeals of the death row inmates that the gentleman from Illinois has worked so hard to do. Change the rules of evidence to allow more convictions to occur, to stop some of these folks from getting out of prison as easily as they do today around the country, and to stop the activities of the criminal mind that is so much at work out there by really making our laws work.

We spent a lot of time working on that, but unfortunately, there are those who are in the other party who did not want to see him succeed, and blocked the path, and who had other ideas.

Consequently, that legislation, like many of his other initiatives on the domestic side, did not get through. And it was unfortunate.

Today, the low interest rates we have, the relatively low inflation rate, very low inflation rate is very much attributable to his economic policies. They have been malign, but the fact of the matter is, as the gentleman from Illinois knows, the economic policies that make a difference in the long run, which were policies that shape things like inflation and low interest rates, occur over time. The fact that the current President sitting in the White House has done certain things did not do anything relevant to this issue. And yet, during the campaign the President did not get credit for that, and George Bush should have.

I could go on listing them, but there were lots of other things that happened on his watch in the domestic agenda that history will be kind to him about, and that we know about personally. It is not my place to take more time up this evening. But I want to thank the gentleman for yielding. I want to again thank him for taking out this time that I might contribute a small portion to this tribute to George Bush, one of our truly great Presidents.

Mr. HYDE. I certainly thank the gentleman from Florida for a very illuminating and moving presentation.

It is now a pleasure to yield to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Speaker, I want to thank the gentleman for taking this special order. And it is really appropriate that he would take it to talk about a great President, particularly having to do with foreign policy. And I just want to spend a second to say that the Reagan-Bush partnership is what really changed the world. And you cannot exclude HENRY HYDE when you also talk about Republican contributions to foreign policy successes, starting all the way back in 1981 with Ronald Reagan and Peace through Strength which George Bush carried through.

I think it would be fair to say that there has not been an American President who understood world leaders, had
a better relationship with world leaders than George Bush. His work in terms of assembling the coalition on Kuwait, of course, there will never be another time in history where anybody will do better than what George Bush did when it came to our actions in Kuwait.

But, of course, he continued the policies of Ronald Reagan. And we saw so many wonderful changes happen in the world. And I would say to the gentleman from Illinois tonight, a gentleman who fought for many years during the Reagan and Bush years for Peace through Strength, it would be very interesting to have George Bush now involved in terms of commentary in terms of what we are watching at the present moment on CNN, and what his communications would be to Mr. Yeltsin. And I would say that President Clinton would not have anybody better to call in this country than George Bush and to get his advice in terms of U.S. response.

And changes in terms of his ability to use and work with Jim Baker, the changes that came about through Gorbachev, Shevardnadze, the way in which they operated to bring about a tremendous arms control agreement, and an end to the Soviet empire, his work in Eastern Europe in terms of his vision as to what he thought we would need to do in order to assist Eastern Europe.

And of course, we saw Arafat and Rabin down at the White House in that ceremony along with President Clinton. And if there is anybody who deserved to be there between those two guys along with President Clinton, our current President, it was George Bush. He took a lot of risks when it came to the Middle East, and he took a lot of heat, I say to the gentleman from Illinois. In his policy affecting the Middle East. But I think we can see that those risks have paid off, and that we may actually see us enter a period of some stability in the Middle East and peace for people of all philosophies and beliefs. And George Bush, in my judgment, was one of the most frustrating things for George Bush to sit at home and think about at times. I do not know the exact figures, but as I was saying to my colleague, Mr. PORTMAN, it was 4½-percent growth in that fourth quarter of 1982. You might remember that George Bush kept saying to the media, "Hey, we don't have to do anything up here on Capitol Hill right now. Washington ought to keep its hands off the economy. We are coming out of a recession." And I would say to the gentleman from Illinois, when we are experiencing now 2-percent growth economically at the current time, which means to Americans across the country no jobs, and if you are unemployed you are not going to be employed because we do not have the message out. And I will bet you that he is as frustrated. It is probably the most frustrating thing or one of the most frustrating things that happened to him in his career, that the economy was picking up steam, Americans were getting jobs and he knew it, and he tried to tell people, but the message just did not get through.

But when you take a look at that economic growth in that fourth quarter, when you take a look at the gains in the Middle East, in Eastern Europe, in the former Soviet Union, we owe a big debt to George Bush in this country. And HENRY, I am glad you took this special order, because there is no more important issue or work about those successes in this administration than you. And I wish former President Bush and the First Lady the best of health, and Godspeed, and God bless them, and thank you, HENRY, for this special order.

Mr. HYDE. Thank you, JOHN, for a very moving presentation.

Mr. Walker, Mr. Speaker, I yield to the gentleman from Pennsylvania. Mr. WALKER, the deputy whip on the floor, and the heart and soul and spirit of our party on this side of the aisle. Mr. WALKER. Mr. Speaker, Mr. Hyde, I am glad you took the gentle­man very much for yielding. Let me also congratulate him for tak­ing this special order. You were there in the Reagan Revolution from the very beginning. And some of the rest of us got a chance to participate too.

Mr. HYDE. So did you, Mr. WALKER. But the one thing I do remember in those early days is that as we were choosing a Vice Presidential candidate out in Detroit there in 1980, one of the strong recommendations for putting George Bush on the ticket was that he brought so much to the ticket with his depth of foreign policy experience, something where there was some suspicion that Ronald Reagan would not be able to handle the world. But George Bush, who helped formulate those policies throughout the Reagan era, and then brought that depth of experience into his own administration.

I think the changes that we have seen in the world are a tribute, of course, to Ronald Reagan for his vision of what the world could be. But also to George Bush for being the guy who, in

many instances, went around the world to talk to the foreign leaders and move the process forward. And then through­out his administration changed the world. And I think that any­body, even thinking back on it, cannot imagine all that was accomplished.

What strikes me about that is that he did it so well that by the time we got to 1991, at the 1992 conference, the world was ready to forget foreign policy. They thought the world had been made safe that we could ignore what was going on in the world, turn to someone with a total lack of experience in world affairs for leadership, because now was the time to focus on the domestic side of things, and particularly on the do­mestic economy. And I think we are now beginning to realize that having someone who understood the world, could pick up the phone and call world leaders by their first names, who had a longstanding relationship with them was, in fact, a major asset to this coun­try. One that is terribly missed at the present time.

But it also seems to me that we do a disservice not to also mention that George Bush showed tremendous cour­age in the management of domestic af­fairs. And I am reminded of that over the last few weeks as I have been reading the stories in the newspaper about how the cable bill, the cable regulation bill is beginning to come apart. That all of the things that were predicted for it here on the House floor when it was passed are not coming true, that in fact cable rates are going up, and that the regulation by the Government has turned out to be at least a mini-disas­ter.

That was a case where George Bush stood against the current of what he knew was going to happen on Capitol Hill. A lot of us fought with him time after time to maintain his vetoes on Capitol Hill, because we knew the way in which he was working to control the growth of Government, to control defi­cits, and a lot of the good things that was through the power of his veto.

And time after time with our mini­mum numbers on Capitol Hill we were able to sustain those vetoes. And President Bush was very proud of that record of vetoes sustained. And when we went to him and told him that on the cable bill he was likely to lose, the easy thing for President Bush to have done at that point would have been to say, "Let's preserve the perfect record of vetoes. I will go ahead. I will hold my nose and I will sign that bill," be­cause the votes simply were not there. We did not have enough votes to do something about the cable bill. But he vetoed it anyway because he did be­lieve that this would come back as a victory that would not serve the best interests of the American people.

At the time, he was heavily criti­cized. Consumer groups criticized him,
a lot of other people criticized him. But it turns out he was more right than wrong, and today a lot of people I think would think that that veto was the wise thing to do.

Mr. HYDE. Let me say to the gentleman, I think he was getting near the end of our time, and I want to thank the gentleman from California [Mr. DORNAN] for a marvelous presentation. I am pleased to vote for the gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. I thank the gentleman from Illinois [Mr. HYDE].

I want to compliment the gentleman for his comments.

My remarks will be brief.

I came in 1988, into Congress with that election. It was a good deal because of the election of President Bush. I want to acknowledge that.

I had the opportunity to see him during the campaign and also had the opportunity to meet him many times either at the White House or perhaps at different functions.

It just became apparent to me that here was a genuine American, not only the patriot, as has been mentioned, but an unpretentious and loyal American.

I think tonight saw back in my office, what the gentleman from Illinois was doing here, and I thought I would go on record to give my sentiments as to what an outstanding American he is.

We specialize here this will continue in the following year or two.

Mr. HYDE. I thank the gentleman from Florida [Mr. STEARNS].

Mr. Speaker, the Quaker poet, John Greenleaf Whitman, once spoke to "the silent appeal to Truth to Time." Those of us with a few years on our shoulders know what he meant, for we have seen for ourselves how the passage of time brings the past into clearer focus.

Today, I and several of our colleagues want to participate in that process of clarification. We want to give appropriate credit to a man who served his country in war and in peace, in the ranks and in the Presidency, always with decency, and honor, and courage.

George Bush left the White House less than a year ago today. In that brief period, he has become a symbol of the American spirit, an example, a standard, a benchmark for those who will come after him.

That was true, not just with regard to the conduct of international affairs or the handling of domestic issues. It was especially true with regard to that essential element of a successful human being, character.

If you worked with George Bush in times of trouble or crisis, you sensed how that character had been forged. You saw something of the teenager who, decades earlier, had gone off to war, fresh out of high school, to become the youngest carrier pilot in the U.S. Navy. You were reminded, by his generation, the young man who rejoined his squadron on the San Jacinto only days after his Avenger was shot down over the Pacific.

As President, he was no armchair theorist of national security. When he talked about his country's safety, he spoke as the recipient of the Distinguished Flying Cross and three air medals.

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As President, he was no armchair theorist of national security. When he talked about his country's safety, he spoke as the recipient of the Distinguished Flying Cross and three air medals.
medals. When he faced the need to use force against his country’s foes, he led with the cautious strength of a man who had known the loss of buddies against an earlier deadly enemy.

Throughout his Presidency, he was nothing less than heroic for the right to life of children before birth. He repeatedly vetoed legislation that would have violated that right. He asserted the value of their lives in his policies both domestic and foreign by opposing taxpayer funding for abortion.

Even when a national campaign was launched to pressure him into abandoning those defenseless little ones to barbaric experimentation, he refused to bend. In the interest of humane scientific research, he established, with the cooperation of hospitals and researchers, a fetal tissue bank. He showed that we could have progress and compassion at the same time.

Tragically, that initiative has now withered from neglect, though the responsibility rests with others. And others, too, have sought to reverse the protections President Bush sought to extend to the most helpless, most vulnerable Americans. But that will change in time. And when it does, when our laws again protect the lives of our children waiting to be born, George Bush will be vindicated on that too.

Mr. Speaker, there are many other points to be made about the record of the Bush Presidency. Several of our colleagues are awaiting a chance to do exactly that. For myself, I want to conclude with an expression of both admiration and gratitude.

Admiration for George Bush both as a man and as a leader. And gratitude for the way he has sought the path of justice, and humanity, not for advancement or approval, but because it was the right thing to do for the country he loves.

Mr. MICHEL. Mr. Speaker, I am glad to have the chance to join with our colleagues in paying tribute to President George Bush.

I want to especially thank our good friend and colleague, Henry Hyde, for taking this special order, so a number of us could speak about President Bush’s extraordinary career in public service.

It is now 8 months since the last days of the Bush Presidency, which is just about the right amount of time to begin placing President Bush in some historic context.

We are far enough removed from the controversies of the past to see things in perspective, yet still close enough in time to recall vividly the great personal accomplishments that are his legacy.

Others will be talking about specific aspects of his illustrious career, but I would like to say a few words about George Bush, the man and the leader.

I believe his life typifies a certain kind of American experience that, sadly, is fast becoming a memory.

I refer to the experience of his generation—my generation—who grew up in the late 1950’s and early 1960’s, a time when the great personal accomplishments that are his legacy are his legacy.

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That incontrovertible fact, which we take so

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rule

It has to be the product of a lifetime's exercise

of character and courage. There is no other way, and I

hope we never forget that.

Mr. FISHER. Mr. Speaker, I join my colleagues

in paying tribute to George Bush, a dedicated man, American, and President.

I met George and Barbara Bush as a freshman

Congressman. Barbara was paired with my

late wife Julia as a mentor through what was

known as the time as the Congressional Wives

Club. Julia took to Barbara right away; she

was wonderful and provided a warm welcoming

transition for my family to Washington. And

I liked George Bush at first sight.

I understood why. Over the many years I

watched him, listened to him, and worked with

him during his choices in careers, both official and private.

It was his constant ability to reach out in a

very individual way, to so many that caused

positive domestic and international changes in our

world. I do not know if it was his notorious

self-typed letters, with their curious spellings

and special syntax or his gracefully determined

telephone calls but there can be no doubt George Bush got results that mattered.

I remember when he reached out to me when

he was Vice President when the fair housing

amendments were floundering in the

Congress. It is not well known how deeply committed

he was to their passage. George Bush

wanted them and he encouraged me in a very

personal way to work with him to reach a

compromise and break a stalemate for

their passage. He set us on the track toward fair

trade, an amazing departure from our party's

position on trade, an amazing departure from our party's

policy. While

Mr. Speaker, I move that

the House express its commendation to

George Bush for his effort in effecting the

fair trade bill. I am very proud to have known George

Bush and to consider him among my friends.

I have worked for and worked with George

Bush and have always found him to be an exceptionally caring and dedicated individual, both to his family and his country.

As a nation, we should be proud to have had George Bush as our President and appreciative for his service throughout his career. The citizens of this great Nation were able to go to sleep at night knowing their President

had their best interests at heart and was capable of successfully addressing any challenge which may come before him and us. There is no greater tribute than to simply say thank you.

