HOUSE OF REPRESENTATIVES—*Thursday, April 29, 1993*

The House met at 11 a.m.

Dr. John Alvin Wood, Director of Ministries, Christian Mission Concern, Waco, TX, offered the following prayer:

Father in Heaven, we pause and bow before Thee, as representatives of one nation under God, to thank Thee for the assurance of Thy presence with this assembly.

Make us sensitive to Thy presence and submissive to Thy will.

May the brilliance of divine light illumine our minds as we assume the responsibilities of this day.

Anoint each Member of this body with Thy spirit that we may demonstrate both common sense and divine wisdom in all our deliberations.

May the words of our mouths and the meditations of our hearts be acceptable in Thy sight, O Lord, our strength and our redeemer.

In Thy name we pray.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. HUTCHINSON 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair announces that it will receive 15 requests on each side for 1-minute statements.

DR. JOHN ALVIN WOOD

(Mr. EDWARDS of Texas asked and was given permission to address the House for 1 minute.)

Mr. EDWARDS of Texas. Mr. Speaker, it is a personal privilege for me to introduce the guest chaplain today, Dr. John A. Wood. As director of the Ministries for Christian Concern in Waco, TX, he is involved in international ministries including in Russia and in Europe.

His educational background includes a B.A. from Baylor University and a Master of Divinity and Theology from Southern Baptist Theological Seminary in Louisville, KY. He also has a Doctorate of Ministry from that seminary.

Over a period of 40 years, Dr. Wood has pastored four churches in Kentucky and Texas, including having finished his pastorate at the First Baptist Church of Waco, TX, where I live.

Finally, Mr. Speaker, let me say that while I have only known Dr. Wood for 3 years, he has had a profound influence on my life, not only as a friend and adviser, but just over 5 months ago he performed the wedding ceremony for his beautiful daughter, Lea Ann Wood of Waco, TX, who is now my lovely wife.

It is my pleasure, and I would ask Members of this House to join with me in welcoming Dr. Wood, his wife Pat, and daughter Lea Ann to this House.

PRESIDENT CLINTON: A "D MINUS" ON SPENDING CUTS

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

Mr. MICHEL. Mr. Speaker, tomorrow will mark the 100th anniversary of the new Clinton administration, and not unlike a midterm report card, this marker is used by the American people to see how a new President is handling his responsibilities and meeting his promises.

Today, we Republicans are going to send the White House such a report card to tell the President how we think he is doing. As I see it, the President's performance on spending is worse than unsatisfactory.

While the President has talked the talk of a spending teetotaler, he has walked the walk of an unreformed spendaholic.

We saw this first with the President's pork bill that was ill-disguised as a so-called economic stimulus package, and we see more and more spending on his budget plans. The President's empty promises of deficit reduction will go unmet because of his ambitious spending plans.

President Clinton has missed that simple message: cut spending first. And when it comes to spending, I guess I have to give the President a D minus.

IN MEMORY OF COACH JIM VALVANO

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

Mr. PRICE of North Carolina. Mr. Speaker, North Carolina and the Nation today mourn the loss of a great coach who helped write modern basketball history, Jim Valvano. Coach Valvano died yesterday at age 47, after a valiant battle with bone cancer, his family at his side. Our thoughts and prayers are with his wife Pam, and his three daughters, Jamie, Nicole, and Lee Ann, who knew first hand of his determination and drive.

Jim Valvano had planned to be here in Washington today to speak with the North Carolina delegation about the promise and the challenge of cancer research. That commitment says a great deal about this man's courage and his determination to use his own adversity to achieve some good for others.

"Jimmy V" never gave up; on the court he led the North Carolina State Wolfpack to a last-second, buzzer-beating win in the 1983 NCAA championship. He rose above controversy to become one of the most respected sports broadcasters in the country. He pushed hard for increased cancer research and education, a battle we must now carry on.

Never did Coach V give up his wit, his intellect or his spirit—a spirit as exuberant through adversity as it was on that night in Albuquerque in 1983, when the Nation watched a young coach scramble across the court to hug each of his players celebrating that miracle victory. That is how North Carolina will always remember Coach Jim Valvano.

PRESIDENT CLINTON'S REPORT CARD ON SPENDING AND TAXING

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

Mr. GINGRICH. Mr. Speaker, as we assess the first 100 days, some people feel that President Clinton deserves an F for trying to raise taxes on virtually everything. But I think the creativity and the enthusiasm of this administration in seeking to raise taxes almost every day on something really deserves a brandnew letter grade, the letter T.

I was trying to figure out how to explain the scale of their concerns, and this light bulb, it occurred to me, is a

perfect model. Despite the President's promises not to tax anybody below $200,000, the fact is if you buy this light bulb you might pay more under a value-added tax, if the health task force has their way. If you buy this light bulb and you actually plug it in, you will pay more under the energy tax. If you are a senior citizen and you saved enough to be able to buy the light bulb, you will pay more under their tax increase on senior citizens. If you are a farmer or small business, you will pay more on what you earn in terms of getting this light bulb.

In fact, the truth is, if you heat your house, if you cool your house, if you use electricity, if you drive a car, if you drive a truck, if you go to work, under virtually every circumstance under the Clinton administration's plans you will pay more in taxes.

So the question I have for the tax-everything-if-you-possibly-can administration is whether we should invent a new letter "T," or simply keep them with an "F" for raising taxes.

□ 1110

THE PRESIDENT'S FIRST 100 DAYS

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

Mr. VISCLOSKY. Mr. Speaker, after 100 days, President Clinton has enjoyed a great deal of success and put the keys into the ignition of the American economy. He wants to proceed down the road of job creation.

President Clinton has provided a detailed map on how he wants to arrive at his destination, and we have adopted that map in the form of the 1994 budget resolution. Unfortunately, the Republican Party has left the keys to their Mercedes at home and remained stalled in the road.

People voted against gridlock last November, and they want us to put our foot to the pedal.

Perhaps the Republican Party should understand that the time on their meter has expired, and they risk being towed away.

AN "INCOMPLETE" GRADE IN FOREIGN AFFAIRS

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

Mr. HYDE. Mr. Speaker, during the campaign, foreign policy was hardly discussed. It was the economy first, last, and always. And no wonder, because foreign policy was one of the great strengths of George Bush, not Bill Clinton.

But once President Clinton was sworn in, suddenly foreign policy has gained increasing importance. One hopes that he is learning that if you dismantle the defense of this country, your foreign policy is going to suffer. He is learning that the Haitian refugee question was not as easy as it seemed during the campaign.

He is learning that what is going on in Bosnia and Herzegovina does not admit to easy solutions. He is learning that passing a Russian-aid bill will be no simple task.

I cannot improve on what the Washington Post said this morning about President Clinton and foreign policy. They said, "He has yet to make either a clear mark or a misstep in foreign policy, hasn't figured out how to win passage of aid to Russia, and is still weighing how he might go beyond his largely token response to the Serb atrocities in Bosnia."

At the end of his first 100 days in office, I think, in all candor, I have to award President Clinton an incomplete in foreign affairs.

CHOOSE THE OPTION OF PEACE

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

Mr. TORRICELLI. Mr. Speaker, in what is becoming a ritual of our time, America again faces the question of war and peace.

This time the answer must be no. The agony of Bosnia is felt by us all. Indeed, it is an indictment of our time. The international community did not respond in that this carnage might take place at all.

But ultimately our actions must be governed by reason and not emotion. The simple truth is that limited air strikes will not end the carnage but inevitably lead to escalation where ground forces will be introduced because of our frustration or our losses or our failures. That introduction of American forces has neither the unity of purpose nor the justification that the American people will ever support to its conclusion.

In one of the ironies of our time, the first President of the post-Vietnam war generation is faced with the essential lessons of that war. Whatever the cause, no matter how great the purpose, if America is not united, if there is not a national cost and if victory cannot be won at an acceptable cost in an acceptable time, then peace, the avoidance of conflict, must be our national option that is chosen.

THE CLINTON DEFENSE PLAN: A RETURN TO THE HOLLOW MILITARY

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

Mr. HUNTER. Mr. Speaker, those pro-defense Americans who shuddered at the thought of a Clinton Presidency have had their worse fears confirmed in these first 100 days.

First, our new President, who had already vowed to cut $60 billion more in defense spending than President Bush's proposal, amended his budget to slash an additional $127 billion. Under the Clinton plan, defense spending from 1986 to 1997 could drop nearly 41 percent and be the lowest since Pearl Harbor—as a percentage of GDP.

Second, President Clinton has all but shattered military morale by freezing pay for 1 year, with plans for subsequent military pay to lag 1 percent behind the inflation rate for the next 4 years. He has added salt to the wound by promising to overturn a longstanding ban on the admission of homosexual recruits—a policy which is opposed by 74 percent of active duty personnel.

Leading members of the President's own party like Congressman JOHN MURTHA and Senator SAM NUNN have expressed alarm about the Clinton defense plan. "We're going to have a hollow military if we don't watch out," said Mr. MURTHA. "We have been dealing with numbers grabbed out of the air * * *. No one knows where all these cuts are going to come from," said Senator NUNN.

Mr. Speaker, after taking a long, hard look, I would agree with those of my colleagues who have called the Clinton defense plan a recipe for disaster. But in the spirit of bipartisanship and with the hope that the President will soon see the errors of his ways, I'll be lenient and give him a D minus for defense.

THE OUTER SPACE FLUSH

(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, while Congress wants to elevate the EPA Administrator to a full Cabinet-level position, yesterday in outer space space-shuttle plumbers dumped urine and fecal matter for the first time in our history into outer space.

The astronauts said they dumped the fecal matter from a contingency tank because the regular tank malfunctioned. Regular tank? Mr. Speaker, if I am not mistaken, is that not the $30 million golden throne space potty No. 1?

What is going on here? We do not just flush $30 million down drains; we have now found ways to jet it out sophisticated airlocks.

Beam me up. This case takes the raw-sewage award of America's history.

I yield back the balance of my garbage.

CREDIBILITY

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

Mr. ARMEY. Mr. Speaker, in these first 100 days we have seen emerge a disturbing pattern of disparity between what this administration says and what this administration does, giving rise to what columnist David Broder has called the trust deficit.

There is almost a comic effect to the way President Clinton and his spokesmen feign their innocence as they break promises and change policy positions.

What middle-class tax cuts?

What pork-barrel spending?

What Haitian refugees?

Apart from the broken promises, the White House has an Orwellian understanding of the English language. Tax increases on Social Security are spending cuts, higher taxes are contributions, and pork-barrel spending is investment.

After 100 days, it is clear there are two things you can not trust the Clinton administration with: words and numbers.

For credibility with the American people, they deserve an "F."

LET'S RAISE THE MINIMUM WAGE

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

Mr. SANDERS. Mr. Speaker, in all the debate about the economy and the President's jobs bill, one element has been left out that could both stimulate the economy and raise the incomes of millions of American workers. That is the long-overdue need to raise the minimum wage.

When the minimum wage was first adopted during the Roosevelt administration, its purpose was clearly stated: to assure "the maintenance of the minimum standard of living necessary for health, efficiency and general well-being of workers." But we have allowed FDR's goal to be eroded by inflation.

The purchasing power of the minimum wage has fallen by 26 percent since 1970. While in the 1960's the minimum wage provided enough income for a full-time worker to maintain a family of three above the poverty line, its value has been eaten away by inflation, especially during the 1980's under the Reagan and Bush administrations.

Thus millions of Americans find themselves working fulltime, but still unable to maintain a decent standard of living. In 1992, 2.9 million American workers earned the minimum wage, and because of loopholes in the law, 1.9 million workers actually earned below the minimum wage.

In fact, by 1989 a full-time worker making the minimum wage fell 29 percent below the poverty line. Just to keep at the poverty level for a family of three, a worker working 40 hours a week, 52 weeks a year would need to be earning $5.40 an hour—but the minimum wage is only $4.25 an hour.

But the situation is actually even worse, because of the growing tendency toward hiring people as part-time, temporary, contingent workers. As Time writes (Mar. 29, 1993):

> Already, one in every three U.S. workers has joined these shadow brigades [of contingent workers] carrying out America's business. *Their ranks are growing so quickly that they are expected to outnumber permanent fulltime workers by the end of this decade.* Companies keep chipping away at costs, stripping away benefits or substituting contingent employees for full-time workers. * * * *And there is no evidence to suggest that such corporate behavior will change with improvement in the economy.* [Emphasis added.]

Contingent workers are profitable for corporations because they earn their wages and little more—no health insurance, no vacation days, no pensions—and of course, no job security.

Thus more and more Americans face the prospect of temporary and/or part-time jobs with wages at or near the minimum wage. The minimum wage sets a floor for the wages of all Americans. And indeed, American workers at all levels have seen their real wages decline.