Mr. SOLOMON. Mr. Speaker, our great Nation

is now a better place today because George Herbert Walker Bush served it so well and so long.

His distinguished career started when he

became the youngest Naval pilot in World War II. Surviving a crash into the Pacific Ocean, he went on to become a Congressman, Director of the CIA, Ambassador to the United Nations, twice Vice President of the United States and then the 41st President of our Nation. No man

was better prepared to assume that highest position than George Bush. No man gave more of his life and talent to his country than George Bush.

Despite his enormous contributions to our

Government, I believe I will remember George Bush mostly for the quality and the integrity of the man. He is a wonderful, loving family man. With his wife, Barbara, he has created one of the great bishop's magnificent, bold, daring leadership in a time of crisis.

Such leadership doesn't just happen. It can't be artificially generated.

It can't be written in books.

It has to be the product of a lifetime's exercise of character and courage. There is no other way, and I hope we never forget that.

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Government, I believe I will remember George Bush mostly for the quality and the integrity of the man. He is a wonderful, loving family man. With his wife, Barbara, he has created one of the great bishop's magnificent, bold, daring leadership in a time of crisis.
Before the rally began, the Vice President’s staff informed us he would go directly from the podium to his suite. There didn’t appear to be any time in his schedule for a little personal time together, away from the lights, cameras, and microphones.

But no sooner had he proclaimed the Reagan-Bush appeal for electing another good conservative Republican to Congress, then he turned to me and asked where Karen and I wanted to go for dinner. I suggested the Old Ebbitt Grill, but he would have thought the Bush’s and Callahan’s had been the best of friends. That’s just the kind of people the Bush’s are—warm, friendly, and caring, and that was the beginning of a solid friendship which has lasted.

Aside from the personal reflections about our 41st President, and there are enough to write volumes, there is almost an endless list of accomplishments attained by George Bush, both as a private citizen and a public servant. By now, we all know some of the highlights. A decorated Navy pilot during World War II, a successful businessman, a Member of Congress, Ambassador to the United Nations, Chairman of the Republican National Committee, Director of the Central Intelligence Agency, Vice President of the United States and, of course, President of the United States of America. Certainly a long and distinguished career of public service for which we, as a nation, will remain deeply indebted to him as well as his family.

Leadership is a word which exemplifies the entire life of President George Bush. Historians will look upon the Bush Presidency very kindly for the world leadership he provided during very difficult times. His leadership abilities put together a coalition of 28 nations in Operations Desert Shield and Desert Storm to oust Saddam Hussein from Kuwait. Leadership earned President George Bush the admiration and respect of other world leaders. It was during the Bush Presidency that we witnessed the fall of the Iron Curtain and the end of the cold war. And President Bush set into action the necessary steps which led to the unprecedented Israeli-PLO agreement recently signed on the White House lawn.

And yet, both his political opponents as well as the national press were successful in creating the impression that President Bush, the foreign policy expert, was President Bush, the domestic blunder. While those of us who know him better, the images that were cast were just too hard to erase from the voters’ minds last November. It’s a saying as old as the hills but so very applicable to this point and that is while George Bush might have lost the Presidency, the American people were not the real losers. We will feel this loss for a long, long time.

In 1722, Ben Franklin wrote in a letter to Joseph Galloway that:

“We must not in the course of public life expect immediate approbation and immediate grateful acknowledgement of our services. But let us persevere through abuse and even injury. The internal satisfaction of a good conscience is always present, and time will do us justice in the minds of the people, even those at present the most prejudiced against us.”

Mr. Speaker, there is no question in my mind that the man we are honoring here today has the internal satisfaction of good conscience in knowing that his was a job well done and time has already underscored that point even to the harshest critic.

Mr. SKEEN. Mr. Speaker, it gives me great pleasure to add my comments to the RECORD of the day of recognition and appreciation of the distinguished public service career of our former President, George Bush. As a politician, a statesman, and a world leader, George Bush has provided leadership to the United States of America at a transitional time in our world history. Thanks to his leadership—as Vice President, then President, for a combined 12-year total—the United States still stands at the pinnacle of world leadership.

I am delighted to have been able to serve in the Congress during George Bush’s 12-year service as Vice President and President of this great Nation. And I am proud of all the accomplishments that the President, with Congress’ help, achieved. But I would be remiss if I fo­cused only on George Bush’s 12 years at the top of our Government. His long and extensive career, leading up to that service is, perhaps, what makes up the “real” George Bush.

As a Navy veteran, Ambassador to China, Director of the Central Intelligence Agency and as Governor of Delaware, some of the special characteristics that made President George Bush left his indelible mark of professionalism and skill on every assignment he undertook. Many of the successes that we are celebrating in these areas today can be attributed to George Bush’s tireless work some years ago.

As for George Bush’s service in the White House, I can say that I didn’t always agree with every decision the President made or with his priorities. But I can tell you I slept well at night knowing George Bush was in charge. During the Persian Gulf war, I often turned on the television to find George Bush at a news conference or speaking engagement, calmly, rationally explaining the events going on so many miles away. And I knew that our country and our Nation’s fighting men were in good hands and that George Bush would lead us out of this conflict in his capable and calm manner.

It is a charming reminder of the respect and ad­miration that men and women, from around the world, hold for George Bush when young Kuwait babies are named after our Command­er in Chief. And I understand he received some write-in votes in a recent election there.

I have appreciated the opportunity to know George Bush in many capacities, as a fellow lawmaker, as our Commander in Chief, and as a kind, caring human being. His wife, Barbara and his five children, as well as his grand­children all know George Bush as a loving fa­ther, husband, grandfather, and family man. The entire country is grateful to George Bush for his leadership, his dedication and his pro­fessionalism. I join my colleagues in the House in saluting President George Bush.

Mr. SKEEN. Mr. Speaker, I am proud to have this opportunity to pay a most deserved tribute to a man who served his country so well—President George Bush.

Few can look back upon a career so de­voted to his Nation and his fellow citizens as President Bush can.

He fought for his country as a young man as a naval aviator and as a senior citizen as
President of the United States. Those are the two jobs most of the Nation remembers him for.

But there were many other tasks that he performed for the United States. He served as a Member of this Chamber over two decades ago. At that time I had the pleasure to serve with him as a member of the House Banking Committee.

He served for another 35 years of his life for his fellow citizens as this Nation’s representative on the mainland of China. And he was entrusted with that most sensitive position as Director of the Central Intelligence Agency.

Mr. Speaker, after all these years I knew him as one who joined us in common efforts, there was a brief period when we stood toe to toe as foes. That was 1980, when we joined battle with others for the Republican presidential nomination. Even then, we had something in common—we both lost. Although I hasten to add that he did take home the second prize in that 1980 contest.

His 8 years of service as Vice President to President Ronald Reagan were followed, of course, by his own presidency.

What a great 12 years this Nation experienced under the team of Reagan and Bush.

I have always made it a point to take over the helm, George Bush displayed the leadership ability we expected of him.

He brought a dictatorship to an end in the Western Hemisphere, and he directed the United Nations to a truly historic victory in the Eastern Hemisphere as our troops destroyed the war machine of another dictator at the loss of the fewest of casualties.

On the domestic front, he was one-half of the team that President Bush which created some 20 million jobs—an unequalled domestic victory.

The calendar did not treat him well. The Nation was emerging from an economic setback that his policies had something to do with. The election had held a short time after its November date in 1992, the voters of this country would have seen his policies had successfully brought recovery to our economic machine, and they would have happily kept him at that famous Pennsylvania Avenue address.

He was most ably assisted throughout his distinguished career by his lovely wife, Barbara, and as I know he would readily concede, a man’s success is predicated upon those qualities of loyalty and devotion that Barbara has provided him.

George Bush dedicated his life to his country. He fought well and he served well. We are a better nation for the efforts of George Bush.

Mr. REGULA. Mr. Speaker, history will record President George Bush as a leader with integrity, compassion, and vision.

Whether called upon to defend or to lead our Nation with many assignments in between, he always measured up to the task and deserved the “Well done, thou good and faithful servant...” as set forth in Matthew 25:21.

How different the world would be today had not George Bush, as President, been courageous and resolute in the face of challenges throughout the world.

Events in the Middle East would be far more threatening absent the strong leadership President Bush provided for a disparate group of nations to band together in squelching the ruthless ambitions of a modern-day despot.

Had Europe had the leadership with the courage and vision of George Bush in the 1930s, history would have been far different and one that few of us would have been saved.

His role as part of the Reagan-Bush team brought the wall down and changed the face of Europe and Asia for the better—a feat none of us ever dreamed could happen.

Domestically this team brought us 21 million new jobs, thrummed inflation and dramatically lowered interest rates. Young people that can afford homes will be indebted to the leadership of George Bush without being aware of their debt to Bush Presidential economic policy.

On a personal note, my wife Mary and I greatly cherish the friendship of President Bush and First Lady Barbara. They are a team that all Americans can respect with pride and affection.

Mr. OXLEY. Mr. Speaker, I extend remarks today to honor President George Bush.

George Bush began his political career as one of our colleagues. This House fondly remembers him when he represented his Texas district and was a young member on the Federal Ways and Means Committee.

Many here followed his remarkable career and stayed in close touch with George Bush during his rise in the Republican Party to the offices of Vice President and President.

I will remember him as a forthright President and a constant friend.

He visited the Fourth District of Ohio frequently, and the people of our area still hold a great affection for George Bush. I believe the first time he came to my hometown of Findlay was as a speaker for my predecessor and mentor, Jackson Betts. He spoke at the Allen County barbecue twice. He came to Findlay in 1988 during his first Presidential campaign to recognize our hometown’s distinction as Flag City, U.S.A. During the 1992 campaign, he visited the Tall Timbers industrial park in Findlay, and stopped in the county once again during a whistle-stop campaign swing through the heartland of Ohio.

George Bush worked to keep taxes low, to control the Federal deficit, and to further a growing economy. He led the free world during a critical period and formulated U.S. policy immediately after the cold war. The Berlin Wall fell during George Bush’s Presidency. I believe that George Bush will be treated well by history, because he deserves to be.

All of us wish George and Barbara Bush a happy, productive, and well-deserved retirement after a lifetime of service to the Nation.

Mr. RAMSTAD. Mr. Speaker, I rise today to pay strong tribute to a great Republican and a good friend to many of us, former President George Bush.

Many of our colleagues have risen to speak on the distinguished career of George Bush. They’ve told the stories of his service to his country. From his Naval to his political career, George Bush has given back far more to his country through his long career in public service than anyone I know.

I am particularly honored that Mr. Bush was President when I first came to Congress in 1990. It was helpful and reassuring to have his competent leadership as I assumed my law office representing Minnesota’s Third District.

At that time, the country was on the brink of war. My first vote was an affirmation of President Bush’s policy toward the international terrorist Saddam Hussein.

While with Mr. Bush in the Oval Office, there was never any doubt about our aims and goals in the Middle East and throughout the world.

I heartily applaud George Bush for his tireless dedication to the best interest of the United States, a quality plainly evident throughout his long and distinguished career in public service.

His public service and obvious devotion to his family are excellent examples for all of us to follow.

Mr. CLINGER. Mr. Speaker, I’m with Mary Matalin who was recently quoted as saying that there is a line one does not cross with her. She will not accept attacks on the administration of George Bush which it has become politically chic to do by both right and left wing zealots. I won’t accept them, not because George Bush needs people like me or Mary Matalin to defend him but simply because his detractors—diehard reactionaries on the right and left—are smug, didactic, and just plain wrong.

George Bush was a President of intelligence, grace—particularly under pressure—and great ability. History, I am convinced, will recognize him as one of the truly great political leaders of our time. He was the man who knew that there is a cost to everything and he knew the cost of American leadership.

Consider these facts: throughout the 4 years of his Presidency, George Bush never had more than 176 Republicans in the House of Representatives or 45 Republicans in the U.S. Senate. By contrast, the major accomplishments of the Reagan Presidency were achieved during the first 2 years of his term when there were 192 Republicans in the House and a majority of Republicans in the Senate. With the Bush administration the Democrats were so desperate to regain the White House that they were unwilling to give any quarter to a Republican President. On domestic issues he was thwarted at almost every turn despite a solid series of proposals for deficit reduction, welfare reform, crime control, and a balanced budget.

In international affairs, however, a politically biased Congress had less control and it was here that President Bush could and did control the agenda with remarkable results. From planting the seeds for the flowering of the peace process between Israel and the PLO to hammering out a free trade agreement in this hemisphere, his was a sure hand on the tiller.

But it was in the confrontation with the tyrant Saddam Hussein that President Bush proved his mettle as a great leader. Despite having to deal with a hostile, politically belligerent Congress and a timorous international community, George Bush, through skill, experience and force of will, fashioned an alliance that brought the tyrant to heel and established an invaluable precedent for the future. It was a magnificent achievement. All the more so because even the Congress had to grudgingly support the effort.

I am, of course, a very biased, far from objective observer of the Bush Presidency. President Bush was of enormous assistance
to me. He even campaigned for me in my distric
t, on two occasions, together with a

He was a partner—in the best sense of that word—in everything her husband accomplished. I dare say that George Bush would not have been as great a President as he was without the strong support of Barbara Bush.

As George Bush begins his new life as a private citizen, I hope he will continue to share his wisdom and experience with our future leaders. He has every right to spend his retirement years relaxing with his family and friends, but for the good of our country, I hope George Bush will continue offering his skills and talents in some form of public service. For all that he has done, America owes George Bush a debt of eternal gratitude.

George Bush achieved the most powerful position in the world, yet he remained unchanged as a person. When I was elected to Congress, I recognized him as the same, dec
t, honorable man that I met years ago in Delaware County—an experienced, steady leader with the confidence and love of country that lead him to the White House. Despite his greatness and achievements, we still know him as the humble and unpre

tentious man who, to a fault, basked at self-promotion.