Three decades ago, we led the world in the wages and benefits received by our workers. Today, we're in 12th place and falling. In fact, in real terms, the average wage of Americans has dropped back down to about the level of 1965.

The results are clear in the growing need for social welfare programs. A record 26.6 million Americans, 10.4 percent of our people, are now on food stamps—the highest percentage since the program started in 1964. In effect, the taxpayers are subsidizing the low wages being paid by corporations through food stamps, Medicaid, and other programs for the working poor.

These programs are necessary, but in the long run this is not the way to a healthy economy. If Americans are going to be able to buy the goods we produce, they have to have full-time jobs at decent wages.

Keeping the minimum wage down so that its value is eaten away by inflation doesn't help the economy grow. Nor does laying off full-time workers with decent jobs and replacing them with part-timers.

This kind of strategy—trying to compete with Third World, $1-an-hour economies by cutting workers' income to the bone—was the approach of Reaganomics. And it has failed.

That is why I have introduced H.R. 692, the Liveable Wage Act of 1993, which would raise the minimum wage to $5.50 an hour and index it to inflation. My bill, which has 31 cosponsors including the chairs of the House Committees on the Budget and on Education and Labor, would simply restore the real minimum wage to the poverty level. But it would begin to reverse the erosion of working Americans' standard of living over the last decade.

We need to raise the minimum wage not just for the working poor, who find themselves falling further and further behind despite working as hard as they can. We also need to raise it to help the rest of working America and the taxpaying public in general. To begin to rebuild an economy which provides decent jobs at decent wages—we need to restore a real minimum wage.

□ 1120

PRESIDENT CLINTON'S FIRST 100 DAYS: MODERN-DAY RECORD FOR INCREASED TAXES

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

Mr. PAXON. Mr. Speaker and colleagues, Americans want real change. Unfortunately, the only change this administration is pursuing is more and more change from the pockets of working Americans, and it is not small change, it is real change. It is adding up to big dollars.

This administration, the Clinton administration, is rapidly setting a modern-day record for new and increased taxes. Look at them: In 14 weeks they have proposed 14 new or increased taxes. This has to be a modern-day record; 14 tax increases totalling hundreds of billions of dollars.

For working families that adds up to thousands of dollars a year out of their pockets. Energy taxes, gasoline taxes, income taxes, sales taxes, 14 tax proposals in 14 weeks. At that rate, my friends, working Americans just cannot afford Bill Clinton's version of change.

UNEMPLOYMENT WORSENS, PRESIDENT URGED TO CONTINUE FIGHT FOR ECONOMIC RECOVERY

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

Ms. DELAURO. Mr. Speaker, today's alarming economic news is bad news for working people. Today the Commerce Department reports that growth in the gross domestic product is below 2 percent—half what it was in the previous quarter.

States that have been hit the hardest by a lingering recession have reported increases in the number of people filing for unemployment. In Connecticut an additional 826 people filed first-time unemployment gains.

These statistics tell the story plainly—and painfully. The only message we can receive from these numbers is that

Congress and the President must take quick and decisive action to create jobs.

Mr. Speaker, it saddens me that we have to fight so hard for something so plainly needed, a decisive economic recovery package that recognizes the emergency we face. The President must continue the fight. I urge him to use this new evidence. For the sake of the 800 newly unemployed in Connecticut, for the thousands across the Nation who remain unemployed, for businesses who continue to struggle—for the sake of a nation not yet economically secure. Demand that Congress pass an economic program that will create new jobs and restore economic confidence to the people that matter the most.

THE RATTLE OF BROKEN PROMISES

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

Mr. SMITH of Texas. Mr. Speaker, to hear the White House tell it, the President has given the American people a wonderful present these first 100 days—it is called the Clinton economic plan. But when you hold this present close to your ear and shake it, all you hear is the rattle of broken promises.

A few months ago, Mr. Clinton traveled across America and promised the middle class a tax cut. Instead, he delivered the largest tax hike in history.

He went to Americans and said, "Vote for me, I'm opposed to energy taxes." Instead, he has proposed the broadest energy tax in history.

Mr. Clinton went to those over 65 and said, "Trust me, I'll never tamper with social security." Instead, he wants to raise taxes on anyone over 65 who receives more than $24,000 in income.

According to polls, when Mr. Clinton's supporters learn the contents of his economic package, two-thirds turn against it.

The American people know that Mr. Clinton is breaking the promises they want him to keep and keeping the promises they want him to break.

WE MUST STOP THE GENOCIDE IN BOSNIA NOW

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

Mr. ENGEL. Mr. Speaker, I have just returned from the former Yugoslavia, and I have one thing to say: We must stop the genocide going on in Bosnia now. The ethnic cleansing policies of the Serbs cannot be tolerated by the free world. We must, in conjunction with our European allies, order bomb strikes on Serb positions in Bosnia to stop their artillery and to stop the resupplying.

We must also immediately lift the arms embargo. The arms embargo was just locking the Serbian advantage into place. They have no difficulty getting arms, but the others cannot get the arms. So we are aiding the aggressor by having the arms embargo in place.

Mr. Speaker, I was given papers by a refugee in a refugee camp, from Italian Foggia. He had to sign over all his property, everything he owned, his cows, his business, his house. He is a Moslem. He had to sign it over to his Serbian neighbor in order to leave the country with his life.

These are policies that are reminiscent of the Nazi era and cannot be tolerated in 1993. We must do something to end the genocide in Bosnia now.

WAITING PERIODS THREATEN HONEST CITIZENS

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

Mr. BARTLETT of Maryland. Mr. Speaker, there is another anniversary today, and it is highlighted, it is commemorated in today's issue of the Washington Times. Today is 1 year from the day that riots began in Los Angeles. What those riots showed was that waiting periods threaten people's lives. "What they showed us was that gun control does not work. California's 15-day waiting period didn't stop the hoodlums and gang members from having guns during the riots. But when honest citizens tried to defend themselves, they were told they had to wait 15 days.

"USA Today, May 4, 1992, reported that many of these people rushing to the gun stores were 'lifelong gun-control advocates, running to buy an item they thought they'd never need.' Ironically, they were outraged to discover they had to wait 15 days to buy a gun."

No one wants to sell guns to criminals. In today's world we certainly do not need 15 days in order to find out if a person is a criminal. Taking guns out of the hands of law-abiding citizens will not stop crime.

The bill we have introduced to the Congress, called the Citizens Self-Defense Act of 1993, will permit a person to use a gun, to protect themselves, their home and their family. This will be a law that will stop crime, that will stop death and injury from guns.

THE SUCCESSES OF PRESIDENT CLINTON'S FIRST 100 DAYS

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

Mr. MAZZOLI. Mr. Speaker, today does mark the 100th day of the Clinton administration. This first 100 days has not been a rose garden, nor certainly has it been a briar patch. The President succeeded in having passed the budget resolution in the quickest time since the Budget Act was passed. He came within a very few votes of passing, in the other body, a jobs bill, and we will be seeing elements of that jobs bill coming back to us soon.

Congress has extended unemployment benefits for those who are on the streets without jobs, and we also passed the Family and Medical Leave Act, which recognizes changes in America's workforce.

The White House has also sent to Congress proposed reforms of welfare, education, and health care. I had hoped the White House would have sent to the Hill a proposed reform of campaign financing.

Because, until we change the way people get here to this body and the other body, until we change the way Federal campaigns are financed, the agenda for this administration and future administrations will be severely compromised.

So, once again, the first 100 days of the Clinton administration have been excellent. They would have been better only with campaign reform.

THE STRIKER REPLACEMENT BILL

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

Mr. HUTCHINSON. Mr. Speaker, we will soon be addressing H.R. 5, the striker replacement bill. This bill is not only unnecessary, but is harmful to the balance between labor and management.

Proponents of the bill say that striker replacement legislation is needed to restore a meaningful right to strike. The right to strike is so broad and protected, however, that labor can strike for virtually any reason now, and is protected even when the strikers' positions are unreasonable.

If workers knew that management could replace them only temporarily, and that they would have the legal right to demand their jobs back immediately upon resolution of the labor dispute, there would be less incentive to resolve disputes without going on strike. Under this legislation, the very threat of strike would become a dangerously powerful weapon in the union arsenal.

Mr. Speaker, this measure is simply a ploy to increase waning union membership and political clout. This bill should be called the strike maker bill. A vote against H.R. 5 is a vote for real fairness and balance.

THE 12 YEARS OF NEGLECT WILL NOT BE UNDONE IN ONLY 100 DAYS

(Mrs. MEEK asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Mrs. MEEK. Mr. Speaker, when President Clinton was elected, he brought to this country a spirit of optimism and the sense that government can and should be an instrument for good. With the passage of the first 100 days of his administration, the President has much to be proud of.

The President's budget was passed in record time. It has laid the groundwork for his economic package which we will pass this year. The Family and Medical Leave Act was enacted after being held up for years by the previous administrations. Unemployment insurance was extended for the victims of the Bush recession. The Health Care Task Force was formed to undertake the massive job of formulating health care reform legislation.

The pessimists and those who do not want this President to succeed will not look to the President's many successes; they will look only to the work of the obstructionists in the other body who callously prevented the passage of legislation that would have put people back to work and provided vaccinations to little children all over America.

This President will not be deterred by the naysayers. His program of economic growth coupled with compassion for people has only just begun. Twelve years of neglect will not be undone in only 100 days. President Clinton is off to a good start and we will look back on this time as a harbinger of change for a better America.

□ 1130

PRAYER IN SCHOOLS

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

Mr. BUYER. Mr. Speaker, it was enriching to hear the prayer at the opening session of this Congress.

Last year I made a pledge that if I ever spoke at a high school or college graduation exercise, I would open my speech with an unsolicited nondenominational prayer. I was scheduled to speak at a high school in Indiana. I have now been uninvited to speak at a graduation exercise before a high school.

It is a great example of the stress the Supreme Court has placed upon schools across this Nation and stress that the American Civil Liberties Union has placed by threats to school boards all across this country.

I find it quite ironic that a racist, a neo-Nazi, a socialist, or a fascist can speak or burn an American flag at a commencement exercise and their speech is protected, but a U.S. Congressman cannot refer to God in a commencement exercise.

Let me throw a fast ball right at the Supreme Court. The Supreme Court has exceeded the bounds of common sense in its efforts to sanitize religion from public conversation.

Right there above the Speaker it says, "In God we trust." The Founding Fathers did envision accommodation for religious practice in America. Amen.

WOMEN IN COMBAT

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

Mrs. LLOYD. Mr. Speaker, I rise today to congratulate and commend Secretary of Defense Aspin for yesterday's directive to the services to allow women to compete for assignments to combat aircraft. This is a change that is long overdue and welcomed by thousands of women in the military.

Mr. Speaker, it has been the belief of myself and several of my colleagues on the Armed Services Committee, that women have been denied the opportunity to develop their full potential in military service. In the fiscal year 1992 defense bill, we overturned the combat exclusion. Exclusions, such as the ban on flying combat missions, have hindered the progress of women in the Armed Forces. Qualified, gifted pilots, have been forbidden to fly anything other than training jets and transports.

The lifting of the combat exclusion for combat aircraft, as well as Secretary Aspin's move to open up more of the Navy's surface ships to women is a turning point in the history of women in military service. I anxiously await any legislative direction that comes over from the Pentagon to codify the Secretary's directives. I would hope my colleagues will support these needed changes and restore fairness to military service.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The Chair will remind members of the gallery not to manifest approval or disapproval of the speeches that are being given by Members of Congress today.

Visitors are here as invited guests and they should govern themselves accordingly.

CLINTON DOES NOT MAKE THE GRADE

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

Mr. BALLENGER. Mr. Speaker, the first 100 days. Why is all of this attention focused on President Clinton's first 100 days in office?

Well, the answer is simple. President Clinton is the reason.

President Clinton is the one who promised to have an economic plan ready the day after he was inaugurated. He did not. President Clinton said he would have a 100-day period that would "be the most productive in modern history." He said that on June 23, 1992, in an interview on "Good Morning America."

Has President Clinton's first 100 days been the most productive in history? Well, maybe in some ways.

It has been the most productive in terms of broken promises. President Clinton has broken his promise on the middle class tax cut; on Haitian refugees; on White House staff cuts; broken his promise on balancing the budget and his promise to ask for a line-item veto.

The Clinton administration's first 100 days has been disappointing. Voters feel confused and thoroughly disillusioned. I hope the next 1,360 days, the remainder of his term, shows improvement. And there is plenty of room for it, because during the first 100 days, the President gets an "F" on keeping his promises to the American people.

WRONG PEOPLE TAKING OFF DOME OF CAPITOL

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

Mr. MONTGOMERY. Mr. Speaker, I am really just sick over the situation that the Defense Department would not let the National Guard take the Statue of Freedom off the Capitol dome.

I have been working for a year with George White, the Architect of the Capitol, to have the Reserves remove the lady off the dome. She has been up there for over 130 years and repairs are necessary.

It is bad, Mr. Speaker, when a government agency cannot help out another government agency. The Guard could do the job and save the taxpayers over $40,000 of taxpayer money; not a lot of money, but we ought to start saving money around here anyway.

A lifting frame has been built around the statue for taking the lady off the dome. Every time I look up there I feel like crying. The wrong folks are going to take it off.

A BIRD IN THE HAND IS WORTH TWO IN A BUSH

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

Mr. COLLINS of Georgia. Mr. Speaker, today I rise to pay tribute to a man who was a friend of mine for 45 years prior to his death.

He was not a big man in stature standing only 5'7". But he stood tall on his principles. Often standing alone or with only a few.

He was a small businessman and at one time was a farmer. Not a wealthy farmer, but a sharecropper.

He was not a highly educated man having only attended the third grade in school. But he was one of the wisest men I have known.

His wisdom consisted of advice such as; When I said I can't, he replied, "can't never could." If I said let's wait, he would reply, "wait broke the wagon down," or I would say let's don't accept this we might get more, he would reply, "a bird in the hand is worth two in a bush."

Yesterday standing with only one of my Republican colleagues I voted yes on a rule and today, Members of this body will have the opportunity to cast a vote for or against a line-item veto.

I voted yes because of my friend's teaching and because I believe "a bird in the hand is worth two in a bush."

My friend was proud of his name. When he introduced himself to people he would extend his right hand in friendship and state, "Collins is my name." In fact Henry Collins was his name.

Mr. Speaker, that friend was my father.

□ 1140

TAKE DUNCAN STEBBINS' ADVICE: CUT SPENDING FIRST

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

Mr. ZELIFF. Mr. Speaker, about a week ago I had the privilege of addressing a town meeting that was nationally televised in Merrimack, NH, with Senator PHIL GRAMM and a 12-year-old named Duncan Stebbins. Duncan Stebbins came forward, and he had just finished sending in $68 to the Federal Government to pay his income taxes, and he asked both of us:

"Senator, Congressman, if you keep taking away my profits through raising taxes, what incentives will I have to keep working as a fellow small businessman?"

I addressed him and asked him, "Duncan, if your business was losing $300 a week for 5 weeks, what would you do? Would you spend money for new programs? Would you raise your prices in a tough economic climate? Or would you balance your books by cutting your expenses?"

Well, my colleagues probably all know what he said. He said he would cut his expenses first. He would not take on new programs and spending. And he would raise his prices only as a last resort.

Mr. Speaker, when OMB Director Leon Panetta referred to the President's proposals as tax and spending programs, he was absolutely right. Mr. President, as you regroup after your first 100 days, you take a look at your new priorities. I suggest that you take Duncan Stebbins' advice: Cut spending first, recognizing that new spending should then only be paid by cutting back ineffective programs, and last, but not least, raise taxes only as a last initiative. Mr. President, both sides of the aisle want a program that will work for America.

My colleagues, let us cut spending first.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The Chair reminds Members to address their remarks to the Chair and not to the President or any other person.

INCREDIBLY WONDERFUL AND HISTORIC DAY FOR WOMEN

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

Mrs. SCHROEDER. Mr. Speaker, I rise to thank the President on the occasion of his being in power for 100 days and to thank Secretary Aspin because the President and Secretary Aspin have done something incredibly historic. They are going to allow the glass ceiling put over women to be shattered by women in high performance aircraft flying right through it. I thank them very much because it is in the great history of the American tradition where we try to have the best, and we do not say, "No, no, you can't apply because of your gender, your race, your sex or whatever."

Mr. Speaker, I think this is indeed a historic and wonderful, wonderful action that moves women even closer to full citizenship and equal rights, and I am so pleased they have had the guts and the courage to do it and follow through on what the Congress asked them to do 2 years ago.

SEND IN THE CLOWNS

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

Mr. KNOLLENBERG. Mr. Speaker, I am strongly opposed to the sham line-item veto bill we will consider later today.

The public overwhelmingly supports giving the President the authority enjoyed by Governors of 43 States—the line-item veto. But in the Barnum and Bailey world of the House of Representatives, the leadership in the House has shamelessly substituted a weak expedited rescission bill for real line-item veto power. No wonder so many people think Congress is full of clowns.

The American people are tired of paying tax dollars for congressional pork. We will not fool them with this cynical ploy by the powerbrokers in Congress to hold on to their power at all costs.

The Stenholm-Spratt language is so fundamentally weak that it may actually do more harm than good. Congress can use amendments or rules to block a vote any time the President uses his so-called expedited rescission authority. In the short 4 months I've been here, it's clear to me that if the leadership is allowed to manipulate the rules to stop genuine reform, it will do so.

My constituents are clamoring for real spending cuts from Washington. By a margin of 19 to 1, they support a line-item veto to help us get there. I am pledged to support a line-item veto, and I will continue to push to give the President real and meaningful power to cut pork provisions from spending and tax bills.

ENVIRONMENTAL HEALTH EQUITY INFORMATION ACT

(Miss COLLINS of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Miss COLLINS of Michigan. Mr. Speaker, a series of studies have concluded that racial minority and low-income populations experience higher than average exposure to air pollutants, hazardous waste facilities, contaminated fish, and agricultural pesticides.

In response to these shocking accounts, I will introduce the Environmental Health Equity Information Act. This legislation will give the Agency for Toxic Substances and Disease Registry the statutory authority to collect and maintain data on the race, age, gender, ethnic origin, income level, educational level, and length of residence, of individuals living in communities adjacent to toxic substance contamination.

We must get to the bottom of these claims and prove or disprove these disturbing accounts of environmental discrimination based on race and income level.

It is time for Congress to establish a mandate for furthering the goals of environmental health equity and the first step must be collecting the information necessary to make informed decisions.

I urge my colleagues to cosponsor this legislation so that we can begin to answer these questions.

THE FEDERAL CENTER IN BATTLE CREEK, MI

(Mr. SMITH of Michigan asked and was given permission to address the

House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SMITH of Michigan. Mr. Speaker, last month the Defense Department recommended that operations dealing with the disposing of surplus equipment and inventory at the Federal Center in Battle Creek, MI, be moved. The DOD says they want to operate out of their own building, and the DOD claims they could save money by building a new facility because of the high rent being paid to GSA, another agency of the Federal Government. GSA claims it makes a huge profit from the military rent at the Federal Center because of the law that requires that they charge prevailing rates. It is this kind of dumb logic that causes a lot of our Government waste and inefficiency.

Mr. Speaker, this is not a case of downsizing. The workload of these units in Battle Creek will increase. The Battle Creek Federal Center is a designated historical landmark which cannot be torn down and will require an annual cost of $400,000 to mothball.

After much research, Mr. Speaker, my Michigan colleagues and I decided to introduce this bill.

It is gratifying to have the support of Republicans and Democrats, freshmen and committee chairmen, on a measure that will hopefully bring back some common sense and save the Federal Government money.

Mr. Speaker, it is my hope that the Defense Base Closing Commission will make the fiscally correct decision in Battle Creek and keep DOD's agencies there instead of building yet another new Federal building. In the meantime, we believe that DOD should take a more direct route to save money and we propose transferring ownership of the Federal Center from the GSA to the DOD.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that the leadership has agreed to take two additional speakers for 1-minute speeches on each side of the aisle.

BE CAREFUL WHEN MAKING DECISIONS ON BOSNIA

(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, all of us in this body, as well as those who occupy 1600 Pennsylvania Avenue, need to go back and read our history as we decide what to do in Bosnia. No greater tragedies in the world have been committed than those being committed over there today. The Holocaust Museum recently opened here in Washington certainly points that out to us.

But I would urge us to be very, very careful. We are not prepared. We have trained our military for 50 years to fight the Soviet Union. We will not be dealing with people who will fall down in the desert and surrender, nor will we be dealing with people who are glad to see us when we arrive.

Read our history, and, please, I ask 1600 Pennsylvania Avenue and those of us who have to make that decision, be careful.

FAILING GRADE FOR THE PRESIDENT ON FAMILY POLICIES

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

Mr. DOOLITTLE. Mr. Speaker, we heard grades given to the President on his first 100 days by the Republican leadership. I would like to add one: the grade for the policies on families which I think is a failing grade. Whether it is the promotion of public funding of abortion on demand at taxpayer expense repealing 16 years of policy under the Hyde amendment, whether it is the promotion of special rights for homosexuals, the appointment of radical lesbian activist to high Federal positions such as Roberta Achtenberg, whether it is the recently announced policy of the Defense Department placing women into combat roles subjecting them to the possibilities of imprisonment, and torture, and even death at the hands of the enemy, with drafting of women, no doubt, due to come next. All of these policy positions of the Clinton administration give me tremendous concern. Lastly and perhaps most significantly for families, I am troubled by the heavy additional tax burden imposed on families by the plethora of new taxes called for by the President.

□ 1150

Mr. Speaker, these policies are antifamily. It is a failing grade. The President can and must do better.

SUPPORTING SECRETARY ASPIN'S DIRECTIVE ON WOMEN IN COMBAT

(Ms. MARGOLIES-MEZVINSKY asked and was given permission to address the House for 1 minute.)

Ms. MARGOLIES-MEZVINSKY. Mr. Speaker, when our children are growing up, the world presents them unlimited opportunities. But as our daughters grow older, their opportunities become fewer and fewer, until there is only a narrow range of opportunity left.

Today, our armed services took the first step, a historic step, in providing opportunity to young women across America. Lifting the ban on women flying combat missions is more than an understanding that women are capable of serving their country in this capacity. It is a recognition of the fundamental right of all women to dream we can be whatever we want to be and then fulfill those dreams.

Today I am very proud of this administration, proud of our armed services, and proud of the hundreds of young women who will now have the opportunity to fulfill their dreams. Tom Cruise watch out—the next Top Gun may just be a woman.

DOUBTS RAISED ABOUT DEMOCRATS' ABILITY TO GOVERN

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

Mr. WALKER. Mr. Speaker, on the 100th day of the Clinton administration it might be well to reflect on the promises that we were given about running the country when this administration came to power. We were told that the Democrats, being completely in charge of Congress and the administration, would be able to move programs through in an efficient and effective manner and work together toward national goals.

Let me give the Members one example of something that happened in the Committee on Science, Space, and Technology the other day which indicates that the party is less than able to move ahead.

The Commerce Department, reflecting on a bill that was before the Committee on Science, Space, and Technology, said that the bill would in many respects be harmful to U.S. competitiveness. That was the administration's position. The Democrats on that committee actually hauled out their proxy votes to vote down their own administration, saying that they knew better than the Commerce Department about what competitiveness looked like.

It is apparent that the Democrats do not have their act together, that they are incapable of governing the country, and that in fact the failures of this administration are also reflected in the disarray on Capitol Hill.

Mr. Speaker, President Clinton has failed in many respects, but he has failed in large part because his leadership on Capitol Hill cannot get its act together.

EXPEDITED RESCISSIONS ACT OF 1993

The SPEAKER pro tempore (Mr. FIELDS of Louisiana) Pursuant to House Resolution 149 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. 1578.

□ 1153

IN THE COMMITTEE OF THE WHOLE

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. 1578) to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority, with Mr. SWIFT in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, April 28, 1993, all time for general debate had expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in part 1 of house report 103–52 is considered as an original bill for the purpose of amendment under the 5-minute rule and is considered as read.

The text of the amendment in the nature of a substitute made in order as an original bill is as follows:

H.R. 1578

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 "Expedited Rescissions Act of 1993".

SEC. 2. EXPEDITED CONSIDERATION OF CERTAIN PROPOSED RESCISSIONS.

(a) IN GENERAL.—Part B of title X of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 681 et seq.) is amended by redesignating sections 1013 through 1017 as sections 1014 through 1018, respectively, and inserting after section 1012 the following new section:

"EXPEDITED CONSIDERATION OF CERTAIN PROPOSED RESCISSIONS

"SEC. 1013. (a) PROPOSED RESCISSION OF BUDGET AUTHORITY.—In addition to the method of rescinding budget authority specified in section 1012, the President may propose, at the time and in the manner provided in subsection (b), the rescission of any budget authority provided in an appropriation Act. Funds made available for obligation under this procedure may not be proposed for rescission again under this section or section 1012.

"(b) TRANSMITTAL OF SPECIAL MESSAGE.—

"(1) Not later than 3 calendar days after the date of enactment of an appropriation Act, the President may transmit to Congress one special message proposing to rescind amounts of budget authority provided in that Act and include with that special message a draft bill that, if enacted, would only rescind that budget authority. That bill shall clearly identify the amount of budget authority that is proposed to be rescinded for each program, project, or activity to which that budget authority relates.

"(2) In the case of an appropriation Act that includes accounts within the jurisdiction of more than one subcommittee of the Committee on Appropriations, the President in proposing to rescind budget authority under this section shall send a separate special message and accompanying draft bill for accounts within the jurisdiction of each such subcommittee.