George Bush was born into privilege but throughout his life he took every opportunity to give back to society. He served heroically during World War II, and after going out on his own in the business world, came back to a life of service in the Government. First in Con

gress, then at the United Nations and the Central Intelligence Agency, then as Ronald Reagan's second term. He always put America first. He was equally at home among the company of world leaders and our troops in the field. I am sure that all individuals who met President Bush would use the same words to describe him—genuine, loyal, and committed to the good of our country.

The last time George Bush and I were together was late in the 1992 campaign. I had the honor of riding a train through North Carolina’s Piedmont with him and watching large, enthusiastic crowds respond. Even though the election results were disappointing, I was proud that North Carolina was in the Bush column again in 1992. I will always rem

ember the time we spent together on that train. I have spoken to him on the phone since then, but that is the last face-to-face meeting we had.

It would be impossible to recognize and sal
tate the public career of George Bush without mentioning Barbara Bush. I like to refer to Mrs. Bush as America’s Grandma. I say this not to note her age, but to show the deep af

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George Herbert Walker Bush served it so well and so long.

His distinguished career started when he became the youngest Naval pilot in World War II. Surviving a crash into the Pacific Ocean, he went on to become a Congressman, Director of the CIA, Ambassador to the United Nations, twice Vice President of the United States and then the 41st President of our Nation. No man was better prepared to assume that highest position than George Bush. No man gave more of his life and talent to his country than George Bush.

Despite his enormous contributions to our Government I believe I will remember George Bush mostly for the quality and the integrity of the man. He is a wonderful, loving family man. When you meet him, no matter how many times, you are always left with an impression of his great personal warmth. He is down to earth. You feel you have known him all your life. He is honest and straightforward and has lived an exemplary life.

Since his departure from the White House I have missed him very much, but more importantly the United States and the world community of nations have also missed him dearly.

Thank you, Mr. President. We will never forget you.

Mrs. ROS-LEHTINEN. Mr. Speaker, it can be said that George Bush lived the values of America more eloquently than anyone could have spoken them. His life reflects both love of country and love of family.

A half century ago, this country was embroiled in the Second World War and a young George Bush volunteered for the demanding and dangerous job of a naval aviator. George Bush went into combat as the youngest commissioned Navy pilot of that war. As a torpedo bomber pilot, his job was to hold a steady course through withering fire in 58 combat missions, an ability he displayed all the rest of his career.

In 1945, he married Barbara Pierce and, after the war, his decision to strike out for the oil industry in Texas. With Barbara at his side, he created a successful business and, more importantly, raised a wonderful family.

After providing security for his family, George Bush once again devoted himself to the service of his country. His service in the Congress and the Executive branch showed the same calm steady resolve that marked his military service.

As Director of Central Intelligence, he steadied a damaged organization and restored the Agency's effectiveness. George Bush set into motion a review by outside experts of the Agency's evaluation of the Soviet Union. His "Team B" review of the available intelligence on the Soviet Union will be seen by historians as laying the foundation for the restoration of the military power of the United States and for our ultimate victory in the cold war.

Over the years, as Vice-President and as President, George Bush was a frequent visitor to my congressional district—to see his grandchildren—I had the chance to see the other George Bush, a devoted father and grandfather—and to talk to south Floridians about the issues of crime, foreign affairs and the future for the coming generations.

To see George Bush with his grandchildren is to see the guiding star of his career. His love of country is an extension of his love of family. His career was focused on a better America at home and a strong America abroad. The legacy he has given to his grandchildren, and to all our children, is a world in which the nuclear nightmare has receded and the idea of communism lies on the ash heap of history. His has been a job well done and he deserves the thanks and affection of his country.

Mrs. DUNN. Mr. Speaker, it has long been a goal of the Congress to pursue the goals of peace and global freedom. Perhaps no one has understood that pursuit better than the President responsible for leading us into the post-cold war era, George Herbert Walker Bush.

The nations of this world owe a debt to our former President for his role in making the world safe for democracy. President Bush is a man of judgment, and a man of character. He provided the United States with a stand against a totalitarian regime in Iran and displayed his understanding of our Nation's humanitarian responsibilities when he sent troops to Somalia to ensure that the hungry could be fed. As one of a myriad of his admirers, let me wish that it was an honor to serve under President Bush as the chairman of all Republican Party Chairman, and by his request, as a delegate to the U.N. Conference on the Status of Women held in Vienna, Austria.

Our Nation, as it carries out its responsibilities as the world's leader in democracy and in peace, is right to honor George Bush for the legacy of freedom he has left behind.

Mr. SCHIFF. Mr. Speaker, I rise today to honor a great American who has given his adult life to serving our country, former President George Bush.

When recalling the living history that George Bush embodies, we are imbued with fond memories. Remember the fearless young Navy aviator who was shot down during WW II, the brazen young entrepreneur who moved the family from the east coast to Texas. Then there was George Bush the Congressman, the National Republican Party chairman, the Director of the CIA, the Ambassador to both the People's Republic of China and the United Nations, and ultimately Vice President of the United States and Commander in Chief George Bush.

George Bush served in all of these capacities with great distinction, each at a very difficult time in American history. What made him successful in each of his endeavors is his outstanding dedication and character. The character demanded of one who must lead and make the tough choices that have faced our country over the years.

As President, it was this character coupled with his respect for his fellow man that made the world unite to face an aggressor in the Middle East. During this crisis, leaders of other countries, like the citizens of ours, felt secure in knowing that George Bush's friendship and pledges were not just empty words. The alliance stood because of this man's character and courage, and because he was held in the highest respect by the world community.

The recent signing of the peace accord between Israel and the Palestine Liberation Organization was a direct result of George Bush's strong leadership in the Middle East. The dismantling of the Berlin Wall, the fall of the Soviet Union and the spreading of democracy around the world were but a few of the many events that occurred during his distinguished career of service.

George Bush still conducts himself as a gentleman. He does not boast of his accomplishments, rather allowing Americans to benefit as a whole. He is the epitome of a statesman.

President Bush—I want to thank you and Mrs. Bush for all that you have done for our Nation. I know that as time goes on, history is going to record the actions of George Herbert Walker Bush, and all of his service to this country, as remarkable.

Mr. QUINN. Mr. Speaker, I rise to pay a special tribute to our country's 41st President, George Herbert Walker Bush.

I wanted to take a few minutes to express my appreciation for all that President and Mrs. Bush did for our great Nation. It is an honor and a privilege for me to know, in a small way, such accomplished public servants. I was fortunate to have a very memorable experience on inauguration day 1993, amid all the ceremonies and festivities that occurred. I had the opportunity to witness the actual transfer of power when President Bush left the Capitol and spoke his last words as President.

I believe it was a very emotional moment for everyone present. From that experience, I know how great a debt of gratitude and thanks all Americans owe George and Barbara Bush for their service to our country as the President and First Lady. They served our country well and with dedication and distinction.

George Bush is truly a great leader, a great statesman that brought to the Presidency outstanding credentials from his days as Director of Central Intelligence, Ambassador to China, and Vice President. It was this experience and these leadership traits that enabled George Bush to assemble an international coalition to liberate Kuwait. George Bush's understanding of the complex and changing world around him are unparalleled. I commend President Bush for his courage and thank him for his dedication to our country. Thank you, Mr. Speaker.

Ms. SNOWE. Mr. Speaker, it is my sincere pleasure to have this opportunity to pay a special tribute to a man who served his country and our allies with honor and distinction as a U.S. Congressman in the 1960's, as an Ambassador in the 1970's, and as Vice President and President in the 1980's and 1990's—George Herbert Walker Bush.

His patriotism and love for his country are reflected not only in his dedication to public service, but in his love for his wonderful family, and in his military service to his country in World War II and as Commander in Chief.

George Bush's commitment to public service, his integrity, his honesty to the American people, his leadership, and his loyalty will forever be an inspiration to me, many of my colleagues in Congress and the American people.

Mr. Speaker, I remember fondly when George and Barbara Bush and the Bush family traveled back home to Maine and brought joy to the State of Maine. George Bush always
brought a new vitality and vigor back to Maine for the summer—and usually sent the fish scrambling for cover upon his arrival. The Bush family summer vacation continues to be a famous and much celebrated tradition in Maine. And I look forward to many more summers of the Bush family summer vacation in Kennebunkport. George and Barbara Bush personify in so many ways our American traditions and values.

So, on this day in Washington, we celebrate a great American patriot, George Bush. We salute the Bush family, and we salute George Bush's many contributions to public service over the past 40 years, both at home and abroad. George and Barbara have on many occasions opened their hearts, opened their home, and brought joy to many Mainers, many Americans across the Nation, and to all those who have met the Bushes at the White House as well. George Bush's overall dedication to Maine and the Nation is a tribute to the kind of American and the kind of leader he is.

During these difficult and uncertain times in Russia, Bosnia and Somalia, we continue to remember George Bush's steadfastness, his steady hand guiding the affairs of state, his reassuring leadership in times of crisis. Whether it was Panama, the Persian Gulf, the coup in Moscow, or our efforts to unite Europe and sow the seeds of peace and freedom, we Americans and those of us in Congress knew we could rely on his steady and experienced judgment to guide us through the storm. Mr. President, we miss your presence more than you can imagine, but future generations will be grateful for the seeds of peace and freedom we sowed.
### DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH COMMITTEE ALLOCATIONS PURSUANT TO BUDGET ACT SECTION 602(a)—Continued

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DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH COMMITTEE ALLOCATIONS PURSUANT TO BUDGET ACT SECTION 602(a)—Continued
(Fiscal years, in millions of dollars)

<table>
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<th>Fiscal Year</th>
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<td>506,128</td>
<td>502,561</td>
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<td>3,567</td>
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Grand total 849,333 845,300 845,300 4,033

Since my last report, dated July 14, 1993, Congress approved and the President signed an act to transfer naval vessels to foreign countries (P.L. 103-54) and the small Business Guaranteed Credit Enhancement Act (P.L. 103-41). These actions changed the current level of budget authority and outlays. In addition, Congress approved and the President signed the Emergency Supplemental for Flood Assistance (P.L. 103-75). Funds made available in this bill are designated for emergency and have no effect on the current levels of budget authority, outlays, or revenues.

Sincerely,

ROBERT D. RHUE, Director.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,

HON. MARTIN O. SABO,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to section 306(b) and in aid of section 311 of the Congressional Budget Act, as amended, this letter and supporting detail provide an up-to-date tabulation of the on-budget current levels of new budget authority, estimated outlays, and estimated revenues for fiscal year 1993 in comparison with the appropriate levels for those items contained in the 1993 Concurrent Resolution on the Budget (H. Con. Res. 287). This report is tabulated as of close of business September 21, 1993. A summary of this tabulation follows:

Since my last report, dated July 14, 1993, Congress approved and the President signed an act to transfer naval vessels to foreign countries (P.L. 103-54) and the small Business Guaranteed Credit Enhancement Act (P.L. 103-41). These actions changed the current level of budget authority and outlays. In addition, Congress approved and the President signed the Emergency Supplemental for Flood Assistance (P.L. 103-75). Funds made available in this bill are designated for emergency and have no effect on the current levels of budget authority, outlays, or revenues.

Sincerely,

ROBERT D. RHUE, Director.

Notes:
1. Includes changes to the baseline estimate for appropriated mandates due to the following legislation: Technical Corrections to the Flood Stump Act (Public Law 103-250), Higher education amendments (Public Law 103-325), approved annual food stamp price adjustment (Public Law 102-351), Veterans' Compensation COA (Public Law 102-298), Medicaid amendments (Public Law 103-331), Veterans' Benefit (Public Law 103-366), Veterans' Radiation Exposure Compensation amendments (Public Law 103-579), and, Veterans' Health Care Act (Public Law 102-385).
2. For the above-mentioned programs the total does not include the follow-in emergency funding.

COMUNICATION FROM CHAIRMAN OF COMMITTEE ON THE BUDGET REGARDING CURRENT LEVELS OF SPENDING AND REVENUES FOR FISCAL YEARS 1984-98

(Mr. SABO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SABO. Mr. Speaker, on behalf of the Committee on the Budget and pursuant to sections 302 and 301 of the Congressional Budget Act, I am submitting an updated report on the current levels of spending and revenues for fiscal years 1994 and for the 5-year period fiscal year 1994 through fiscal year 1998.

HOUSE OF REPRESENTATIVES,

HON. THOMAS S. FOLEY,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: To facilitate application of sections 302 and 311 of the Congressional Budget Act, I am transmitting an updated status report on the current levels of spending and revenues for fiscal year 1994 and for the 5-year period fiscal year 1994 through fiscal year 1998.

(Signed)
September 28, 1993

order against measures that would breach the budget resolution’s overall limits. The table does not show budget authority and outlays for years after FY 1994 because appropriations for those years will not be considered until future sessions of Congress.

The second table compares the current levels of budget authority, outlays, and new entitlement authority for each direct spending committee with the “section 602(a)” allocations made under H. Con. Res. 64 for FY 1994 and for FY 1994 through FY 1998. This comparison is needed to implement section 311(f) of the Budget Act, which creates a point of order against measures that would breach the section 602(a) allocation of new discretionary budget authority or new entitlement authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a). The 602(a) allocations were printed in the Congressional Record for March 31, 1993 on pages H 1784-87.

The third table compares the current levels of discretionary appropriations for FY 1994 with the “section 602(b)” suballocations of discretionary budget authority and outlays among Appropriations subcommittees. This comparison is also needed to implement section 311(f) of the Budget Act, since the point of order under that section also applies to measures that would breach the applicable section 602(b) suballocation. The 602(b) suballocations were filed by the Appropriations Committee on May 27, 1993 (H. Rept. 103-113).

Sincerely,

MARTIN OAY SAVIO
Chairman.