"(3) Each special message shall specify, with respect to the budget authority proposed to be rescinded, the matters referred to in paragraphs (1) through (5) of section 1012(a).

"(c) PROCEDURES FOR EXPEDITED CONSIDERATION.—

"(1)(A) Before the close of the second legislative day of the House of Representatives after the date of receipt of a special message transmitted to Congress under subsection (b), the majority leader or minority leader of the House of Representatives shall introduce (by request) the draft bill accompanying that special message. If the bill is not introduced as provided in the preceding sentence, then, on the third legislative day of the House of Representatives after the date of receipt of that special message, any Member of that House may introduced the bill.

"(B)(i) The bill shall be referred to the Committee on Appropriations of the House of Representatives. The committee shall report the bill without substantive revision, and with or without recommendation. The bill shall be reported not later than the seventh legislative day of that House after the date of receipt of that special message. If the Committee on Appropriations fails to report the bill within that period, that committee shall be automatically discharged from consideration of the bill, and the bill shall be placed on the appropriate calendar.

"(ii) The Committee on Appropriations may report to the House, within the 7-legislative day period described in clause (i), an alternative bill which—

"(I) contains only rescissions to the same appropriation Act as the bill for which it is an alternative; and

"(II) which rescinds an aggregate amount of budget authority equal to or greater than the aggregate amount of budget authority rescinded in the bill for which it is an alternative.

"(C) A vote on final passage of the bill referred to in subparagraph (B)(i) shall be taken in the House of Representatives on or before the close of the 10th legislative day of that House after the date of the introduction of the bill in that House. If the bill is passed, the Clerk of the House of Representatives shall cause the bill to be engrossed, certified, and transmitted to the Senate within one calendar day of the day on which the bill is passed.

"(D) Upon rejection of the bill described in subparagraph (B)(i) on final passage, a motion in the House to proceed to consideration of the alternative bill reported from the Committee on Appropriations under subparagraph (B)(ii) shall be highly privileged and not debatable.

"(E) A vote on final passage of the bill referred to in subparagraph (B)(ii) shall be taken in the House of Representatives on or before the close of the 11th legislative day of that House after the date of the introduction of the bill in that House for which it is an alternative. If the bill is passed, the Clerk of the House of Representatives shall cause the bill to be engrossed, certified, and transmitted to the Senate within one calendar day of the day on which the bill is passed.

"(2)(A) A motion in the House of Representatives to proceed to the consideration of a bill under this section shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

"(B) Debate in the House of Representatives on a bill under this section shall not exceed 4 hours, which shall be divided equally between those favoring and those opposing the bill. A motion further to limit debate shall not be debatable. It shall not be in order to move to recommit a bill under this section or to move to reconsider the vote by which the bill is agreed to or disagreed to.

"(C) Appeals from decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to a bill under this section shall be decided without debate.

"(3)(A) A bill transmitted to the Senate pursuant to paragraph (1) (C) or (E) shall be referred to its Committee on Appropriations. The committee shall report the bill either without substantive revision or with an amendment in the nature of a substitute, and with or without recommendation. The bill shall be reported not later than the seventh legislative day of the Senate after it receives the bill. A committee failing to report the bill within such period shall be automatically discharged from consideration of the bill, and the bill shall be placed upon the appropriate calendar.

"(B) A vote on final passage of a bill transmitted to the Senate shall be taken on or before the close of the 10th legislative day of the Senate after the date on which the bill is transmitted.

"(4)(A) A motion in the Senate to proceed to the consideration of a bill under this section shall be privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

"(B) Debate in the Senate on a bill under this section, and all amendments thereto and all debatable motions and appeals in connection therewith, shall not exceed 10 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

"(C) Debate in the Senate on any debatable motion or appeal in connection with a bill under this section shall be limited to not more than 1 hour, to be equally divided between, and controlled by, the mover and the manager of the bill, except that in the event the manager of the bill is in favor of any such motion or appeal, the time in opposition thereto, shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from time under their control on the passage of a bill, allot additional time to any Senator during the consideration of any debatable motion or appeal.

"(D) A motion in the Senate to further limit debate on a bill under this section is not debatable. A motion to recommit a bill under this section is not in order.

"(d) AMENDMENTS AND DIVISIONS GENERALLY PROHIBITED.—(1) Except as provided by paragraph (2), no amendment to a bill considered under this section or to a substitute amendment referred to in paragraph (2) shall be in order in either the House of Representatives or the Senate. It shall not be in order to demand a division of the question in the House of Representatives (or in a Committee of the Whole) or in the Senate. No motion to suspend the application of this subsection shall be in order in either House, nor shall it be in order in either House to suspend the application of this subsection by unanimous consent.

"(2)(A) It shall be in order in the Senate to consider an amendment in the nature of a substitute reported by the Committee on Appropriations under subsection (c)(3)(A) that complies with subparagraph (B).

"(B) It shall only be in order in the Senate to consider any amendment described in subparagraph (A) if—

"(i) the amendment contains only rescissions to the same appropriation Act as the bill that it is amending contained; and

"(ii) the aggregate amount of budget authority rescinded equals or exceeds the aggregate amount of budget authority rescinded in the bill that it is amending;

unless that amendment consists solely of the text of the bill as introduced in the House of Representatives that makes rescissions to carry out the applicable special message of the President.

"(C) It shall not be in order in the Senate to consider a bill or an amendment in the nature of a substitute reported by the Committee on Appropriations under subsection (c)(3)(A) unless the Senate has voted upon and rejected an amendment in the nature of a substitute consisting solely of the text of the bill as introduced in the House of Representatives that makes rescissions to carry out the applicable special message of the President.

"(e) REQUIREMENT TO MAKE AVAILABLE FOR OBLIGATION.—Any amount of budget authority proposed to be rescinded in a special message transmitted to Congress under subsection (b) shall be made available for obligation on the earlier of—

"(1) the day after the date upon which the House of Representatives defeats the bill transmitted with that special message rescinding the amount proposed to be rescinded and (if reported by the Committee on Appropriations) the alternative bill; or

"(2) the day after the date upon which the Senate rejects a bill or amendment in the nature of a substitute consisting solely of the text of the bill as introduced in the House of Representatives that makes rescissions to carry out the applicable special message of the President.

"(f) DEFINITIONS.—For purposes of this section—

"(1) the term 'appropriation Act' means any general or special appropriation Act, and any Act or joint resolution making supplemental, deficiency, or continuing appropriations; and

"(2) the term 'legislative day' means, with respect to either House of Congress, any calendar day during which that House is in session.".

(b) EXERCISE OF RULEMAKING POWERS.—Section 904 of such Act (2 U.S.C. 621 note) is amended—

(1) by striking "and 1017" in subsection (a) and inserting "1013, and 1018"; and

(2) by striking "section 1017" in subsection (d) and inserting "sections 1013 and 1018"; and

(c) CONFORMING AMENDMENTS.—

(1) Section 1011 of such Act (2 U.S.C. 682(5)) is amended—

(A) in paragraph (4), by striking "1013" and inserting "1014"; and

(B) in paragraph (5)—

(i) by striking "1016" and inserting "1017"; and

(ii) by striking "1017(b)(1)" and inserting "1018(b)(1)".

(2) Section 1015 of such Act (2 U.S.C. 685) (as redesignated by section 2(a)) is amended—

(A) by striking "1012 or 1013" each place it appears and inserting "1012, 1013, or 1014";

(B) in subsection (b)(1), by striking "1012" and inserting "1012 or 1013";

(C) in subsection (b)(2), by striking "1013" and inserting "1014"; and

(D) in subsection (e)(2)—

(i) by striking "and" at the end of subparagraph (A);

(ii) by redesignating subparagraph (B) as subparagraph (C);

(iii) by striking "1013" in subparagraph (C) (as so redesignated) and inserting "1014"; and

(iv) by inserting after subparagraph (A) the following new subparagraph:

"(B) he has transmitted a special message under section 1013 with respect to a proposed rescission; and".

(3) Section 1016 of such Act (2 U.S.C. 686) (as redesignated by section 2(a)) is amended by striking "1012 or 1013" each place it appears and inserting "1012, 1013, or 1014".

(d) CLERICAL AMENDMENTS.—The table of sections for subpart B of title X of such Act is amended—

(1) by redesignating the items relating to section 1013 through 1017 as items relating to section 1014 through 1018; and

(2) by inserting after the item relating to section 1012 the following new item:

"SEC. 1013. Expedited consideration of certain proposed rescissions.".

SEC. 3. APPLICATION.

(a) IN GENERAL.—Section 1013 of the Congressional Budget and Impoundment Control Act of 1974 (as added by section 2) shall apply to amounts of budget authority provided by appropriation Acts (as defined in subsection (f) of such section) that are enacted during the One Hundred Third Congress.

(b) SPECIAL TRANSITION RULE.—Within 3 calendar days after the beginning of the One Hundred Fourth Congress, the President may retransmit a special message, in the manner provided in section 1013(b) of the Congressional Budget and Impoundment Control Act of 1974 (as added by section 2), proposing to rescind only those amounts of budget authority that were contained in any special message to the One Hundred Third Congress which that Congress failed to consider because of its sine die adjournment before the close of the time period set forth in such section 1013 for consideration of those proposed rescissions. A draft bill shall accompany that special message that, if enacted, would only rescind that budget authority. Before the close of the second legislative day of the House of Representatives after the date of receipt of that special message, the majority leader or minority leader of the House of Representatives shall introduce (by request) the draft bill accompanying that special message. If the bill is not introduced as provided in the preceding sentence, then, on the third legislative day of the House of Representatives after the date of receipt of that special message, any Member of that House may introduce the bill. The House of Representatives and the Senate shall proceed to consider that bill in the manner provided in such section 1013.

SEC. 4. TERMINATION.

The authority provided by section 1013 of the Congressional Budget and Impoundment Control Act of 1974 (as added by section 2) shall terminate 2 years after the date of enactment of this Act.

SEC. 5. JUDICIAL REVIEW.

(a) EXPEDITED REVIEW.—

(1) Any Member of Congress may bring an action, in the United States District Court for the District of Columbia, for declaratory judgment and injunctive relief on the ground that any provision of section 1013 (as added by section 2) violates the Constitution.

(2) A copy of any complaint in an action brought under paragraph (1) shall be promptly delivered to the Secretary of the Senate and the Clerk of the House of Representatives, and each House of Congress shall have the right to intervene in such action.

(3) Any action brought under paragraph (1) shall be heard and determined by a three-judge court in accordance with section 2284 of title 28, United States Code.

Nothing in this section or in any other law shall infringe upon the right of the House of Representatives to intervene in an action brought under paragraph (1) without the necessity of adopting a resolution to authorize such intervention.

(b) APPEAL TO SUPREME COURT.—Notwithstanding any other provision of law, any order of the United States District Court for the District of Columbia which is issued pursuant to an action brought under paragraph (1) of subsection (a) shall be reviewable by appeal directly to the Supreme Court of the United States. Any such appeal shall be taken by a notice of appeal field within 10 days after such order is entered; and the jurisdictional statement shall be filed within 30 days after such order is entered. No stay of an order issued pursuant to an action brought under paragraph (1) of subsection (a) shall be issued by a single Justice of the Supreme Court.

(c) EXPEDITED CONSIDERATION.—It shall be the duty of the District Court for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under subsection (a).

The CHAIRMAN. No amendments are in order except the amendments printed in part 2 of House Report 103–52, which may be offered only in the order printed and by the named proponent or a designee, shall be considered as read, shall not be subject to amendment except as specified in House Report 103–52, which shall not be subject to a demand for division of the question. Debate on each amendment will be equally divided and controlled by the proponent and an opponent of the amendment.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. CASTLE

Mr. CASTLE. Mr. Chairman, pursuant to the rule, I offer an amendment printed in part 2 of the report of the Committee on Rules.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. CASTLE, Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Title may be cited as the "The Legislative Line Item Veto Act of 1993".

SEC. 2. LEGISLATIVE LINE ITEM VETO RESCISSION AUTHORITY.

(a) IN GENERAL.—Notwithstanding the provisions of part B of title X of The Congressional Budget and Impoundment Control Act of 1974, and subject to the provisions of this section, the President may rescind all or part of any discretionary budget authority for fiscal years 1994 and 1995 which is subject to the terms of this Act if the President—

(1) determines that—

(A) such rescission would help balance the Federal budget, reduce the Federal budget deficit, or reduce the public debt;

(B) such rescission will not impair any essential Government functions;

(C) such rescission will not harm the national interest; and

(D) such rescission will directly contribute to the purpose of this Act of limiting discre-

tionary spending in fiscal year 1994 or 1995; and

(2) notifies the Congress of such rescission by a special message not later than 20 calendar days (not including Saturdays, Sundays, or holidays) after the date of enactment of a regular or supplemental appropriations act for fiscal year 1994 or 1995 or a joint resolution making continuing appropriations providing such budget authority for fiscal years 1994 and 1995.

The President shall submit a separate rescission message for each appropriations bill under this paragraph.

SEC. 3. RESCISSION EFFECTIVE UNLESS DISAPPROVED.

(a) Any amount of budget authority rescinded under this Act as set forth in a special message by the President shall be deemed canceled unless during the period described in subsection (b), a rescission disapproval bill making available all of the amount rescinded is enacted into law.

(b) The period referred to in subsection (a) is—

(1) a congressional review period of 20 calendar days of session during which Congress must complete action on the rescission disapproval and present such bill to the President for approval or disapproval;

(2) after the period provided in paragraph (1), an additional 10 days (not including Sundays) during which the President may exercise his authority to sign or veto the rescission disapproval bill; and

(3) if the President vetoes the rescission disapproval bill during the period provided in paragraph (2), an additional 5 calendar days of session after the date of the veto.

(c) If a special message is transmitted by the President under this Act and the last session of the Congress adjourns sine die before the expiration of the period described in subsection (b), the rescission shall not take effect. The message shall be deemed to have been retransmitted on the first day of the succeeding Congress and the review period referred to in subsection (b) (with respect to such message) shall run beginning after such first day.

SEC. 4. DEFINITIONS.

For purposes of this Act—

(a) The term "rescission disapproval bill" means a bill or joint resolution which only disapproves a rescission of discretionary budget authority for fiscal year 1994 or 1995, in whole, rescinded in a special message transmitted by the President under this Act; and

(b) The term "calendar days of session" shall mean only those days on which both houses of Congress are in session.

SEC. 5. CONGRESSIONAL CONSIDERATION OF LEGISLATION LINE ITEM VETO RESCISSIONS.

(a) PRESIDENTIAL SPECIAL MESSAGE.—Whenever the President rescinds any budget authority as provided in this Act, the President shall transmit to both Houses of Congress a special message specifying—

(1) the amount of budget authority rescinded;

(2) any account, department, or establishment of the Government to which such budget authority is available for obligation, and the specific project or governmental functions involved;

(3) the reasons and justifications for the determination to rescind budget authority pursuant to this Act;

(4) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect of the rescission; and

(5) all factions, circumstances, and considerations relating to or bearing upon the rescission and the decision to affect the rescission, and to the maximum extent practicable, the estimated effect of the rescission upon the objects, purposes, and programs for which the budget authority is provided.

(b) TRANSMISSION OF MESSAGES TO HOUSE AND SENATE.—

(1) Each special message transmitted under this Act shall be transmitted to the House of Representatives and the Senate on the same day, and shall be delivered to the Clerk of the House of Representatives if the house is not in session, and to the Secretary of the Senate if the Senate is not in session. Each special message so transmitted shall be referred to the appropriate committees of the House of Representatives and the Senate. Each such message shall be printed as a document of each House.

(2) Any special message transmitted under this Act shall be printed in the first issue of the Federal Register published after such transmittal.

(c) REFERRAL OF RESCISSION DISAPPROVAL BILLS.—Any rescission disapproval bill introduced with respect to a special message shall be referred to the appropriate committees of the House of Representatives or the Senate, as the case may be.

(d) Consideration in the Senate.—

(1) Any rescission disapproval bill received in the Senate from the House shall be considered in the Senate pursuant to the provisions of this Act.

(2) Debate in the Senate on any rescission disapproval bill and debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(3) Debate in the Senate on any debatable motion or appeal in connection with such bill shall be limited to 1 hour to be equally divided between, and controlled by the mover and the manager of the bill, except that in the event the manager of the bill is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from the time under their control on the passage of the bill, allot additional time to any Senator during the consideration of any debatable motion or appeal.

(4) A motion to further limit debate is not debatable. A motion to recommit (except a motion to recommit with instructions to report back within a specified number of days not to exceed 1, not counting any day on which the Senate is not in session) is not in order.

(e) POINTS OF ORDER.—

(1) It shall not be in order in the Senate or the House of Representatives to consider any rescission disapproval bill that relates to any matter other than the rescission budget authority transmitted by the President under this Act.

(2) It shall not be in order in the Senate or the House of Representatives to consider any amendment to a rescission disapproval bill.

(3) Paragraphs (1) and (2) may be waived or suspended in the Senate only by a vote of three-fifths of the members duly chosen and sworn.

The CHAIRMAN. Pursuant to the rule, the gentleman from Delaware [Mr. CASTLE] will be recognized for 30 minutes, and a Member opposed will be recognized for 30 minutes.

The Chair recognizes the gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, accountability. This is the purpose of the line-item veto. Passage of line-item veto authority for the President will make both the President and the Congress more accountable to the American people. The substitute proposed by JERRY SOLOMON, PETER BLUTE, JACK QUINN, and myself is the best method to make our Government more accountable for its spending decisions. The Castle-Solomon substitute is the line-item veto.

As a former Governor, I can tell you from experience that a line-item veto by itself will not end the deficit. It will not balance the budget. It is not a magic solution to our budget problems. However, it is an effective method to improve how we spend the taxpayers money. By making both the President and Congress more accountable for their spending decisions, we will produce better legislation with less wasteful spending.

Accountability is the key. If the President has the line-item veto, he cannot shirk his responsibility for funding programs that are unnecessary, he will not be able to blame so-called pork barrel spending on Congress. If he does not agree with a specific appropriation, he can cross it out and demand that Congress justify the spending by disapproving his veto.

Accountability. The line-item veto will make Congress more accountable to the American people. With the line-item veto in place, Congress will take a harder look at the programs it funds. Congress will not be able to send an appropriations bill to the President that includes projects which do not stand up to scrutiny.

To my colleagues who fear that the line-item veto will give the executive branch of our Government too much power at the expense of the legislative branch, this will not occur. Rather, experience shows us that the existence of the veto simply encourages the executive and the legislature to negotiate reasonable, responsible legislation which does not fund pork barrel projects.

Today, the true line-item veto is contained in the Castle-Solomon amendment. This amendment would authorize the President to rescind or cut any discretionary appropriation for the next 2 years. These cuts would go into effect unless both Houses of Congress voted against the spending cuts. This is the crux of the matter. Congress should have to vote to disapprove the President's cuts.

The Spratt-Stenholm bill allows either House to derail the cuts simply by not passing legislation to approve them. To be honest, this wiggle room will allow Congress to avoid confronting the tough decisions the American people want them to make on spending.

The Castle-Solomon amendment is a true line-item veto. It would require

both Houses of Congress to disapprove the President's cuts. The President could then veto the disapproval bill and his veto would have to be overridden by a two-thirds vote in both Houses. If this fails, the cuts go into effect.

Mr. Chairman, a true line-item veto will not tilt the balance of power in the Federal Government to the executive branch. It will serve as a tool to bring Republicans, Democrats, Congress and the administration together to produce responsible levels of spending on Federal programs. I urge my colleagues to enact a true line-item veto—pass the Castle-Solomon substitute.

The CHAIRMAN. The Chair will inquire, does the gentleman from South Carolina [Mr. DERRICK] oppose the amendment?

Mr. DERRICK. I do, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. DERRICK].

Mr. DERRICK. Mr. Chairman, I yield myself 4½ minutes, and I rise in opposition to the amendment.

Mr. Chairman, the Castle-Solomon amendment does not improve the bill, and Members ought to reject it for one simple reason: The procedure proposed in this amendment would enable a one-third-plus-one minority of either House to join with a President to dictate the fiscal priorities of this country.

Under this amendment, a President could propose rescissions and they would take effect permanently unless Congress voted to disapprove them by majority vote within a specified time. Since a President will surely veto any bill to disapprove his rescissions, for Congress' fiscal priorities to prevail would require a two-thirds vote in both Houses to override the veto. Conversely, for the President to prevail, he need convince only one-third plus one of either House to sustain his veto.

Mr. Chairman, the principle which underlies our democratic system of government is majority rule. I do not believe it wise for Congress to create a rescission process in which a President, with the support of only 34 Senators or 146 Representatives, could dictate fiscal policy, on a line-by-line basis, to majorities in both the House and Senate. We should not tilt the balance of the power of the purse so dramatically in the President's favor, no matter who he is and no matter what political party he belongs to.

What reason do we have to believe the President's fiscal priorities are inherently better than those of the Congress? Assuming deficit reduction is the policy goal we want to advance, what reason have we to believe the Executive branch institutionally favors less spending than Congress? In fact, there is considerable evidence to the contrary.

How many times has the chairman of our Committee on Appropriations told us that since 1945 the Committee has appropriated billions of dollars less than the various Presidents have requested? Moreover, since 1974 Presidents have proposed only $69.3 billion in rescissions; Congress has actually rescinded over $71 billion in spending.

Mr. Chairman, the goal of the underlying bill, and indeed this entire exercise, is to add accountability for spending decisions to the appropriations process. The goal is not merely to advance and promote the President's brand of spending over Congress' brand of spending, which is what the Castle-Solomon amendment would do.

We are dealing with the fundamental relationship between the two political branches. We must not give any President the ability to shove his priorities down Congress' throat. We have no idea what his priorities might be; we know only they will be different. If the President can convince a majority of each House to reject the items he has identified as wasteful and proposed to repeal, then he ought to prevail. But he ought not prevail with only minority support. If he lacks majority support for his position, then he can still use his regular veto.

Mr. Chairman, the bill is designed to give the President an opportunity and in fact impose upon him the responsibility to ferret out arguably wasteful items in appropriations acts and force Congress to approve them again. I believe the bill will achieve the desired effect without disrupting the balance of power so carefully created by our Founding Fathers.

The Castle-Solomon amendment, on the other hand, simply goes too far. It would enable the President and a minority in one House to dictate his priorities to majorities in both Houses. I urge all Members to reject the amendment and support the bill.

I reserve the balance of my time.

□ 1200

Mr. CASTLE. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from Texas [Mr. ARMEY].

Mr. ARMEY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, it is important to realize that this whole debate today is about amending the Budget Reform and Empowerment Control Act of 1974. It was with that bill that Congress grabbed enormous power from the executive branch and totally destroyed the budgetary checks and balances between the legislative and the executive branches by taking away the rescission authority of the President.

It is my belief that had that act not passed, we would not today have a nation that clamors for a line-item veto or a nation that at least says, "Give us a legitimate enhanced rescission."

Mr. Chairman, I have been working on this question of enhanced rescission since 1985. I began working on it with a bright young Senator from Indiana named Dan Quayle. It was our belief at that time that we had to move in the direction of rescission because Congress would never cede to the President a legitimate line-item veto, and that enhanced rescission was some significant extension of the President's power.

Since that time there have been three groups of people working on this issue in Congress. There have been those of us who wanted to have a legitimate extension of authority for the President of the United States in budgetary matters. That interest is represented today by the Solomon-Castle effort. That is the legitimate increase in authority on the part of the executive branch by an amendment to the Budget Act of 1974.

There has been another group of people that have said under no terms whatsoever will we increase the President's authority in these matters. Those are the people who will vote against any form, any shape, any type of rescission legislation. They wish to hog all the power for Congress.

Then there has been that really great group in the middle that have said:

Let's do the political thing; let's give the President something that looks like rescission and has in fact no power in it, and then give ourselves credit for giving him line item veto.

That effort today is represented by the Spratt amendment. The Spratt amendment has a loophole.

Mr. Chairman, if you vote down Solomon-Castle and vote up Spratt, you will give the nine Democrats on the Committee on Rules of the House the right to define the President's rescission authority in fact. What is worse, you will give the Democrats the ability to pass this off as an extension of authority to the White House.

Save yourself the intellectual embarrassment. Vote "yes" on Solomon; vote "no" on Spratt.

Mr. DERRICK. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Chairman, I wish to express my opposition to the proposed amendment. While I am sure that my colleagues who are sponsoring this amendment have done so in good faith, I am convinced that their proposal would not withstand judicial review.

As the Supreme Court noted in its decision in I.N.S. versus Chadha, "Explicit and unambiguous provisions of the Constitution prescribe and define the respective functions of the Congress and of the Executive in the legislative process." The Court continues, "These provisions of Article 1 are integral parts of the constitutional design for the separation of powers."

The substitute amendment before the House clearly changes the balance of powers between the executive and leg-

islative branches by allowing the President to become more directly involved in the legislative process. In doing so, it violates the Constitution's separation of powers.

The framers of the Constitution clearly placed great emphasis on the legislative branch. In their Federalist papers, Hamilton and Madison both expressed the view that the legislature would be the most powerful branch of government. Thus, they recognized the need for some checks on the legislature. First, the Constitution provides for a bicameral legislature, with each body elected under different terms and districts. Second, it affords the President a veto power.