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET ON THE STATUS OF THE FISCAL YEAR 1994 CONGRESSIONAL BUDGET ADOPTED IN HOUSE CONCURRENT RESOLUTION 64

REFLECTING ACTION COMPLETED AS OF SEP. 21, 1993

(In-buget amounts, in millions of dollars)

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*Not applicable because annual allocations acts for fiscal years 1993 through 1998 will not be considered until future sessions of Congress.

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH COMMITTEE ALLOCATIONS PURSUANT TO BUDGET ACT SECTION 602(a)

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BUDGET AUTHORITY

Enactment of measures providing more than $497,494 billion in new budget authority for Fiscal Year 1994 (if not already included in the current level estimate) would cause Fiscal Year 1994 budget authority to exceed the appropriate level set by H. Con. Res. 64.

OUTLAYS

Enactment of measures providing new budget or entitlement authority with Fiscal Year 1994 outlays effects of more than $301,201 billion (if not already included in the current level estimate) would cause Fiscal Year 1994 outlays to exceed the appropriate level set by H. Con. Res. 64.

REVENUES

Enactment of measures producing a revenue loss of more than $88 million in Fiscal Year 1994 (if not already included in the current level estimate) would cause Fiscal Year 1994 revenues to fall below the appropriate level set by H. Con. Res. 64.

Enactment of any measure producing any net revenue loss for the period Fiscal Year 1994 through Fiscal Year 1998 (If not already included in the current level estimate) would cause revenues for that period to fall below the appropriate level set by H. Con. Res. 64.
DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH COMMITTEE ALLOCATIONS PURSUANT TO BUDGET ACT SECTION 602(b)—Continued

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DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 1994—COMPARISON OF CURRENT LEVEL WITH SUBALLOCATIONS PURSUANT TO BUDGET ACT SECTION 602(b)

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Since my last report, dated July 14, 1990, Congress approved and the President signed an act to transfer naval vessels to foreign
CONGRESSIONAL RECORD—HOUSE

COUNCIL ON ENVIRONMENTAL QUALITY

[In millions of dollars]

<table>
<thead>
<tr>
<th>Budget authority</th>
<th>Outlays</th>
<th>Revenues</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>3,252</td>
<td>5,665</td>
</tr>
</tbody>
</table>

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[At the request of Committee staff, current level does not include scoring of section 611 of Public Law 102-391.

Note.—Amounts in parentheses are negative. Detail may not add due to rounding.]

CONFERENCE REPORT ON H.R. 2285

Mr. OBEY submitted the following conference report and statement on the bill (H.R. 2285) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1994, and making supplemental appropriations for such programs for the fiscal year ending September 30, 1993, and for other purposes:

CONFERENCE REPORT (H. Rept. 103-267)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2285) "making appropriations for the Foreign Operations, Export Financing, and Related Programs for the fiscal year ending September 30, 1994, and making supplemental appropriations for such programs for the fiscal year ending September 30, 1993, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: Provided, That the Secretary of the Senate shall submit a report to the Committees on Appropriations on the progress being made towards establishing such entities. Provided further, That the Secretary of the Senate shall consult with and work with appropriate international fora to establish and independent commission to review the operations and management structure of the IFIs from the budgets of the IFIs, would be comprised of members who are familiar with the management and operations of the IFIs. Provided further, That on or before March 31, 1994, the Secretary of the Senate shall submit a report to the Committees on Appropriations on the progress being made towards establishing the commission; and the Senate agree to the same.

Amendment numbered 15:

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: Provided, That not more than 21 days prior to the obligation of each such fund, the Secretary shall submit a certification to the Committees on Appropriations that the Bank has not approved any loans to Iran since October 1, 1993, or the President of the United States certifies that withholding of these funds is contrary to the national interest of the United States; and the Senate agree to the same.

Amendment numbered 17:

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: Provided, That none of the funds appropriated under this heading that are made available to the United Nations Children's Fund (UNICEF), 75 per cent (less amounts withheld consistent with section 307 of the Foreign Assistance Act of 1961 and section 516 of this Act) shall be obligated and expended no later than thirty days after the date of enactment of this Act and 25 percent of which shall be expended within thirty days from the start of UNICEF's fourth quarter of operations for 1994; and the Senate agree to the same.
shall submit a report to the Committees on Appropriations indicating the amount UNFPA spent in the People’s Republic of China in 1994, and the amount of funds provided to UNFPA after March 1, 1994: Provided further, That such funds (including earmarked funds) appropriated under this heading shall be required to maintain and improve coordination systems with other donors, non-governmental organizations, and the United Nations Population Fund of the United Nations. Provided further, That such funds shall be available for fiscal years 1987 through 1993 to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $230,000,000 are revised: Provided further, That (b) of the unexpended balances of funds (including earmarked funds) appropriated for fiscal years 1995 and 1996 to carry out the provisions of sections 103 through 106 of the Foreign Assistance Act of 1961, $15,000,000 are rescinded: Provided further, That the Senate agree to the same.

Amendment numbered 73:
That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment, as follows:

In lieu of “$5,000,000” named in said amendment, insert: “$2,000,000”, and the Senate agree to the same.

Amendment numbered 77:
That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: “SEC. 557.” named in said amendment, insert: “SEC. 556.”, and the Senate agree to the same.

Amendment numbered 79:
That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment, as follows:

Retain the matter proposed by said amendment, amended as follows:

In lieu of “SEC. 557.” named in said amendment, insert: “SEC. 556.”, and the Senate agree to the same.

Amendment numbered 82:
That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment, as follows:

Retain the matter proposed by said amendment, amended as follows:

In lieu of “SEC. 557.” named in said amendment, insert: “SEC. 556.”, and the Senate agree to the same.

Amendment numbered 88:
That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment, as follows:

Retain the matter proposed by said amendment, amended as follows:

In lieu of “SEC. 557.” named in said amendment, insert: “SEC. 556.”, and the Senate agree to the same.

Amendment numbered 89:
That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: “SEC. 545. (a) Of the unexpended balances of funds (including earmarked funds) made available for fiscal years 1987 through 1993 to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $230,000,000 are revised: Provided further, That (b) of the unexpended balances of funds (including earmarked funds) appropriated for fiscal years 1995 and 1996 to carry out the provisions of sections 103 through 106 of the Foreign Assistance Act of 1961, $15,000,000 are rescinded: Provided further, That the Senate agree to the same.”
In lieu of the matter proposed by said amendment, insert:

**CONGRESSIONAL RECORD—HOUSE**

**SEC. 560. (a) Funds appropriated by this Act under the heading “Assistance for the New Independent States of the Former Soviet Union” shall be made available to economic assistance and for related programs as follows:

(1) $893,820,000 for the purpose of private sector development, including through the support of joint ventures, privatization of commercial enterprises, technical assistance and training, agribusiness programs and agricultural credit, financing and technical assistance for small and medium private enterprises, and privatization efforts.

(2) $125,000,000 for the purpose of a special privatization and restructuring fund: Provided, That the United States’ contribution for such fund shall not exceed one-quarter of the aggregate amount being made available for such fund by all countries.

(3) $185,000,000 for the purpose of enhancing trade with and investment in the New Independent States of the former Soviet Union, including through environmental initiative programs, and the provision of trade and investment technical assistance.

(4) $300,000,000 for the purpose of enhancing democratic initiatives, including through the support of a comprehensive program of exchanges and training, assistance designed to foster the rule of law, and encouragement of independent media.

(5) $190,000,000 for the purpose of supporting troop withdrawal, including through the support of the New Independent States resettlement program, and technical assistance for the housing sector.

(6) $285,000,000 for the purpose of supporting the energy and environment sectors, including such programs as nuclear reactor safety, and technical assistance to foster the efficiency and privatization of the energy sector and making that sector more environmentally responsible.

(7) $239,000,000 for humanitarian assistance purposes, including to provide vaccines and medicines for vulnerable populations, to assist in the establishment of a sustainable pharmaceutical industry, to provide food assistance, and to meet other urgent humanitarian needs.

(b) None of the funds appropriated under subsection (a) of this section, notifications provided under section 515 of this Act shall reflect the United States’ contribution for such fund shall not exceed one-quarter of the aggregate amount being made available for such fund by all countries.

(c) Funds made available in this Act for assistance to the New Independent States of the former Soviet Union shall be provided to the maximum extent feasible through the private sector, including private voluntary organizations and nongovernmental organizations functioning in the New Independent States.

(d) Funds appropriated by this Act or any other Act, not less than $300,000,000 should be made available for the United States—

(1) unless that Government is making progress in implementing comprehensive economic reforms based on market principles, private ownership, negotiating repayment of commercial debt, respect for commercial contracts, and equitable treatment of foreign private investment; and

(2) if that Government applies or transfers United States assistance to any entity for the purpose of expropriating or seizing ownership or control of assets, investments, or ventures.

(f) Funds may be withheld without regard to subsection (c) if the President determines that to do so is in the national interest.

And the Senate agree to the same.

Amendment numbered 97:

That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

**HUMANITARIAN ASSISTANCE FOR ARMENIA**

SEC. 565. Of the funds appropriated by titles II and VI of this Act (1) to carry out the provisions of chapter I of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, and (2) under the headings “Assistance for the New Independent States of the Former Soviet Union” and “Operations and Maintenance, Defense Agencies”, $18,000,000 should be made available for assistance for Armenia; and the Senate agree to the same.

Amendment numbered 98:

That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment, as follows:

Retain the matter proposed by said amendment, amended as follows:

In lieu of “SEC. 566.” named in said amendment, insert: SEC. 566.

Amendment numbered 99:

That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment, as follows:

Retain the matter proposed by said amendment, amended as follows:

In lieu of “SEC. 567.” named in said amendment, insert: SEC. 567.

Amendment numbered 100:

That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment, as follows:

Retain the matter proposed by said amendment, amended as follows:

In lieu of “SEC. 568.” named in said amendment, insert: SEC. 568.

Amendment numbered 101: That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment, as follows:

Retain the matter proposed by said amendment, amended as follows:

In lieu of “SEC. 569.” named in said amendment, insert: SEC. 569.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment, as follows:

Retain the matter proposed by said amendment, amended as follows:

In lieu of “SEC. 569.” named in said amendment, insert: SEC. 569.

And in lieu of “$50,000,000 shall” named in said amendment, insert: $50,000,000, and the Senate agree to the same.

Amendment numbered 94:

That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, inserted:

**SPECIAL DEBT RELIEF FOR THE POOREST**

SEC. 570. (a)(1) AUTHORITY TO REDUCE DEBT— The President may reduce amounts owed to the United States (or any agency of the United States) by an eligible country as a result of—

(A) guarantees issued under sections 221 and 222 of the Foreign Assistance Act of 1961, or

(B) credits extended or guarantees issued under the Arms Export Control Act.

Amendment numbered 103: (A) The authority provided by paragraph (1) may be exercised only to implement multilateral official debt relief and referendum agreements,
(b) DEFINITION.—For purposes of this section, the term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on Appropriations of the House of Representatives.

Amendment number 106:

That the House recede from its disagreement to the amendment of the Senate number 106, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

RUSSIAN ASSISTANCE TO CUBA

SEC. 575. Of the funds appropriated by this Act for the headquarters of the independent states of the former Soviet Union and "Operations and Maintenance, Defense Agencies", $360,000 shall not be made available for programs of cooperation between scientific and engineering institutions in the New Independent States of the Former Soviet Union and national laboratories and other qualified academic institutions in the United States designed to stabilize the technology base in the cooperating states as each strives to command a significant share of the world market for weapons of mass destruction: Provided further, That the President may enter into agreements involving private United States industry that include cost reimbursement or payment, provided further, That the President may participate in programs that enhance the safety of power reactors: Provided further, That the intellectual property rights of all parties to a program of cooperation be protected: Provided further, That funds made available by this section may be reallocated in accordance with the authority of section 507(d) of the New Independent States Act; and the Senate agree to the same.

Amendment number 112:

That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

(UKRAINERUSSIA STABILIZATION PARTNERSHIPS

SEC. 575. Of the funds appropriated by this Act under the headings "Assistance for the New Independent States of the Former Soviet Union" and "Operations and Maintenance, Defense Agencies", and allocated under section 590(a) paragraphs (1) and (6), $50,000,000 shall be made available for a program of cooperation between scientific and engineering institutions in the New Independent States of the Former Soviet Union and national laboratories and other qualified academic institutions in the United States designed to stabilize the technology base in the cooperating states as each strives to command a significant share of the world market for weapons of mass destruction: Provided further, That the President may enter into agreements involving private United States industry that include cost reimbursement or payment, provided further, That the President may participate in programs that enhance the safety of power reactors: Provided further, That the intellectual property rights of all parties to a program of cooperation be protected: Provided further, That funds made available by this section may be reallocated in accordance with the authority of section 507(d) of the New Independent States Act; and the Senate agree to the same.

Amendment number 111:

That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

FOREIGN MILITARY FINANCING DIRECT COMMERCIAL SALES POLICY

SEC. 572. The Secretary of Defense shall not make purchases under the Arms Export Control Act approved under title 22, United States Code, paragraph (4) of the Arms Export Control Act: Provided further, That the Secretary of Defense shall not make any purchases under the Arms Export Control Act approved under title 22, United States Code, paragraph (4) of the Arms Export Control Act.

Amendment number 103:

That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment, as follows:

In lieu of "SEC. 573," named in said amendment, insert: SEC. 573. and in lieu of subsection (c) of said amendment, insert:

(c) SENES OF CONGRESS.—It is the sense of Congress that the President should seriously consider requesting debt reduction funds sufficient to permit the United States to engage in debt relief initiatives in accordance with the so-called "Trinidad Terms".

And the Senate agree to the same.

Amendment number 101:

That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment, as follows:

Retain the matter proposed by said amendment, amended as follows:

In lieu of "SEC. 571," named in said amendment, insert: SEC. 571. and the Senate agree to the same.