That veto power, as a check on Congress, was recognized to be a blunt instrument. As Hamilton explains in Federalist paper No. 373, in giving the President a veto power, the Framers acknowledged that "the power of preventing bad laws includes that of preventing good ones." It was their sense, however, that "the negative would be employed with great caution."

Although the Framers' expectations about its frequency have lately proved incorrect, the veto was certainly not seen by them as a vehicle to involve the President directly in designing or perfecting legislation.

The proposed substitute, by providing the President with the authority to selectively veto parts of legislation without requiring subsequent bicameral legislative action, clearly moves beyond the framework defined in article 1, section 7. Unlike the substitute, the underlying proposal, H.R. 1578, preserves the prerogatives of the legislature.

Under the substitute amendment, what the President decides to eliminate is simply eliminated, unless the Congress acts to restore it. This would allow the President and a minority in Congress to frustrate the will of the majority—an outcome that flies in the face of the Framers' strong belief in the central role of a democratically elected legislature. As we are now witnessing in the other body, such an outcome is not just a remote possibility—a minority may well be willing to frustrate the will of the majority, and undermine the common good, for its own perceived political advantage.

Finally, it is interesting to note that both Hamilton and Madison often chose to refer to the veto process as one of returning bills to the Legislature for reconsideration. Unlike the substitute amendment, the underlying bill, H.R. 1578, is clearly consistent with this view of the process. Its procedures for quick action by Congress on either the President's rescission proposal or an alternative package provides the means to ensure fiscal accountability while prompting the type of legislative reconsideration the framers desired.

What may seem to some to be procedural problems with the proposed substitute amendment should not be viewed so lightly. As the Court explained in Chadha:

> The choices we discern as having been made in the Constitutional Convention impose burdens on governmental processes that often seem clumsy, inefficient, even unworkable, but those hard choices were consciously made by men who had lived under a form of government that permitted arbitrary governmental acts to go unchecked. There is no support in the Constitution or decisions of this Court for the proposition that the cumbersomeness and delays often encountered in complying with explicit constitutional standards may be avoided, either by the Congress or by the President. With all the obvious flaws of delay, untidiness, and potential for abuse, we have not yet found a better way to preserve freedom than by making the exercise of power subject to the carefully crafted restraints spelled out in the Constitution.

So, despite the honorable intentions of my colleagues, I believe that their substitute amendment goes too far in altering the separation of powers set forth in the Constitution. H.R. 1578, on the other hand, meets our desires for more fiscal accountability, while being consistent with the design of government established in our Constitution. I urge my colleagues to reject the substitute before it is rejected by the Courts.

Mr. CASTLE. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Massachusetts [Mr. BLUTE].

Mr. BLUTE. Mr. Chairman, I thank the gentleman from Delaware [Mr. CASTLE] for yielding, the former Governor who actually wielded a line-item veto authority in his State.

Mr. Chairman, this is it. This is our opportunity to make real change, like we talked about on the campaign trail just a few months ago, and like the President talked about on the campaign trail when he asked and campaigned for the line-item veto authority. Not the enhanced rescission or expedited rescission. The President had a dialog with the American people and said that he needed the line-item veto authority in order to get excessive spending under control.

Once again, what happened on the way to governing? What changed in the interim to reverse the President's request?

□ 1210

I think if anything, the arguments for the line-item veto have increased in the ensuing months, particularly since we are talking in this House and in the other body about the raising, the largest tax increase in American history on working men and women throughout this country. I think we should be talking about serious efforts to get the budget deficit under control.

The line-item veto works. It works in 43 States, as I mentioned. The gentleman from Delaware has used it. It works to bring people together, as he pointed out, in the budget process. It works to reduce excessive and unnecessary spending in the budget.

I served in the Massachusetts Legislature, had that privilege for 6 years. And I served under a Democratic Governor, Governor Dukakis. I served under a Republican Governor, Governor Weld. And I can tell my colleagues that it was never used for the type of intimidation tactics that have been raised here, I think, as a red herring by the opponents of a strong line-item veto.

It was used, rather, to keep the budget focused on being balanced, on reducing unnecessary spending.

If the States are truly the laboratories of democracy, as the Founders envisioned, then the line-item veto has to be considered a very successful experiment, indeed. It works.

I think when we are faced with a huge deficit, a tremendous amount of money and resources going to debt service, and we are facing the largest tax increase in American history, I think, unfortunately, we better tell the American people that we are going to do everything in our power to get this deficit under control and to rid ourselves of the tendency toward deficit spending.

The line-item veto that is encompassed in this amendment is the one that can do the job, that is strong enough to do the job. The enhanced rescission, the other option, is a weaker version. And I do not think it will allow the President to be the fiscal disciplinarian in this process.

Mr. Chairman, I urge my colleagues on both sides of the aisle, liberals and conservatives, to try something new, something real, the line-item veto.

Mr. DERRICK. Mr. Chairman, I yield 4 minutes to the gentleman from North Carolina [Mr. PRICE].

Mr. PRICE of North Carolina. Mr. Chairman, if ever there were a cure worse than the disease, it is the line-item veto—the substitute proposal for which our Republican friends are making such extravagant claims today. It is a popular idea, a superficially attractive idea. But it is our job to probe below the surface, to get beyond the talk-show rhetoric. When we do that we will see that the line-item veto has less to do with budgeting—much less to do with reducing the deficit—than it does with shifting power to the executive branch. And I believe I can demonstrate that had it been in effect over the last 12 years, the result would have been not less spending but more.

We need to understand: Presidents almost always ask for more money than Congress is willing to appropriate. Despite the rhetoric we've heard for the last 12 years, the fact is that Presidents Reagan and Bush requested nearly $60 billion more than Congress

proved willing to appropriate. I personally can remember being asked to vote for $4 billion for star wars when I was willing to vote for only $2 billion; being asked to vote for a full fleet of B–2 bombers, for extravagant military aid to El Salvador, and so forth. And each time we refused or reduced those requests.

Now think what might have happened on those votes if White House representatives could have come to us and threatened legitimate and vital appropriations items? I hope that we would not have succumbed to those pressures, but I can tell you it would have greatly increased the President's leverage over Members of this body. And the likely result would have been more spending, not less. We would have been pressured to vote for the Executive's bloating spending requests in order to secure a place in the budget for urgent and necessary items.

Think, too, of the enormous leverage the line-item veto would give the President at the conference stage—pressuring conferees to accede to executive requests lest their own items be deleted.

It is ironic that self-styled conservatives, those erstwhile foes of concentrated executive and bureaucratic power, should embrace this proposal. As our Republican former colleague Mickey Edwards of Oklahoma argued very persuasively, a line-item veto is the last thing that true conservatives ought to advocate.

We began this 103d Congress with a mandate to reduce the budget deficit and to control wasteful spending. We must tighten our own spending bills. The budget resolution we have just passed sets stringent spending limits; it will force us to set priorities and to squeeze out nonessential items. We also must make the rescission process work. The President already has the power to propose line-item rescissions. Unfortunately, Presidents Reagan and Bush rarely used this mechanism. And the few times they did, Congress generally rescinded even more than they requested.

The enhanced rescission proposal we will vote on later today arguably will improve that process, and I plan to support it as a trial measure. But the substitute the Republicans have proposed, a full-fledged line-item veto, would shift power drastically and dangerously to the White House and would make it harder, not easier, to reduce spending and Government waste.

We would do well, Mr. Chairman, to heed Aesop's admonition that "Appearances are often deceiving." When we look beneath the rhetoric and consider how the line-item veto actually would work, it becomes clear that this device would not only fail to do what its champions claim: It actually could have the opposite effect. I urge my colleagues to take that closer look and to reject the Solomon substitute.

Mr. CASTLE. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York [Mr. QUINN].

Mr. QUINN. Mr. Chairman, I thank my colleague, the gentleman from Delaware [Mr. CASTLE] for yielding time to me.

I thank the gentleman who just spoke to me from that side of the aisle who called our amendment today exactly what it is. It is the full-fledged line-item veto, no doubt about it.

We debated last night the difference between the line-item veto and enhanced rescission. The difference is the line-item veto is the real thing. Enhanced rescission is a watered-down substitute for the real thing.

The line-item veto is what President Clinton asked for and continues to ask for. Enhanced rescission, on the other hand, is what the majority in this Congress want to give the President.

The line-item veto requires a two-thirds majority of the Congress to override the President's budget cuts. Enhanced rescission, on the other hand, needs just a simple majority to approve cuts to spending Congress already passed.

The line-item veto, I believe, will help control Government spending, cut the deficit, and strengthen our economy. Enhanced rescission, on the other hand, will let Congress continue to tax and spend as usual.

The line-item veto is the whole loaf, my colleagues. Enhanced rescission is only half a loaf.

Today, we are going to have the opportunity, by casting a vote for the Castle-Solomon substitute, to have the whole loaf for the American people.

The American people want just that. They are starving for change in Washington, DC.

We all heard the cries for reform last November in our respective campaigns, but are we still listening?

Vote for the Castle-Solomon line-item veto later this afternoon. The substitute amendment will be a vote for a real line-item veto.

Mr. DERRICK. Mr. Chairman, I yield 1½ minutes to the gentleman from Ohio [Mr. APPLEGATE].

Mr. APPLEGATE. Mr. Chairman, passage of the Solomon amendment, the Michel amendment, or the bill would constitute a breach of the separation of powers. I think it is a principle that we must adhere to.

In any event, the people end up losing. Any President can veto any appropriation bill or any tax bill right now. All he has to do is send it back to the Congress and say, "Take out specified spending or taxes, send it back and I will sign it."

But none of them do. That is a true line-item veto. President Reagan and President Bush preached line-item veto to balance the budget but never once vetoed an appropriation or a so-called pork bill.

The people put us here so that they would have a voice. Let us not give it away. This is the people's House. They can reach us, but how many people in this country can call the President of the United States or even a Senator? Give me a break.

We need to work with the President, not to give him the job that we were elected to do.

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Oklahoma [Mr. ISTOOK].

□ 1220

Mr. ISTOOK. Mr. Chairman, our choice today is between fiction and nonfiction, real versus make-believe. The Castle-Solomon amendment is real. It is a good amendment. Without it, this bill is not line-item veto.

But the amendment would create a mechanism so the President can kill pork-barrel spending, and two-thirds of Congress would be required to override. Without this amendment, we have only a bill that says well, the President can suggest some cuts, but no cuts would be made unless a majority of Congress actively approved them.

The President can already send a list of his suggestions to us, and some of our colleagues are saying that this is an ability for Bill Clinton to cut pork and saying it is line-item veto, but no, it is only to make the public think we cut pork while Congress preserves pork-barrel spending.

You can preserve pork with refrigation, you can do it with curing it with salt, or you can do it with smoke, smoke and mirrors. Let us not have it. Let us vote for the Castle-Solomon amendment.

Mr. DERRICK. Mr. Chairman, I yield 5 minutes to the gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Chairman, I yield to the gentleman from California, Mr. MINETA, chair of the Committee on Public Works and Transportation, for the purpose of a colloquy.

Mr. MINETA. I thank the gentleman for yielding. My question goes to section 2(c) of the substitute. That section would give the Appropriations Committee the authority to report an alternative rescission bill which would rescind, and I qucte, "an aggregate amount of budget authority. * * *" My understanding is that in this context, "budget authority" does not include contract authority since technically, contract authority is not provided in appropriations bills. For example, contract authority for the highway, transit, and aviation programs is provided by the Public Works and Transportation Committee. Is that the gentleman's understanding of the legisiative intent of this section?

Mr. SPRATT. The gentleman is correct. The intent of this section is that budget authority means spending provided by the Appropriations Committee

and, for the reasons the gentleman stated, does not include contract authority.

Mr. MINETA. I thank the gentleman for clarifying the legislative intent.

Mr. SPRATT. Mr. Chairman, Judge Bork, an able Republican who was my professor at one time, argued recently that those who say the Constitution provides the President with a line-item veto are met first with this question: Why has no President noticed this fact for over 200 years?

Judge Bork says, "Indeed, why have Presidents uniformly taken precisely the contrary view, beginning with President Washington," who did not notice it. He said about the Constitution, "From the nature of the Constitution, I must approve all parts of a bill, or reject it in toto."

William Howard Taft, another reputable Republican who was both President and Chief Justice said, "The President has no power to veto parts of the bill and allow the rest to become law. He must accept it or reject it."

Even where Judge Bork and President Washington and Chief Justice Taft refused to tread, Representative CASTLE and Representative SOLOMON would rush in. And they would essentially say maybe the Constitution does not inherently give the President this power, but maybe we in Congress can confer the President with a broad power which he does not have in the Constitution. Maybe we can amend the Constitution by statute.

They do not use the word, but as I read the statute, it appears to me that the device they are using is delegation. They are suggesting that we can delegate to the President the power to veto items in a bill in lieu of vetoing the entire bill itself.