Amendment number 102:

That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

FOREIGN MILITARY FINANCING DIRECT COMMERCIAL SALES POLICY

SEC. 571. The Secretary of Defense shall not make purchases under the Arms Export Control Act approved under title 22, United States Code, paragraph (4) of the Arms Export Control Act: Provided further, That the Secretary of Defense shall not make any purchases under the Arms Export Control Act approved under title 22, United States Code, paragraph (4) of the Arms Export Control Act.

Amendment number 104:

That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment, as follows:

Retain the matter proposed in said amendment, amended as follows:

In lieu of "SEC. 560," named in said amendment, insert: SEC. 563. and in lieu of subsection (c) of said amendment, insert:

(c) Whenever the waiver of subsection (b) is exercised, the President shall submit to the appropriate congressional committees a report with respect to the furnishing of such assistance. Any such report shall include a detailed explanation of the assistance to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests. And the Senate agree to the same.

Amendment number 105:

That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

WITHIN THE LIMITS OF APPROPRIATIONS FOR DEFENSE MILITARY PAY AND ALLOWANCES

SEC. 575. (a) IN GENERAL.—Of the funds made available for defense military pay and allowances for the fiscal year 1994, $360,000,000 shall be available for pay and allowances for the Armed Forces of the United States and the National Guard of the United States for recruitment and retention of officers and enlisted personnel.

Amendment number 102:

That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment, as follows:

In lieu of "SEC. 571," named in said amendment, insert: SEC. 571. and the Senate agree to the same.

Amendment number 116:

That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment, as follows:

Retain the matter proposed in said amendment, amended as follows:

In lieu of the matter proposed by said amendment, insert:

(UKRAINERUSSIA STABILIZATION PARTNERSHIPS

SEC. 575. Of the funds appropriated by this Act under the headings "Assistance for the New Independent States of the Former Soviet Union" and "Operations and Maintenance, Defense Agencies", and allocated under section 590(a) paragraphs (1) and (6), $50,000,000 shall be made available for a program of cooperation between scientific and engineering institutions in the New Independent States of the Former Soviet Union and national laboratories and other qualified academic institutions in the United States designed to stabilize the technology base in the cooperating states as each strives to command a significant share of the world market for weapons of mass destruction: Provided further, That the President may enter into agreements involving private United States industry that include cost reimbursement or payment, provided further, That the President may participate in programs that enhance the safety of power reactors: Provided further, That the intellectual property rights of all parties to a program of cooperation be protected: Provided further, That funds made available by this section may be reallocated in accordance with the authority of section 507(d) of the New Independent States Act; and the Senate agree to the same.

Amendment number 111:

That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

RUSSIAN ASSISTANCE TO CUBA

SEC. 575. Of the funds appropriated by this Act for the headquarters of the independent states of the former Soviet Union and "Operations and Maintenance, Defense Agencies", $360,000 shall not be made available for programs of cooperation between scientific and engineering institutions in the New Independent States of the Former Soviet Union and national laboratories and other qualified academic institutions in the United States designed to stabilize the technology base in the cooperating states as each strives to command a significant share of the world market for weapons of mass destruction: Provided further, That the President may enter into agreements involving private United States industry that include cost reimbursement or payment, provided further, That the President may participate in programs that enhance the safety of power reactors: Provided further, That the intellectual property rights of all parties to a program of cooperation be protected: Provided further, That funds made available by this section may be reallocated in accordance with the authority of section 507(d) of the New Independent States Act; and the Senate agree to the same.

Amendment number 112:

That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment, as follows:

In lieu of "SEC. 588," named in said amendment, insert: SEC. 588.
RUSIAN REFORM

Sec. 579. (a) Findings.—The Congress finds that—

(1) President Yeltsin has consistently tried to push forward economic and political reform;

(2) President Yeltsin was given a mandate by the Russian people to hold elections and continue the process of economic reform;

(3) Boris Yeltsin is the first and only popularly elected president of Russia, and the parliament of Russia is a holdover from the Soviet regime;

(4) the conservative parliament has consistently impeded political and economic progress in Russia;

(5) slow progress on economic reform has prompted the IMF to review its disbursement of Russia’s second tranche from the Systemic Transformation Facility;

(6) political and economic reform has been impeded by the actions of the hardline parliament; and

(7) corruption is rampant and is impeding economic and political reform and must be vigorously and effectively combated.

(b) Further Action.—It is the sense of the Congress that—

(1) the Congress supports President Yeltsin in his effort to continue the reform process in Russia, including his call for new parliamentary elections consistent with the results of the April 25, 1993 referendum; and

(2) further United States Government economic assistance should be provided in accordance with President Yeltsin’s call for and holding of free, fair, and democratic parliamentary elections.

And the Senate agrees to the same.

David R. Obey, President Pro Tempore,
Chairman of the Joint Committee on the Budget,
Chairman of the Appropriations Committee,
On behalf of the House.

Robert C. Byrd, Chairman of the Joint Committee on the Budget,
Chairman of the Appropriations Committee,
On behalf of the Senate.

September 28, 1993

CONGRESSIONAL RECORD—HOUSE

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagree­
ences submit the following joint statement of the Senate to the bill (H.R. 2295)

Title I—Multilateral Economic Assistance Funds Appropria ted to the President

International Financial Institutions

Contribution to the International Bank for Reconstruction and Development

Amendment No. 1: Appropriates $55,821,000 as proposed by the House instead of $37,910,500 as proposed by the Senate.

The conference agreement on the reduction in paid-in and callable capital funds for the World Bank is consistent with the reduction of the amount of funds that the World Bank has lent to Iran during 1993. The reduction also reflects the conferees’ strong belief that additional progress needs to be made by the World Bank in promoting and implementing environmental reforms.

Amendment No. 2: Inserts language permitting the Secretary of Treasury to obligate 1) one-half of the funds made available for paid-in capital of the World Bank on October 1, 1993, 2) one-quarter of the funds after April 1, 1994, and 3) one-quarter of the funds after September 1, 1994. Not more than twenty-one days prior to the April and September obligations, the Secretary of the Treasury must submit a certification that the World Bank has approved no loans to Iran since October 1, 1993 or the President must certify that withholding of the funds is contrary to the national interest.

Amendment No. 3: Inserts language conditioning funds for the Global Environment Facility. The conference agrees that the Secretary of Treasury is to consult with the appropriate committees of Congress prior to obligation of funds to the Global Environment Facility.

The conferees continue to believe that the GEF must establish procedures ensuring public availability of information on GEF projects and associated projects of the GEF implementing agencies. Without broad, timely access to technical information, the public is unable to have meaningful input regarding GEF activities. The conferees also believe that the participation of affected peoples in the identification, preparation, and implementation of GEF projects is essential.

The conferees are concerned that the World Bank’s new information disclosure policy, as written, does not provide adequate access to relevant technical documents. The conferees are also concerned that existing procedures do not adequately ensure public participation throughout the project cycle. The conferees recognize that the World Bank is making efforts to address these problems, and that the sufficiency of the Bank’s procedures in disclosing information and public participation will depend in part, on the manner in which they are implemented.

Amendment No. 4: Permits subscription for callable capital portion of the United States share of increases in the capital stock of the International Bank for Reconstruction and Development totalling $1,800,975,000, as proposed by the House instead of $602,459,500 as proposed by the Senate.

Amendment No. 5: The conferees strongly support the international financial institutions and are concerned that the International Bank for Reconstruction and Development is not in a position to make a substantial contribution to world stability and economic and political development. Because of this strong commitment, because these institutions are facing unprecedented challenges, and because growing public criticism has resulted in declining political support for the IFIs, the conferees agree that it is imperative that IFIs undergo a thorough review of their operations and procedures.

The most public criticisms have focused on continuing travel expenses, pay and benefit abuses, and office building construction and maintenance costs. These criticisms have created an image of IFI employees enjoying exceptionally generous salaries and perquisites while in the employ of institutions funded with public monies, even while poverty and misery in the countries they are supposed to be helping worsen. This image is not one that will sustain support for the IFIs in the United States Congress in future years.

Of even greater concern to the conferees is the persistent decline in the quality and scale of the IFIs’ portfolios of at least several of the IFIs. The conferees find the reported institutional emphasis on “moving money” and the quality implementation of projects to be totally inappropriate. The conferees believe that program and project quality, including compliance with loan conditionality, could be enhanced by shifting a significant number of personnel of these institutions into the field to work closely with recipient governments and local peoples. A reverse “brain drain” should have many benefits. The conferees are also concerned about the capacity of the executive boards to provide oversight and direction, and about the ability of the office of the president to run these institutions rather than being captured by entrenched bureaucracies.

Therefore, in order to stop waste, fraud and abuse, identify improvements in economy and efficiency, and ensure the proper erosion of public support for the IFIs, the conferees believe that each IFI should immediately establish an independent entity comprised of the authorities of the IFI and the inspector general. The conferees are aware that the World Bank currently has an Operations Evaluation Department, and Internal Audit and recommended the creation of an independent inspection panel. However, none of these appears to have the full authority and functions of an inspector general. The conferees believe that the authority and functions of one or more of these entities should be expanded, or a new entity created, to review the performance of the institution in achieving the goals and objectives set forth in the institution’s own policy guidelines; provide recommendations to the board on the effectiveness and efficiency of the institution, and to detect and prevent waste, fraud and abuse in programs and functions. Such an entity must be established for each IFI. The conferees have instructed the Secretary of the Treasury to pursue this matter within each IFI as to submit a report on progress being made.

Furthermore, if the IFIs are to perform effectively and achieve the goals identified in the developing countries, substantial reforms will be required. In order to develop a
CONGRESSIONAL RECORD—HOUSE
September 28, 1993

reform agenda, an independent review of IFI operations and management is urgently needed. The conferences have instructed the Secretary of Treasury to consult and work with appropriate international fora, to establish an independent commission to examine the IFIs’ operations and management within the IFIs. The administrative and other costs of the commission, which should be comprised of members of various nationalities and recognized by shareholders, paid with funds from the budgets of each of the IFIs. At a minimum, the commission should examine and consider, for each IFI, the following:

—Substantial decentralization of IFI personnel and activities to the countries to which IFIs are deployed.
—Current administrative policies and cost structures, including those related to salaries, benefits, travel expenses, building and maintenance costs.
—Changes in structure, terms and procedures that would strengthen the ability of the executive boards to monitor policy and program results and to hold the managers of these institutions accountable for the same, including the addition of secretariats to assist the executive boards.
—Changes in staffing and procedures which would strengthen the office of the president of these institutions in setting policy, program and administrative directions and in ensuring proper implementation of such directions.

In carrying out the work of this conference, the commission should consult with the executive directors and managers of the IFIs, in addition to donor and recipient governments and non-governmental organizations. The commission should report its findings and recommendations to the executive boards of each IFI. The conference have instructed the Secretary of the Treasury to submit a report on progress being made toward establishing the commission.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION
Amendment No. 6: Appropriates $1,034,332,000 for the International Development Association proposed by the House instead of $957,142,857 as proposed by the Senate.
Amendment No. 7: Deletes House language making available $30,000,000 provided for International Development Association subject to authorization.
Amendment No. 8: Deletes Senate language calling for a policy statement provided for International Development Association subject to authorization.
Amendment No. 9: Appropriates $194,125,873 as proposed by the Senate.

CONTRIBUTION TO THE INTERNATIONAL FINANCE CORPORATION
Amendment No. 10: Appropriates $15,761,500 for the International Finance Corporation proposed by the House instead of $17,880,150 as proposed by the Senate.

CONTRIBUTION TO THE AMERICAS MULTILATERAL INVESTMENT FUND
Amendment No. 11: Appropriates $75,000,000 for the United States contribution to the Multilateral Investment Fund proposed by the House instead of $50,000,000 as proposed by the Senate.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND
Amendment No. 12: Deletes House language earmarking $200,000,000 for the Fund subject to authorization.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND
Amendment No. 13: Appropriates $138,750,000 for the United States contribution to the African Development Fund as proposed by the Senate instead of $132,300,000 as proposed by the House.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS
Amendment No. 14: Appropriates $398,500,000 for the International Organizations and Programs as proposed by the Senate instead of $398,500,000 as proposed by the House.

UNICEF
Amendment No. 15: Deletes Senate language earmarking funds for UNICEF. The program plays an essential role in providing $100,000,000 will be provided for UNICEF in fiscal year 1994. The conferences believe that the United Nations Children’s Fund continues to be one of the highest priorities in the foreign assistance program. Few other programs have such widespread and bipartisan support both in Congress and with the American people.

Amendment No. 16: Deletes Senate language earmarking funds for the World Food Program. The conference urge AID to make every effort to provide $5,000,000 for the World Food Program in fiscal year 1994. The conferences recognize that the Food Program for $5,000,000 requested by the President and recommended in the Senate report, and is equal to the amount the conferences believe UNICEF plans to spend in the People’s Republic of China in 1994.

The conferences have further required that not more than one-half of these funds may be provided to UNFPA in the fiscal year 1994. This represents a $10,000,000 reduction from the $25,000,000 recommended in the Senate report, and is equal to the amount the conferences believe UNFPA plans to spend in the People’s Republic of China in 1994.

The conferences believe that AID should expand its efforts to achieve these goals. The conferences therefore recommend and intend that $11,000,000 of development assistance funds in addition to funds otherwise made available for such purposes, be used to encourage and promote the participation and integration of women as equal partners in the development process in developing countries. Of these funds, $5,000,000 should be made available as matching funds to support efforts of AID and its allies to integrate women into their programs. AID should seek to ensure that country strategies, projects, and programs are designed so the percentage
INTERSERVICE DISASTER ASSISTANCE
Amendment No. 23: Appropriates $145,985,000 as proposed by the House instead of $48,985,000 as proposed by the Senate. The conference adopted a description of the House level of funding will be needed to meet disaster related problems in the former Yugoslavia, Somalia and other situations in Africa, and around the world.

MICRO AND SMALL ENTERPRISE DEVELOPMENT PROGRAM ACCOUNT
Amendment No. 24: Appropriates $1,000,000 for the Micro and Small Enterprise Development Program Account, instead of $2,000,000 as proposed by the Senate. The House did not include any language for the Micro and Small Enterprise Development Program.

The Amendment also provides a limitation of $25,000,000 for loan guarantees for this program, instead of $50,000,000 as proposed by the Senate.

The conference agree that the Administration is to provide notification to the Committee on Appropriations prior to obligating funds for the Micro and Small Enterprise Development Program.

OPERATING EXPENSES OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT
Amendment No. 25: Appropriates $501,760,000 for Operating Expenses of the Agency for International Development as proposed by the House instead of $494,080,000 as proposed by the Senate.

The conference includes a description of the purpose of the funding, which can be accomplished without legislation and has submitted the necessary package of proposed legislation to accomplish the remaining recommendations. These are:

2. Reform of the personnel systems of the Agency for International Development aimed at integrating the multiple personnel systems and reviewing benefits under each system.
3. Lifting of some current Agency for International Development personnel restrictions, allowing the managers authority to manage staff resources more efficiently and effectively.
4. Reengineering of project and program management processes to emphasize innovation, flexibility, beneficiary participation, pilot and experimental programs, incentive systems linked to project and program performance, processes for continuing critical review and evaluation, and improved coordination systems with other donors.
5. A planned reduction of a specific number of Agency for International Development missions during the next three years, of which at least twelve are to be terminated during the first year.

The provision also appropriates an additional $38,965,000 as proposed by the House instead of $38,518,940 as proposed by the Senate.

The Amendment also provides a description of language allowing the Board of Directors of the African Development Foundation to waive any activities of concern, and U.S. efforts to ensure improved compliance on the part of Jordan.

ISRAEL AND EGYPT
Amendment No. 31: Inserts Senate language earmarking $1,200,000,000 for Israel and $615,000,000 for Egypt. The conference also agree to include language requiring early disbursal on a grant basis for Israel, and a requirement that $200,000,000 be provided to Egypt as a Commodity Import Program.

CYPRUS/MIDDLE EAST REGIONAL COOPERATION PROGRAM
Amendment No. 32: Inserts language earmarking $15,000,000 in Economic Support Funds for Cyprus for scholarships, binational projects, and training aimed at the reunification of the Island and designed to reduce tensions and promote peace and cooperation between Turkey, Greece, and the former Cyprus. This is the same amount requested by the administration for fiscal year 1994, and the same amount recommended by both the Senate and House levels of funding.

The conference recommends that $7,000,000 in Economic Support Funds be provided for the Middle East Regional Cooperation Program. This program complements the ongoing Middle East multilateral peace talks on regional issues such as water, the environment, and economic cooperation. The conference believes the recent progress towards peace between Israel and its Arab neighbors makes this program particularly relevant. It can help demonstrate that peaceful cooperation can yield tangible benefits for all involved.

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES
Amendment No. 34: Appropriates $560,000,000 for assistance for Eastern Europe and the Baltic States as proposed by the House and $380,000,000 as proposed by the Senate.

The conference recommends that development assistance and SEED Act funds be made available for humanitarian assistance and for technical training in Albania including activities in agriculture and in health.

The conference, in providing funding for graduate students from the former Soviet Union, also recommends $1,200,000 for the Baltic States through related programs as well as for direct economic assistance.

ASSISTANCE FOR THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION
Amendment No. 36: Appropriates $603,500,000, for assistance for the New Independent States of the former Soviet Union as proposed by the Senate instead of $603,650,000 as proposed by the House. The conference agree to provide the $300,000,000 originally approved for the House in this account as an increase to the subaccounts of the Export Import Bank of the United States.

AFRICAN DEVELOPMENT FOUNDATION
Amendment No. 37: Inserts Senate language allowing expenditure of funds for East Africa through related programs as well as for direct economic assistance.

INTER-AMERICAN FOUNDATION
Amendment No. 38: Appropriates $59,960,000 for the Inter-American Foundation as proposed by the Senate instead of $30,340,000 as proposed by the House.
The conference report on the Export-Import Bank Act includes several key provisions:

1. **Language regarding funding for humanitarian aid for refugees**: The conference report includes language waiving the requirement for special notification procedures for programs for refugees, displaced persons, and conflict refugees. This language is as proposed by the Senate. The House provided language waiving authorization for programs worldwide, effective October 1, 1993, including:
   - precluding payment for salaries and administrative expenses for employees in the Bureau of Refugee Programs;
   - precluding funding to the UN High Commissioner for Refugees and other relief organizations.

2. **Limitation on availability of funds**: The conference report includes language limiting the availability of funds for programs worldwide, effective October 1, 1993, including:
   - stopping the processing and admission of refugees to the United States;
   - requiring special notification procedures.

3. **Confidence and safeguards**: The conference report includes language authorizing an appropriation of $3,000,000,000 for the United States participation in the replenishment of the Asian Development Bank (ADB) and the replenishment of the permanent Global Environmental Facility, subject to obtaining the necessary appropriations.

4. **怊claims and liabilities**: The conference report includes language waiving the requirement for special notification procedures for programs for refugees, displaced persons, and conflict refugees. This language is as proposed by the Senate. The House provided language waiving authorization for programs worldwide, effective October 1, 1993, including:
   - precluding payment for salaries and administrative expenses for employees in the Bureau of Refugee Programs.

5. **Landmines and cluster munitions**: The conference report includes language authorizing an appropriation of $3,000,000,000 for the United States participation in the replenishment of the Asian Development Bank (ADB) and the replenishment of the permanent Global Environmental Facility, subject to obtaining the necessary appropriations.

6. **Congressional oversight**: The conference report includes language authorizing an appropriation of $3,000,000,000 for the United States participation in the replenishment of the Asian Development Bank (ADB) and the replenishment of the permanent Global Environmental Facility, subject to obtaining the necessary appropriations.

The conference report on the Export-Import Bank Act also includes language clarifying that funds are to remain available for two years.
DEBT-FOR-DEVELOPMENT
Amendment No. 65: Deletes Senate language extending Debt-for-Development authority to subsequent acts.

LOCATION OF STOCKPILES
Amendment No. 68: Inserts Senate language allowing up to $72,000,000 to be made available for stockpiles in the Republic of Korea.

Amendment No. 67: Inserts Senate language allowing up to $30,000,000 to be made available for stockpiles in the Philippines. The Senate had provided for $20,000,000 to be made available.

RESCSSIONS
Amendment No. 68: Inserts Senate language rescinding $305,000,000 from unexpended balances of Economic Support Funds made available in FY1993. Also inserts Senate language rescinding $5,100,000 from unexpended development assistance funds appropriated for fiscal year 1993 and prior fiscal years.

The House had included a rescission of $185,000,000 for fiscal years 1993 and prior Economic Support Funds. The Senate had included a rescission of $250,000,000 for fiscal year 1993 and prior Economic Support Funds.

AUTHORITY TO ASSIST BOSNIA-HERCEGOVINA
Amendment No. 69: Inserts Senate language allowing up to $25,000,000 of United States commodities and services for the United Nations War Crimes Tribunal regarding genocide or other violations of International Law in the former Yugoslavia.

Amendment No. 70: Deletes Senate language earmarking funds for the United Nations War Crimes Tribunal. The conferees urge that every effort be made to obtain contributions from our allies and other U.N. member countries for this vital effort. The conferees also strongly urge the Administration to provide a one-time voluntary contribution of $3,000,000 to help the war crimes tribunal from 1992 through 1993. Also inserts Senate language rescinding $5,100,000 from unexpended development assistance funds appropriated for fiscal year 1993 and prior fiscal years.

The House had included a rescission of $185,000,000 for fiscal years 1993 and prior Economic Support Funds. The Senate had included a rescission of $250,000,000 for fiscal year 1993 and prior Economic Support Funds.

SPECIAL AUTHORITIES
Amendment No. 71: Inserts Senate language allowing up to $50,000,000 in transfers from unexpended balances of Economic Support Funds remaining in the Foreign Assistance Act of 1961. The current limitation is $25,000,000.

Amendment No. 72: Deletes Senate language earmarking funds for transferring $20,000,000 to Afghanistan and Lebanon not more than fifty percent from development assistance funds.

ANTI-VARCOCTICS ACTIVITIES
Amendment No. 73: Inserts Senate language allowing for the continuation of Administration of Justice programs in Latin America and the Caribbean. It also allows up to $6,000,000 for police training in Panama of which not more than $3,000,000 may be used for procurement of non-lethal law enforcement equipment. It also provides for rescission of various Administration of Justice programs for Bolivia, Colombia and Peru.

ELIGIBILITY FOR ASSISTANCE
Amendment No. 74: Inserts Senate language allowing the use of development assistance and development funds for Africa to be provided through non-governmental organizations notwithstanding aid restrictions in this or any other Act. The provision also allows aid restrictions to be waived for Titles I and II of Pubic Law 480. Use of the authority for Title I is subject to notification. Before using this authority the President must notify the appropriate committees of Congress. The authority may not be used for countries that support international terrorism and countries that violate internationally recognized human rights. This authority should not be construed to alter any existing statutory prohibitions against abortion or voluntary sterilization contained in this or any other Act.

EXCESS DEFENSE ARTICLES
Amendment No. 75: Inserts Senate language on earmarks. The conferences desire to give maximum flexibility to the Administration to carry out its foreign policy reforms. That in why the conferences have reduced the number of earmarks. But, within that understanding, the conferences expect the Administration, to the greatest extent possible given changing circumstances, to adhere to the recommendations in the Committee Reports accompanying the Bill. To the extent the Administration is not able to follow the recommendations in the Committee Reports, the conferences expect the Administration to consult with the committees.

DEILINGS AND EARMARKS
Amendment No. 76: Inserts Senate language restricting the applicability of ceilings and earmarks.

REAL PROPERTY MANAGEMENT
Amendment No. 77: Inserts Senate language allowing foreign assistance to be made available for the purchase of up to $5,000,000 in excess defense articles to countries for which United States foreign assistance was justified for the fiscal year. The conferences agree that a separate justification for countries proposed to receive non-lethal excess defense articles is also required. The provision of non-lethal excess defense articles remains subject to notification as in current law.

TERMINATION
Amendment No. 78: Deletes Senate language allowing a special contractual authority for countries whose assistance has been terminated. The conferences agree that this issue should be addressed in future authorizing legislation.

UNITED STATES ASSISTANCE FOR THE TRANSITION TO A NON-RACIAL DEMOCRACY IN SOUTH AFRICA
Amendment No. 80: Deletes Senate language revising current law on South Africa. The Conferences agreed not to include a provision on the transition to democracy in South Africa. It is the understanding of the Conferences that the Congress will be considering comprehensive authorization legislation on this issue and therefore felt it more appropriate not to address this issue in this bill.

PROHIBITION AGAINST PAY TO FOREIGN ARMED SERVICE MEMBER
Amendment No. 81: Deletes Senate language prohibiting the use of funds to pay pensions, annuities, or retirement for any person serving in the armed forces of any country receiving foreign assistance. The conferences expect that foreign assistance will not be used for this purpose.

PROHIBITION ON PUBLICITY OR PROPAGANDA
Amendment No. 82: Inserts Senate language prohibiting the use of funds for publicity or propaganda purposes within the United States. The provision is amended to include a new section number 557.

DISADVANTAGED ENTERPRISES
Amendment No. 83: Deletes Senate language on Agency for International Development policies for disadvantaged enterprises. The provision is amended to include a new section number 559.

HUMAN RIGHTS REPORT
Amendment No. 84: Deletes Senate language on the Human Rights Report. A central principle of United States foreign policy is the promotion of democracy and human rights. The conferences commend the State Department for its efforts to document human rights practices throughout the world in its annual Country Reports on Human Rights Practices. These reports have contributed to the protection of human rights.

The conferences request that in addition to the items currently discussed in the State Department report, the report should contain (1) a review of each country's commitment to children's rights and welfare; (2) a description of the extent to which indigenous peoples are able to participate in decision making affecting their lands, cultures and natural resources, and assess the extent of protection of their civil and political rights; and (3) an examination of discrimination toward people with disabilities.

The conferences are concerned that military exports be limited by specific countries which receive United States assistance may exceed legitimate security needs. Curbing the proliferation of unnecessary weapons in these countries should further United States foreign policy goal. The conferences recommend and intend that a separate report, entitled "Annual Report on Military Expenditures," should be submitted (at the same time as the report required by section 116(d) of the Foreign Assistance Act of 1961) which contains for each country which receives U.S. assistance:

-an updated estimate of current military spending and a description of trends in spending in real terms;

-a description of the size and political role of the armed forces, including an assessment of the ability of civilian authorities to appoint and remove military officers;

-an assessment of the vulnerability of reducing military spending;

-a description of efforts by the United States to encourage arms reductions, including collaborative efforts with other donors and arms suppliers; and

-a description of the country's efforts to make such reductions as are needed to provide accurate military spending data to relevant international organizations and to the United Nations Register of Conventional Arms, and to participate in regional talks aimed at reducing military spending.

USE OF AMERICAN RESOURCES
Amendment No. 85: Deletes Senate language on the use of American resources. The provision is amended to include a new section number 559.

INTERNATIONAL FUND FOR IRELAND
Amendment No. 86: Deletes Senate language providing up to $19,600,000 from development assistance funds for the United States Contribution to the International Fund for Ireland. Funds for the United States Contribution have been provided under Amendment No. 33.

ASSISTANCE FOR THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION
Amendment No. 87: Inserts language which recommends allocations of all the funds provided to the New Independent States among
seven categories of assistance and describes examples of the activities which may be funded from each category. The amendment requires consultation with the Appropriations Committees of both Houses of Congress before the amount recommended for each category is established. The amendment also requires consultation with the Administration regarding the funding levels that is provided by this legislation.