Now that is a big step, changing the Constitution by statute, and it gives the President enormously broad powers. It is as broad as the budget we pass every year, in 13 different appropriation bills, when we bring them to the floor with billions upon billions of dollars, year in and year out. It is so broad, so unique, so unusual that it has to beg the question: "Is it constitutional?"

Fifty years ago the Supreme Court said, "Sweeping delegations of legislative power are unconstitutional."

I know that a lot of water has flowed over the dam since then, but 7 years ago in a case dealing with the budget authority of the Congress, the Synar case, Justice Scalia said, "The ultimate judgment regarding the constitutionality of a delegation must not be made on the basis of the scope of the power alone, but on the basis of its scope plus the specificity of the standards governing its exercise." When the scope increases to immense proportions, the standards must be correspondingly more precise. The broader the scope, the stricter the standards.

Well, there is no question that the scope here is immense, it is enormous with the standards that Castle-Solomon impose.

What guidelines, what conditions do they impose upon the President when he chooses to use his power that they would give him? First of all, they say the rescission must reduce the deficit, or the debt, and limit discretionary spending. Ladies and gentlemen, that is tautological. By definition, every spending cut will do this, in short, so it is not a standard.

Then they say the rescission must not impair essential governmental functions or harm the national interest.

These standards are so broad and vacuous that they are literally empty and subjective, and the President can fill them any way he wants to. So this is not a delegation. By definition, it is an abdication. It is an abdication of power to the President, and an abdication of our duty to uphold and defend the Constitution.

If you want to add a line-item veto to the President's powers, then do it the right way. Amend the Constitution. Do not pass a bill that will not pass constitutional muster.

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Arkansas [Mr. HUTCHINSON].

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

Two weeks ago I had the opportunity to speak to the largest exchange club in the United States. At the end of my speech someone in the audience shouted out: "Ask us about the line-item veto. Ask us what we think of that." So I did. And without exception, unanimously the hands went up in support of a real line-item veto.

Mr. Chairman, the standing of Congress is at an all-time low. Our approval rating is just above that of Saddam Hussein, and the reason is because we have been dishonest, we have been devious with the American people.

Expedited rescission is not line-item, and it is not veto. Let us not say that it is.

The President had a real line-item veto as Governor of the State of Arkansas where I served with him, and he deserves no less in Washington. That is why I support Castle-Solomon.

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Chairman, I support the Castle-Solomon amendment because it restores fiscal accountability to the Government of the United States and to the people of America, whom we represent.

While the Congress has authority and responsibility, the institution refuses to be accountable. The President is accountable, and having a line-item veto is something that we need to have.

But the real reason, Mr. Chairman, that the line-item veto is going to be killed and replaced by the share enhanced rescission was stated yesterday by my classmate and colleague and friend, NEIL ABERCROMBIE, whose comments appear today in the Washington Post.

I quote from this article, "ABERCROMBIE, one of the most liberal Members of the House, said he changed his 'no' vote after talking to FOLEY and Representatives BILL HEFNER and PATSY MINK."

Now quoting Representative ABERCROMBIE directly, "If the rule failed, we would be faced with the possibility of a pure line-item veto or a balanced-budget amendment coming before us," ABERCROMBIE said.

Mr. Chairman, killing real fiscal accountability is what enhanced rescission is all about. The Castle-Solomon amendment is a good amendment and I would urge its support. Enhanced rescission as contained in H.R. 1578 actually makes worse the present law because it will be used as justification to preclude further votes on a real line-item veto during the 103d Congress and because it requires the chief executive to act within 3 days of the legislation's enactment. Three days does not allow sufficient time to examine complex bills containing thousands of line-items. Present law allows the Chief Executive the entire fiscal year in which to act. For these reasons, H.R. 1578 should be rejected.

Mr. DERRICK. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. Mr. Chairman, interestingly, here we are today after the debate of last night debating the Solomon-Castle real line-item veto. It has been amazing to me listening to the rhetoric that has gone on over these last several days, and even listening to it this morning. There are a number of Members who have not even read the bill, have not even read the Spratt-Stenholm, and are talking about things that are not in it.

□ 1230

But I am here today to talk about the Solomon amendment. I oppose it. I oppose Mr. Solomon's amendment. I have opposed giving any President line-item veto with one-third-plus-one veto authority, because I agree more strongly with the conclusion of the gentleman from North Carolina [Mr. PRICE] about the power transfer.

I have spoken to Rotary Clubs. I have heard the same questions that have been asked, and I have always given the same answer. I do not want to give any President from either party that much power.

There is a big difference, in case you have not checked lately, between the Governor of Arkansas, the Governor of Texas, the Governor of California, the

Governor of any of our 50 States, and the President of the United States under the Constitution that has declared three separate but coequal branches of Government. I believe that.

But by the same token, I worked hard. I fought hard to see that the gentleman from New York [Mr. SOLOMON] and those of you who believe in giving that much power to any President would have the opportunity to come here today and to debate it and to vote up and down on a recorded vote, and to those that want the pure line-item veto, you can vote for it. I will not. I do not support it.

But I believe that those who do have every right in the world to bring that debate to the floor and debate it. I just wish we could debate it based on the merits. But we have chosen not to do that today.

You know, I have heard about the sunsetting provisions and the fact that we sunset it. The gentleman from New York [Mr. SOLOMON] sunsets his. The question I would ask is: Why? Simply, we sunset it last year with the Republican administration. We put in a sunset law. We wanted to try it when it was a good idea.

We agree on that, but some folks have been down here talking like the Spratt-Stenholm has a sunset provision; that is bad. But we have it in both bills.

The balance of power: The argument here today, and this is what I will conclude with, for one of the first times in a long time we are going to have an opportunity for an up-and-down vote. Those who want to do nothing will have that chance. Those who want the pure line-item veto will have that chance. Those of us who believe we need to move the peg forward, to move, and give, and try for 2 years a modified line-item veto, a chance, we will have that opportunity. If it is the will of the House to do nothing, we will get a chance to do so. If it is the will of the House that we adopt the Solomon-Castle amendment, we will do so. And if it is the will of the House that we do nothing, that we keep the status quo and go home and explain that, we can do that also.

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. CLINGER].

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

Mr. Chairman, the Wall Street Journal suggests the choice we have before us today is the choice between chicory-flavored water and real coffee. Well, I am hoping the Members are going to wake up and smell the real coffee today which is represented by the amendment offered by the gentleman from Delaware [Mr. CASTLE] and the gentleman from New York [Mr. SOLOMON]. I have already spoken to the committee about my concerns with the shortfalls in the Stenholm-Spratt expedited rescission proposal and again urge its rejection. A better alternative would be the amendment offered by Mr. CASTLE and Mr. SOLOMON which provides that budget authority rescinded by the President would go into effect unless Congress passed legislation canceling the President's rescission with a majority vote. If that congressional vote is vetoed by the President, a two-thirds majority would be needed to override the President's veto.

This proposal is a statutory line-item veto and it is the only proposal which can work to effectively reduce the Federal budget deficit.

I support this amendment because it is the measure closest to an actual line-item veto. Even though its powers are not permanent, it provides the President with a meaningful ability to cut spending.

Presidents, for as long as I can remember, have sought a line-item veto. Even President Clinton, during his campaign, supported much stronger veto authority than that provided in the Spratt-Stenholm compromise. It appears now, however, that the majority party is attempting to rule their own President again by fooling him and the American people with the meaningless, token powers included in the Spratt-Stenholm bill. It is legislation like the Castle-Solomon bill which President Clinton endorsed during the campaign. If the American people are calling for an end to gridlock, let's work together, Democrats and Republicans, to end it here by giving the President the type of deficit cutting powers he asked for during the campaign.

I urge the adoption of the Castle-Solomon amendment because it is the type of spending power sought by President Clinton to help control the growing Federal budget deficit.

Mr. CASTLE. Mr. Chairman, I yield 3 minutes to the distinguished minority leader, the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Chairman, I would like to speak in favor of the legislative line-item veto proposal offered by the gentleman from Delaware [Mr. CASTLE] and the gentleman from New York [Mr. SOLOMON] and against the base bill. I will later offer my own amendment to the amendment offered by the gentleman from Delaware [Mr. CASTLE] and the gentleman from New York [Mr. SOLOMON], that would also give the President the authority to veto special tax provisions in tax bills in addition to appropriations in appropriation bills as the Castle amendment provides for. If the amendment offered by the gentleman from Delaware [Mr. CASTLE] and the gentleman from New York [Mr. SOLOMON] does not prevail today, I am going to have to vote against the base text altogether.

To be called line-item veto legislation, the Democrat proposal is, at best, a farce and at worst a cynical and insulting impostor. The legislative line-item veto substitute offered by the Castle amendment requires a two-thirds majority of both Houses to override the President' line-item veto. Only then would the money have to be spent which the President sought to rescind or veto.

This proposal has real teeth. It gives the President a genuine chance to get at unnecessary and wasteful spending items.

By contrast, the expedited rescission proposal in the base bill does little more than speed up the existing process.

In addition, any rescission proposed by the President can be overturned by a mere majority of either House.

Voting against a rescission, by just a simple majority vote does not change the process at all. If this expedited rescission proposal is agreed to today, the President and the Democrats in Congress will claim they have acted on a line-item veto proposal.

The line-item veto proposal that is fixed in the minds of the public is something far different than in this farcical thing we have before us today. Action on this watered-down bill will foreclose further action this year on any real and meaningful legislative line-item veto.

My bone of contention is that the President really will not have any more authority than he now has under the existing rescission procedure.

I want the American public to realize what is really happening there today. This is not, and I repeat, not a line-item veto proposal. Even the chief sponsor, my good friend, the gentleman from South Carolina [Mr. SPRATT], testified before the Committee on Rules on April 1, that he did not think this expedited rescission procedure in this bill would be used much. I will be willing to wager today you will not save $10 million in the remainder of this Congress by this proposal. You will not save $10 million. I will put my reputation on the line here. You wait and see how farcical this proposition is.

I fully understand the gentleman's faint praise for his own bill, but the base bill suffers from one monumental flaw. It does not really do anything important.

Let us vote for the Castle-Solomon amendment today which represents a real line-item veto and vote down the Democrats' impostor bill.

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New York [Mr. LEVY].

Mr. LEVY. Mr. Chairman, throughout the congressional district that I represent, taxpayers want the President to have a line-item veto. They do not understand expedited rescission and, when it is explained to them, they think it is a sham.

As a kid I remember saying, when I really did not want to do something,

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"Let's not and say we did." I never thought Congress, as an institution, would consider saying that.

H.R. 1578 is not a line-item veto. It gives the President little authority that he does not already have. If we pass the bill as proposed, we will be telling constituents who want us to pass a line-item veto "Let's not and say we did."

On the other hand, if we are serious about cutting the deficit, if we are serious about giving the President the same power that virtually every American Governor has, let us pass the Castle-Solomon amendment.

I salute my friend from Delaware and my neighbor from New York for their work on this amendment, and I urge my colleagues to support it.

Mr. DERRICK. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. Mr. Chairman, I must respond just a moment to the distinguished minority leader for whom I have a great amount of respect, but I regret that he chose to use the harsh words on the bill that we have proposed today when last year 154 out of 159 Republicans joined in support of the bill, 118 of whom are back this year.

The bill that we have this year is stronger than the one that we had last year, so I would hope we would not categorize that. I would hope that we could keep the debate on the merits of the Solomon bill versus the merits of the Spratt-Stenholm bill and not categorize it.

Because I would choose to use the words of my good friend, the gentleman from New York, what he said about our bill last year:

> For those of you who really believe in line-item veto, we have reached a tremendous compromise here that you can vote for. It should be something that this House can support overwhelmingly.

Now, if the will of the House is not to support your amendment today, I hope those words will be just as good on final passage as they were last year.

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New York [Mr. SOLOMON].

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

Mr. Chairman, let me say to my good friend for whom I have the greatest admiration and respect, I really do, but, you know, we did, and I said that last year in the last days of the session, and it was a compromise, because we were ending the session. There was no chance whatsoever we would ever get any kind of a true line-item veto. So it was a compromise.

We are in the beginning of a new Congress now, and we have a chance to send over to the other body a true line-item veto.

□ 1240

For all freshmen listening out there, you are going to get a second chance if you vote for Solomon-Castle, because we send it over there, it delivers that message that your constituents asked you to come here and deliver to this Congress. Then, if the Senate is sincere, they will pass our true line-item veto. If they are not, they will pass the watered-down version.

If they do that, what happens, Charlie? Then we have got a compromise again. So it comes back to this House, and all of you freshman Democrats will get a second chance next week to pass the watered-down version.

Today vote for Solomon-Castle. You will be doing what you told your constituents you would do.

Mr. DERRICK. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. I thank the gentleman for yielding to me.