The conferees support the efforts of Project Orbiis, a medical charity that teaches wealthy doctors in the United States to perform sight-saving surgery to obtain funding for its work in Eastern Europe, the Baltics, and the republics of the former Soviet Union. Amendment No. 88: Deletes Senate language earmarking $49,000,000 for a Russian Far East Enterprise Fund. The conferees urge that $46,000,000 be provided for enterprise fund activities in the Russian Far East. Amendment No. 89: Inserts language conditioning assistance to New Independent States on their respecting each others' national sovereignty and territorial integrity. A Presidential national interest waiver and exemptions for humanitarian, arms control, and disaster assistance are included. There is a reporting requirement on violations and on efforts to comply with the restriction.

Also, insert language prohibiting the use of assistance for enhancement of the military capacity of any New Independent State with exemptions for demilitarization, defense sector reform, arms control, or for programs, or programs conducted under section 560(a)(5) of this Act.

ANDIAN NARCOTICS INITIATIVE

Amendment No. 90: Inserts Senate language providing that Economic Support Funds or Foreign Military Financing Program Funds may be made available for the Andean counter-narcotics strategy (including certain exceptions). The provision is amended to include a new section number 561.

LIMITATION ON ASSISTANCE FOR NICARAGUA

Amendment No. 91: Inserts Senate language placing conditions on Economic Support Funds for Nicaragua. The conferees urge the Nicaraguan Government to move ahead rapidly with the investigation of the arms cache explosion of last May now being conducted by the Nicaraguan Government with the participation of a number of international investigative agencies including the FBI. The conferees expect that the Government will prosecute vigorously any violations of Nicaraguan or international law. The provision is amended to include a new section number 562.

LIMITATIONS ON ASSISTANCE FOR HAITI

Amendment No. 92: Inserts Senate language restricting funds to Haiti under certain conditions.

AGRICULTURAL AID TO THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION

Amendment No. 93: Inserts language providing that out of the funds made available for the New Independent States up to $50,000,000, inclusive of transportation costs, for agricultural commodities is available for food and nutritional needs of children and women.

HUMANITARIAN ASSISTANCE FOR ARMENIA

Amendment No. 94: Inserts language providing that $18,000,000 should be available for Armenia only and for Development Assistance, Economic Support Funds, and the New Independent States, for winterization needs including winter seeds and clothing to Armenia. The conferees are strongly supportive of substantial levels of humanitarian assistance for the people of Armenia who for several years now have been suffering severely from both natural and man-made disasters. The conferees note that Armenia is suffering from a condition more than $18,000,000 in assistance and believe that this level will be too low to meet Armenian needs in 1994. The conferees strongly supportive of substantial levels of humanitarian assistance for the people of Armenia who for several years now have been suffering severely from both natural and man-made disasters.

HUMANITARIAN AND REFUGEE ASSISTANCE IN CROATIA, SLOVENIA, BOSNIA, AND KOSOVO

Amendment No. 95: Deletes language providing that the amount of assistance marked not less than $35,000,000 in Migration and Refugee Assistance funds for Croatia, Slovenia, Bosnia and Herzegovina, and Kosovo. The Senate amendment also included a sub-earmark of $10,000,000 for the purposes of the program.

The conferees agree that funding in at least the amounts proposed by the Senate will be required in fiscal year 1994 and urge the Administration to take steps to meet the emergency needs in Bosnia, Croatia and Kosova. The conferees also agree that there is an immediate need to fund programs related to the winterization of the leading in participating in the United Nations High Commissioner for Refugees' donor request for a winterization program.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

Amendment No. 96: Inserts Senate language prohibiting the use of foreign assistance funds to pay assessments, arrears, or dues of any member of the United Nations. The provision is amended to include a new section number 566.

PRIVATE VOLUNTARY ORGANIZATIONS-DOCUMENTATION

Amendment No. 97: Inserts Senate language prohibiting the use of funds for consulting contracts unless contracts are a matter of public record and available for inspection with certain exceptions. The provision is amended to include a new section number 567.

CHEMICAL WEAPONS PROLIFERATION

Amendment No. 98: Deletes Senate language prohibiting funds for private voluntary organizations which do not provide funding to the United Nations Development for audit purposes in a timely manner or which are not registered with the Agency for International Development. The provision has been amended to include a new section number 568.
congressional pattern of gross violations of internationally recognized human rights. Also, inserts a Sense of Congress statement that the President should consider requesting the AID to lift sanctions funds corresponding to "Trinidad Terms".

**GUARANTEES**

Amendment No. 101: Inserts Senate language relating to the policy on Foreign Military Financing of direct commercial sales. The new language requires the Secretary of Defense to retain a list of cases, affects by any such change have been fully consulted and given opportunity for input into any such policy changes. The language also includes a requirement for the Department to consult with the Committees on Appropriations, the House Foreign Affairs Committee, the Senate Foreign Relations Committee, the Department of Defense, and the relevant agencies or departments of the Executive Branch.

The conferees are aware that changes may be needed in the policy concerning direct commercial sales, since the General Accounting Office has raised this as an area potentially subject to abuse. The GAO found that many of the purchasing problems for Foreign Military Sales exist under both the direct and Department of Defense procurement programs, however in a majority of cases direct sales are the result of spending recipient countries more to procure directly with defense contractors than through the Department of Defense. The GAO also found that there are cases where direct purchase is less expensive. The Department of Defense in developing a policy needs to assure that the program addresses both of these situations. The conferees are concerned that the Department's original intention to terminate direct commercial contracts effective January 1, 1994 did not afford sufficient time to review, the termination program in a way that would not adversely impact ongoing programs. The conferees are particularly concerned that the Department proceeded to change the direct sales policy without consulting the Congress, I understand that the Department of Defense has determined to delay the termination date. The language included in the bill is intended to assure that all parties are consulted prior to issuing a final determination.

**RESTRICTION ON ASSISTANCE TO PERU**

Amendment No. 103: Deletes Senate language restricting assistance to Peru. The conference agreement removes the restriction on assistance to the Peruvian Government. The conference agreement that the United States, the Russian Federation, Japan, Korea, Poland, and the People's Republic of China as part of these discussions, in order to facilitate negotiations on an international fishery agreement, delete the language in the act. Further the conference language provides that the President may delay, by December 31, 1993, the deadline of June 30, 1993, for the assessment of modernization assistance to the Peruvian Government if, in the President's judgment, negotiations for an international fishery agreement are not being conducted in good faith.

**FOREIGN MILITARY FINANCING DIRECT COMMERCIAL SALES POLICY**

Amendment No. 104: Inserts revised language relating to the policy on Foreign Military Financing of direct commercial sales. The new language requires the Secretary of Defense to not implement changes in the long-standing policy allowing the use of Foreign Military Financing funds for direct commercial sales unless and until affected by any such change have been fully consulted and given opportunity for input into any such policy changes. The language also includes a requirement for the Department to consult with the Committees on Appropriations, the House Foreign Affairs Committee, the Senate Foreign Relations Committee, the Department of Defense, and the relevant agencies or departments of the Executive Branch.

The conferees are aware that changes may be needed in the policy concerning direct commercial sales, since the General Accounting Office has raised this as an area potentially subject to abuse. The GAO found that many of the purchasing problems for Foreign Military Sales exist under both the direct and Department of Defense procurement programs, however in a majority of cases direct sales are the result of spending recipient countries more to procure directly with defense contractors than through the Department of Defense. The GAO also found that there are cases where direct purchase is less expensive. The Department of Defense in developing a policy needs to assure that the program addresses both of these situations. The conferees are concerned that the Department's original intention to terminate direct commercial contracts effective January 1, 1994 did not afford sufficient time to review, the program in a way that would not adversely impact ongoing programs. The conferees are particularly concerned that the Department proceeded to change the direct sales policy without consulting the Congress, the Department has determined to delay the termination date. The language included in the bill is intended to assure that all parties are consulted prior to issuing a final determination.

**FISHING IN THE CENTRAL BERING SEA**

Amendment No. 106: Deletes Senate language regarding fishing in the Central Bering Sea. The conferees support the Department of Commerce's initiative to improve the management of the Bering Sea fishery. The conferees understand that the Department of Commerce is developing fishery management plans and implementing cooperative agreements with the United States, Japan, and Russia to promote sustainable management of the Bering Sea fishery. The conferees expect the Department of Commerce to work with the United States, Japan, and Russia to develop cooperative agreements that promote sustainable management of the Bering Sea fishery.

**RESTRICTION ON ASSISTANCE FOR RUSSIA**

Amendment No. 108: Inserts language prohibiting funds in this Act to any country which provides lethal military equipment to a terrorist government as defined in section 8B of the Arms Export Control Act. The provision applies to contracts entered into after the date of enactment. The conferees expect the United States and the Russian Federation to settle their differences with regard to arms sales and to establish a framework for a new relationship.

**FOREIGN MILITARY FINANCING DIRECT COMMERCIAL SALES POLICY**

Amendment No. 109: Deletes Senate language restricting assistance to Russia. The conferees support the development of a cooperative relationship between the United States and Russia that promotes mutual interest in regional stability and security. The conferees expect the United States and the Russian Federation to continue to work together to resolve differences in their relationship.

**RESTRICTION ON ASSISTANCE TO RUSSIA**

Amendment No. 110: Inserts Senate language prohibiting assistance to Russia. The conferees support the development of a cooperative relationship between the United States and Russia that promotes mutual interest in regional stability and security. The conferees expect the United States and the Russian Federation to continue to work together to resolve differences in their relationship.

**PROHIBITION ON ASSISTANCE TO COUNTRIES EXPROPIATING UNITED STATES PROPERTY**

Amendment No. 111: Deletes Senate language regarding the expropriation of property of United States persons. The conferees support the development of a cooperative relationship between the United States and Russia that promotes mutual interest in regional stability and security. The conferees expect the United States and the Russian Federation to continue to work together to resolve differences in their relationship.

**RUSSIAN ASSISTANCE TO CUBA**

Amendment No. 112: Deletes Senate language prohibiting assistance to Cuba. The conferees support the development of a cooperative relationship between the United States and Russia that promotes mutual interest in regional stability and security. The conferees expect the United States and the Russian Federation to continue to work together to resolve differences in their relationship.

**POLICY WITH RESPECT TO RESTORATION OF DEMOCRACY IN HAITI**

Amendment No. 113: Deletes Senate language regarding the restoration of democracy in Haiti. The conferees support the development of a cooperative relationship between the United States and Russia that promotes mutual interest in regional stability and security. The conferees expect the United States and the Russian Federation to continue to work together to resolve differences in their relationship.

**STATEMENT OF POLICY ON THE UNITED NATIONS**

Amendment No. 114: Deletes Senate language regarding the United Nations.
Amendment No. 115: Inserts language allowing the President, until February 15, 1994, to waive section 307 of the Foreign Assistance Act with respect to the Palestine Liberation Organization, programs for the benefit of entities associated with it, which accept the commitment made by the PLO on September 9, 1993. The President is to consult with the relevant Committees of Congress prior to exercising this waiver, and to determine that to do so is in the national interest. The waiver shall cease to be in effect if the President notifies Congress that the PLO has ceased to comply with the September 9, 1993 commitments, or if Congress, by joint resolution, makes a similar determination.

POLICY CONCERNING HUMAN RIGHTS AND DEMOCRACY IN VIETNAM


SENSE OF THE SENATE REGARDING IMPORTATION OF PRODUCTS MADE WITH CHILD LABOR

Amendment No. 117: Deletes Senate language regarding importation of products made with child labor.

DEFINITION AND APPROPRIATE CONGRESSIONAL COMMITTEES

Amendment No. 118: Deletes Senate language defining appropriate congressional committees.

WORLD BANK GROUP

Amendment No. 119: Deletes Senate language regarding the World Bank Independent Inspection Panel.

RUSSIAN REFORM

Amendment No. 120: Inserts Sense of the Congress language in support of President Yeltsin’s efforts to bring about economic and political reform in Russia.

TITLE VI—FISCAL YEAR 1993

SUPPLEMENTAL APPROPRIATIONS

Funds appropriated to the President for the new independent states of the former Soviet Union

Amendment No. 121: Restores House language making available not to exceed $500,000,000 for a special privatization and restructuring fund.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1994 recommended by the Committee of Conference, with comparisons to the fiscal year 1993 amount, the 1994 budget estimates, and the House and Senate bills for 1994 follow:

New budget (obligational) authority, fiscal year 1993: $36,257,377,903
Budget estimates of new (obligational) authority, fiscal year 1994: $36,425,903,066
House bill, fiscal year 1994: $14,593,038,666
Senate bill, fiscal year 1994: $12,509,565,047
Conference agreement, fiscal year 1994: $12,982,665,866

Conference agreement compared with:
New budget (obligational) authority, fiscal year 1993: $36,257,377,903
Budget estimates of new (obligational) authority, fiscal year 1994: $36,425,903,066
House bill, fiscal year 1994: $14,593,038,666
Senate bill, fiscal year 1994: $12,509,565,047
Conference agreement, fiscal year 1994: $12,982,665,866

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. CRAPO (at the request of Mr. MICHELI), for today, on account of illness.

Mr. McDade (at the request of Mr. MICHELI), for today, on account of illness.

Mr. HYDE (at the request of Mr. WYNN) to revise and extend their remarks and include extraneous material:

Mr. R. C. BYRD (at the request of Mr. MCDONNELL), for today, on account of illness.

Mr. BEREUTER, for 5 minutes today.

Mr. PORTER, for 5 minutes, today.

Mr. Crapo, for 30 minutes, today.

Mr. Thomas, of California, for 30 minutes, today.

Mr. Oxley, for 5 minutes, on September 30.

Mr. BEREUTER, for 5 minutes, today.

Mrs. Bentley, for 5 minutes, today, in lieu of previously approved 60 minutes. (The following Members (at the request of Mr. WYN) to revise and extend their remarks and include extraneous material:

Mr. Richardson, for 5 minutes, today.

Mr. Glckman, for 5 minutes, today.

Mr. Stokes, for 5 minutes, today.

Mr. Gonzales, for 5 minutes, today.

Mr. COYNE, for 5 minutes, today.

Mr. Sabo, for 5 minutes, today.

EXTENSION OF REMARKS

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

Mr. Solomons to include tabular material following his remarks on House Resolution 134.

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

Mr. R. B. RIDGE.

Mr. ARMY.

Mr. HUNTER.

Mr. MICHELI.

Mr. GOODLING, in two instances.

Mr. SOLOMON, in three instances.

Mr. CLINGER.

Mr. VUCANOVICH.

Mr. CRAPo.

Mr. ROTH.

Mr. FISH.

Mr. PACKARD.

Mr. GILMAN, in two instances.

Mr. MCKEON.

Mr. BEREUTER, in three instances. (The following Members (at the request of Mr. WYN) and to include extraneous matter:

Mr. HOLDEN.

Mr. PENNY.

Mr. BERMAN, in two instances.

Mr. HAMILTON, in two instances.

Mr. MALONEY.

Mr. MARRIZZI.

Mr. LAFAULCE.

Mr. ENDEL.

Mr. MONTAN.

Mr. STARK.

Mr. DELLUMS.

Mr. REILLEN.

Mr. BELLERA.

Mr. GONZALEZ.

Mr. WISE.

Mr. WAXMAN.

Mr. SANGMEISTER, in two instances.

Mr. COYNE, in two instances.

Mr. MINETA.

Mr. SLATTERY.

Mr. TORRES.

Mr. ACKERMAN in four instances.

Mr. EDWARDS of California.

Mr. JACOB.

Mr. SPRATT.

Mr. NADLER.

ENROLLED BILLS SIGNED

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


H.R. 3961: An act to provide that certain property located in the State of Oklahoma
OWNED BY AN INDIAN HOUSING AUTHORITY FOR THE PURPOSE OF PROVIDING LOW-INCOME HOUSING SHALL BE TREATED AS FEDERAL PROPERTY UNDER THE ACT OF SEPTEMBER 30, 1950 (PUBLIC LAW 84-974, 81st CONGRESS).

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1130. An Act to provide for continuing authorization of Federal employee leave transfer and leave bank programs, and for other purposes.

BILLs AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. ROSE, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills, and a joint resolution of the House of the following titles:

H.J. Res. 220, A joint resolution to designate the month of August as "National Scleroderma Awareness Month," and for other purposes.

H.R. 873. An act to provide for the conservation and protection of the Gallatin Range.

H.R. 3019. An act to designate the Federal building to be constructed between Gay and Market Streets and Cumberland and Church Avenues in Knoxville, Tennessee, as the "Howard H. Baker, Jr. United States Courthouse."

H.R. 2598. An act to designate the Federal building in Jacksonville, Florida, as the "Charles E. Bennett Federal Building."

H.R. 3019. An act to amend title 5, United States Code, to restore to Federal civilian employees their right to participate voluntarily, as private citizens, in the political processes of the Nation, to protect such employees from improper political solicitations, and for other purposes.

H.R. 515. An act to designate the United States courthouse located at 10th and Main Street in Richmond, Virginia, as the "Lewis F. Powell, Jr. United States Courthouse."

H.R. 3949. An act to extend the current interim exemption under the Marine Mammal Protection Act for commercial fisheries until April 1, 1994.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 8 o'clock and 36 minutes p.m.), the House adjourned until to-morrow, Wednesday, September 29, 1993, 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:

1952. A letter from the Director, Office of Management and Budget, transmitting OMB's projections of the direct spending targets for fiscal years 1993 through 1997, to the Committee on the Budget.

1953. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the report of political contributions by Theresa Anne Tull, of New Jersey, to be Ambassador to Brunei Darussalam, and Demitri Tull, of her family, pursuant to 22 U.S.C. 3994(b)(2); to the Committee on Foreign Affairs.

1954. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the report of political contributions by Victor L. Tomsell, of Oregon, to be Ambassador to the Lao People's Democratic Republic, and members of his family, pursuant to 22 U.S.C. 3994(b)(2); to the Committee on Foreign Affairs.

1955. A letter from the Attorney General, Department of Justice, transmitting a report on the awarding of the Young American Medals for Bravery and Service for the calendar years 1992 through 1994, under 42 U.S.C. 1925; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XLI, reports of committees were delivered to the Clerk for printing in connection with the proper calendar, as follows:

Mr. DINGELL: Committee on Energy and Commerce. H.R. 1919. A bill to establish a program to facilitate development of high-speed rail transportation in the United States, and for other purposes.

Mr. DERRICK: Committee on Rules. House Resolution 261. Resolution waiving points of order against the bill (H.R. 2483) making appropriations for the Department of Agriculture for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103-259). Referred to the House Calendar.

Mr. BEILENSON: Committee on Rules. House Resolution 262. Resolution providing for the consideration of the bill (H.R. 1445) to establish the Biological Survey in the Department of the Interior, 103-262. Referred to the House Calendar.

Mr. FROST: Committee on Rules. House Resolution 263. Resolution waiving certain points of order against the bill (H.R. 3116) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103-263). Referred to the House Calendar.

Mr. BEILENSON: Committee on Rules. House Resolution 264. Resolution waiving certain points of order against the bill (H.R. 3565) to authorize appropriations for fiscal years 1994 and 1995 to carry out the National Foundation on the Arts and the Humanities Act of 1990, and the Museum Services Act (Rept. 103-264). Referred to the House Calendar.

Mr. DE LA GARZA: Committee on Agriculture. H.R. 2689. A bill to amend Public Law 100-518 and the United States Grain Standards Act to extend through September 30, 1998, the authority of the Federal Grain Inspection Service to collect fees to cover administrative and supervisory costs, and for other purposes, with an amendment (Rept. 103-265). Referred to the Committee of the Whole House on the State of the Union.

Mr. DE LA GARZA: Committee on Agriculture. H.R. 3085. An act to improve administrative services and support provided to the National Forest Foundation, and for other purposes (Rept. 103-266). Referred to the Committee of the Whole House on the State of the Union.

Mr. OBEY: Committee of Conference. Conference report on H.R. 2265. A bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103-267). Ordered to be printed.

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. COYNE (for himself, Mr. MURPHY, Mr. SANTORUM, and Mr. KLINGHOFFER). H.R. 814. A bill to authorize funding within the Department of the Interior to implement the plan of the Steel Industry Heritage Act of 1993, and for other purposes (Rept. 103-252). Referred to the Committee on Natural Resources.

By Mr. CRAPO (for himself, Mr. HASTERT, Mr. BOSWORTH, Mr. KASICH, Mr. ENSIS, Mr. ROHRABACHER, Mr. GRAMS, Mr. SHOPE, Mr. RAMSTAD, Mr. HOKE, Mr. BACHUS of Alabama, Mr. HUFFINGTON, Mr. COYNE, Mr. BAKER of California, Mr. BUNNING, Mr. BURTON of Indiana, Mr. BUYER, Mr. DELAY, Mr. GOSS, Mr. HANSEN, Mr. HEFLEY, Mr. HUNTER, Mr. HUTCHISON, Mr. KINGSTON, Mr. MANZULLO, Mr. POMBO, Mr. SOLOMON, Mr. KLY, Mr. GOODLATTE, Mrs. MURRILL, Mr. KASCHKE, Mr. DIBRIZZO, Mr. HANCOCK, Mr. GREENWOOD, Mr. PORTMAN, Mr. BALLINGER, Mr. Ewing, Mr. KIM, Mr. RORABACHER, Mr. THOMAS of Wyoming, Mr. WALKE, Mr. SMITH of Texas, Mr. ANDREWS of New Jersey, Mr. KLUH, Mr. MCHUGH, Mr. MCINNIS, Mr. CALLAN, Mr. HILLEY, Mr. ARMED, Mr. SAM JOHNSON, Mr. DUNCAN, Mr. CASTLE, Mr. LINDER, Mr. LIVINGSTON, Mr. MCCRORY, Mrs. MORELLA, Mr. RAMLETH, Mr. BACHUS of Georgia, Mr. ZIMMER, Mr. COLLINS of Georgia, Mr. HOEKSTRA, Mr. HERGER, Mr. TALENT, Mr. FRANKS of New Jersey, Mr. KNOBEL, Mr. ROBB, Mr. SATO, Mr. BAKER of Louisiana.

CONGRESSIONAL RECORD—HOUSE 22835
Revenue Reconciliation Act of 1993; to the Committee on the Judiciary.

By Mrs. UNSOLD (for herself, Mr. DICKS, Mr. KNEIDER, Mr. PETENFISCHER of Wisconsin, and Mr. RODGERS of Wisconsin):

H.R. 3156. A bill to authorize the Secretary of Transportation to convey for scrapping by the Virginia V Foundation (a nonprofit organization) the National Defense Reserve Fleet vessel that is scheduled to be scrapped; to the Committee on Merchant Marine and Fisheries.

By Mr. BARTON of Texas:


By Ms. BYRNE:

H.R. 3158. A bill to extend the Export-Import Bank Act of 1945 to authorize the Bank to finance the export of certain defense articles and services to certain countries for a limited period, and to provide funds for the exercise of such authority by amending the Foreign Assistance Act of 1961 to repeal the international military education and training program; jointly, to the Committee on Banking, Finance and Urban Affairs and Foreign Affairs.

By Mr. EVANS (for himself and Ms. BACKUS):

H.R. 3159. A bill to amend title 38, United States Code, to codify the addition by the Secretary of Veterans Affairs of certain additional diseasess to the list of diseases occurring in veterans that are considered to be service-connected; to the Committee on Veterans' Affairs.

By Mr. MARTINEZ (for himself and Mrs. HOBSON):

H.R. 3160. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to make technical corrections necessitated by the enactment of Public Law 102-586; and for other purposes; to the Committee on Education and Labor.

By Mr. NADLER (for himself and Mr. BECK):

H.R. 3161. A bill to make technical amendments necessitated by the enactment of the Older Americans Act Amendments of 1992; and for other purposes; jointly, to the Committees on Education and Labor and Banking, Finance and Urban Affairs.

By Mr. NADLER (for himself and Mr. SCHIFF):

H.R. 3162. A bill to provide for expedited asylum and exclusion procedures for certain aliens and to provide for enhanced penalties for aliens who commit asylum abuse; to the Committee on the Judiciary.

By Mr. PALLONE (for himself, Mr. GORDON, Mr. DEAL, Mr. CANADY, Mr. HUGHES, and Mr. PORTER):

H.R. 3163. A bill to improve the ability of the United States Government to collect debts owed to it, and for other purposes; jointly, to the Committees on Ways and Means and the Judiciary.

By Mr. PALLONE (for himself, Mr. GORDON, Mr. DEAL, Mr. CANADY, Mr. HUGHES, and Mr. PORTER):

H.R. 3164. A bill to provide for expedited asylum and exclusion procedures for certain aliens and to provide for enhanced penalties for aliens who commit asylum abuse; to the Committee on the Judiciary.

By Mr. PALLONE (for himself, Mr. GORDON, Mr. DEAL, Mr. CANADY, Mr. HUGHES, and Mr. PORTER):

H.R. 3165. A bill to authorize a foreign-built launch barge to transport an offshore drilling platform jacket in the coastal waters of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 3166. A bill to authorize the sale and reregistration of certain vessels; to the Committee on Merchant Marine and Fisheries.

ADDITIONAL SPONSORS

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

H.R. 26: Mr. BROWN of California, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MINX, Mr. PASTOR, and Mr. WASHINGTON.

H.R. 31: Mrs. LOWEY, Mr. FISH, and Ms. DELAUBO.

H.R. 54: Mr. GUNDERSON.

H.R. 55: Mr. SMITH of New Jersey, Mr. SHAYS, Ms. MORELLA, and Mr. FRANKS of New Jersey.

H.R. 156: Mr. EVANS.

H.R. 166: Mr. POSTMAN.

H.R. 302: Ms. BYRNE, Mr. LIPINSKI, Mr. SKEEN, and Mr. PETER GEREN of Texas.

H.R. 304: Mr. SMITH of Ohio, Mr. ALLEN of Ohio, and Mr. ANDREW of Texas.

H.R. 349: Mr. ANDREWS of Texas.

H.R. 551: Mr. LEWIS of Florida and Mr. PALLONE.

H.R. 558: Mr. PALLONE.

H.R. 624: Mr. DELAY, Mr. JOHNSON of Georgia, Ms. LONG, Mr. KOLBE, and Mr. PORTMAN.

H.R. 638: Mr. LIVNEDSTON.

H.R. 656: Mr. DELLEMS.

H.R. 739: Mr. LEWIS of Florida, Mr. KNULENBERG, and Mr. COX.

H.R. 767: Mr. ROWLAND.

H.R. 786: Mr. KOPETSKI.

H.R. 794: Mr. SHAYS and Mr. BAKER of Louisiana; to the Committee on Post Office and Civil Service.

By Mr. BARCA of Wisconsin:

H.R. 830: Mr. SHAYS and Mr. BAKER of Louisiana.

By Mr. GUNDERSON:

H.R. 886: Mr. COX and Mr. COLLINS of Georgia.

By Mr. TICKPT:

H.R. 911: Mr. ZIMMER.

H.R. 937: Mr. JOHNSTON of Florida.

H.R. 1086: Mr. GUNDERSON.

H.R. 1130: Mr. PORTER.

58. Also, petition of the Legislature of Rockland County, NY, relative to support of proposed funding increases for the Head Start Program and child immunizations; jointly, to the Committees on Energy and Commerce and Education and Labor.