Mr. Chairman, I just have to go a little bit further with my good friend from New York [Mr. SOLOMON] because it was not yet the end of the session last year that he made those eloquent words. He made them on July 30, 1992. And the reason he made them then was that we were trying to get something done in time for it to be effective last year.

Now, this is the same position we are in now. If we are going to have this effective and go through the Senate and get it in time to act on this year's appropriation bill, we do not have all this time to act on this year's appropriation bill, we do not have all this time that the gentleman is talking about. We do not have it, no matter how we say it.

We can debate that one on and on, but July 30 was when the statement was made, and it was an excellent statement when the gentleman made it then.

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Indiana [Mr. BUYER].

Mr. BUYER. I thank the gentleman for yielding to me.

Mr. Chairman, rather than go on with the great speech that I was going to give today, I actually would like to tap on the tail of the debate which was happening here. It happened not only today but what occurred in the last Congress.

Gentleman, I was not there. I was not there. I am a new Member of the Congress. What I did in pledges to come to this Congress was no different than our President, calling for the line-item veto.

I say to the gentleman from Texas [Mr. STENHOLM] I have respected you as a citizen of this country before I came here to the Congress, and I continue in that respect.

And I agree with the gentleman to focus on the merits here. But I am disappointed that the President is not exercising some leadership in really calling it a true line-item veto, which he has had as Governor and now he wants it as President. I think that is what we want to give him.

Even though the Congress has not shown itself to be the fiscally responsible body that it should be, and it does not make any difference who is in the White House, Republican or Democrat, I want to give that measure to them.

Today is a new day. The gentleman is right. All kinds of arguments and fights happened back then. I looked and saw how many of my Republican colleagues voted for the gentleman's measure in the last session; quite a few. So, let us move forward today.

Mr. CASTLE. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee [Mr. DUNCAN], who has been a real leader in this line-item veto fight for a number of years now.

Mr. DUNCAN. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, I am pleased to rise in support of this amendment.

I want to commend Mr. SOLOMON and Mr. CASTLE for their valiant work on this.

A few days ago, I heard a speaker on this floor of the House say that the American people did not want more gridlock—they wanted action.

Well, they do not want the kind of action they are getting from this Congress.

They do not want higher taxes.

They do not want increased spending. They want cuts.

They do not want more pork barrel.

They want change—real change.

Instead, what they are getting is more of the same liberalism that got us in the mess we are in today—over $4 trillion in the hole.

I wish we did not need a balanced budget amendment.

I wish we did not need a line-item veto.

But the fact is that for many years now, the Congress has been unable or unwilling to get spending under control on its own.

Poll after poll has shown that 70 to 80 percent of the American people want the President to have line-item veto power.

And they want him to use it to get rid of wasteful and ridiculous projects.

President Bush endorsed this. Ross Perot endorsed it. President Clinton has, too.

Three years ago I introduced the original Line-Item Veto Act in the 102d Congress.

I did so again this year with H.R. 159.

Senator MCCAIN introduced this same bill in the Senate.

The U.S. Chamber of Commerce endorsed our bill, as did the National Taxpayers Union, and the U.S. Business and Industrial Council.

I am pleased that Mr. SOLOMON and Mr. CASTLE have used the same language in this amendment, which is a

simple, 2-year trial instead of permanent authority as in my bill.

This is the line-item veto as it exists and is used effectively in most of the 43 States that have it.

This is not a watered down version.

This is the best line-item veto authority, because it makes it tougher for the Congress to override a cut by the President.

Our country would be booming today if we were not so deeply in debt and losing so much money.

We have got to get spending under control.

This amendment will not do it by itself, but if used properly, it will certainly help.

One of our colleagues on the other side is quoted in the paper today as saying he is voting for the Stenholm-Spratt version because he is not for a real line-item veto. That is what this debate is about, whether we are going to pass a real line-item veto act or some fake, charade version of it. I urge my colleagues to support this amendment.

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

The CHAIRMAN. The gentleman from South Carolina [Mr. DERRICK] has 8 minutes remaining, and the gentleman from Delaware [Mr. CASTLE] has 7 minutes remaining.

Mr. CASTLE. Mr. Chairman, I reserve the balance of my time, as we discussed earlier.

The CHAIRMAN. For what reason does the gentleman from Illinois [Mr. MICHEL] rise?

AMENDMENT OFFERED BY MR. MICHEL TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. CASTLE

Mr. MICHEL. Mr. Chairman, pursuant to the rule, I offer an amendment to the amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment to the amendment in the nature of a substitute.

The text of the amendment to the amendment in the nature of a substitute is as follows:

Amendment offered by Mr. MICHEL to the amendment in the nature of a substitute offered by Mr. CASTLE:

Page 1, strike line 2 and insert the following: "This title may be cited as the 'Enhanced Rescission/Receipts Act of 1993'.".

Page 1, line 7, after "1995" insert "or veto any targeted tax benefit within any revenue bill".

Page 1, lines 11, 12, and 15, insert "or veto" after "rescission" each place it appears.

Page 1, line 19, insert "or a revenue bill containing a targeted tax benefit" after "1995,".

Page 2, line 4, strike "rescission" and insert "rescission/receipts".

Page 2, line 2, insert "(1)" after "(a)" and after line 10 add the following:

(2) Any provision of law vetoed under this Act as set forth in a special message by the President shall be deemed repealed unless, during the period described in subsection (b), a rescission/receipts disapproval bill restoring that provision is enacted into law.

Page 2, line 8, 12, and 13, strike "rescission" each place it appears and insert "rescission/receipts".

Page 2, line 18, insert "or veto" after "rescission".

Page 2, strike line 22 and all that follows thereafter through page 3, line 2, and insert the following:

(1) The term "rescission/receipts disapproval bill" means a bill or joint resolution which—

(A) only disapproves a rescission a budget authority, in whole, rescinded, or

(B) only disapproves a veto of any provision of law that would decrease receipts,

in a special message transmitted by the President under this Act.

(2) The term "calendar days of session" shall mean only those days on which both Houses of Congress are in session.

(3) The term "targeted tax benefit" means any provision which has the practical effect of proving a benefit in the form of a differential treatment to a particular taxpayer or a limited number of taxpayers, whether or not such provision is limited by its terms to a particular taxpayer or a class of taxpayers. Such term does not include any benefit provided to a class of taxpayers distinguished on the basis of general demographic conditions such as income, number of dependents, or marital status.

Page 3, line 4, insert "or vetoes any provision of law" after "authority".

Page 3, line 7, insert "or the provision vetoed" before the semi-colon.

Page 3, line 11, insert "or veto any provision" after "authority".

Page 3, line 14, insert "or veto" before the semicolon.

Page 3, line 16, insert "or veto" after "rescission" each place it appears.

Page 4, strike lines 4 through 6 and insert the following:

(c) REFERRAL OF RESCISSION/RECEIPTS DISAPPROVAL BILLS.—Any rescission/receipts disapproval bill introduced with respect to a special message shall be referred to the appropriate committees of the House of Representatives or the Senate, as the case may be.

Page 4, lines 8 and 10, strike "rescission" each place it appears and insert "rescission/receipts".

Page 5, line 3, strike "rescission" the first time it appears and insert "rescission/receipts".

Page 5, line 4, strike "budget authority" and insert "of budget authority or veto of the provision of law".

Page 5, line 6, strike "rescission" and insert "rescission/receipts".

The CHAIRMAN. The gentleman from Illinois [Mr. MICHEL] will be recognized for 15 minutes, and a Member opposed will be recognized for 15 minutes.

Mr. ROSTENKOWSKI. Mr. Chairman, I am opposed to the amendment to the amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. ROSTENKOWSKI] will be recognized for 15 minutes.

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

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

Mr. Chairman, I rise today to offer my amendment to the real legislative line-item veto proposal offered by my colleagues, the gentleman from Delaware [Mr. CASTLE] and the gentleman from New York [Mr. SOLOMON], which deals only with appropriations. My amendment adds an additional dimension to the debate.

Should the President be allowed to strike special-interest tax provisions from tax bills, in addition to appropriations from appropriation bills?

I believe that the President should be given this additional authority.

I am amazed and obviously very gratified that this issue has gained so much momentum.

I began the drumbeat earlier this year after seeing the number of special-interest tax provisions contained in last year's tax bill, H.R. 11.

That bill was vetoed by President Bush due to the sheer weight that it gained through the legislative process here in the Congress.

As you know, that bill initially was the vehicle for the enterprise zone provisions in response to the Los Angeles riots.

By the time it was on the President's desk, it was a huge bill containing over 50 special-interest provisions.

My understanding is that the cost of the special-interest provisions exceeded the cost of the supposed cornerstone of that bill—the enterprise zone provisions that we all thought was the real reason for our having considered that particular tax bill.

Several weeks ago, during initial consideration of this matter, a group of freshmen Members on the Democratic side of the aisle asked that an amendment be made in order to the base bill that included Presidential authority to repeal tax expenditures.

There was also an effort by members of the Appropriations Committee to give the President such authority.

They, like myself, have been precluded from raising the tax issue in regard to the base bill, H.R. 1578, that we are considering here today and was offered by Mr. SPRATT.

So, unfortunately, we are limited today to debate this issue only in the context of the Republican substitute to H.R. 1578, and not to the base bill itself.

Now, you are going to hear several arguments why you should not vote for my amendment.

You will hear that it is uncertain what I mean by the term "targeted tax benefits."

Well, I can assure you, I know one when I see one, and so do you.

I am talking about special interest tax items, tax pork, tax loopholes, tax carve-outs, Members' projects, special tax exemptions, et cetera, et cetera.

I am talking about tax goodies, the kind of things the insiders get in abundance and the regular taxpayers get it in the neck.

I am talking about a wink and a nod and a nudge and all the other political insider body language that says, "Give me a break because I'm somebody special."

There are big, big bucks associated with these sweetheart tax provisions, believe me. If you agree that the President should not be held hostage to special interests in tax bills, as well as appropriation bills, then support my amendment today.

When we see that whopping big tax bill coming down the pike later this year, you better believe that it is going to be loaded with lots of tax goodies if it is going to get any mileage in either one of the bodies of the Congress.

In order to get the votes to pass it, I can assure you, as I said, that members on the committees, particularly the chairmen, are going to be under immense pressure to do just these kind of things that ought not to be done.

I will agree to sit down with the chairman of the Ways and Means Committee, my good friend, the gentleman from Illinois [Mr. ROSTENKOWSKI] and our staffs to carefully review the tax package that is reported later this year, in order to identify the special interest tax provisions.

My amendment would add some accountability in the tax area, as is provided to the appropriations area in the Castle-Solomon amendment.

The second argument that you will hear against my amendment is that it raises constitutional questions.

Well, when these constitutional questions arose during my testimony before the Government Operations Committee, I contacted a well-regarded constitutional expert, Mr. Bruce Fein, for his opinion on the matter.

I would like to quote from a March 16 letter that I received from him relative to the bill I introduced, H.R. 493, which for all practical purposes is the text of this amendment that I am offering today, and deals with targeted tax provisions. This is what he said:

> The purpose of the President's targeted tax authority is unquestionably legitimate: to assist attacking ballooning budget deficits. The method is plainly adapted to that end: enabling the President to veto only the mischievous portions of a revenue bill that he might otherwise sign because of offsetting attractions. The authority does not usurp legislative power. Congress may override a targeted veto. Further, at any time, it may by legislation rescind the President's targeted veto power. Moreover, insofar as the bill delegates legislative revenue power to the President, it contains sufficient standards to guide the exercise of delegation to pass constitutional muster.
>
> See *Mistretta* v. *U.S.* (1989); *Synar* v. *U.S.*, 626 F. Supp. 1374, affirmed on other ground, 478 U.S. 714 (1986).

Now, on these grounds, I believe that I have a legitimate legal and constitutional basis upon which to offer my amendment.

I would like to reiterate once more that I believe the President of either party should have the option to get at special interest provisions in both appropriations and tax bills.

It is a good management tool, both on the appropriations side and on the tax side. It is not one of those issues, quite frankly, that divides along political lines. I have heard Members in the earlier debate mentioning, conservative Members on my side who have an absolute opposition to a line-item veto, and I respect them for their feelings on that score.

People ask me, "BOB, why would you give up your legislative authority to an all-powerful Chief Executive?"

I will say, "Because we have loused it up here in the Congress. That is why."

If 43 Governors have got this power to use to good advantage, then why should we not give it to the President of the United States? And when Jimmy Carter was President, I said:

> If you don't want to give him authority for a complete line item veto, give him at least authority to reduce items by some arbitrary figure, 10, 15, 50 percent, if you want to hold on jealously to your power.

But it is a management tool to try and save some bucks around here and I am willing to give that to President Clinton, President Carter, as I proposed earlier on, and yes, certainly my own President. I do not want to hamstring any President to the degree that they would not have their kind of ability to use a good management tool that 43 of our Governors are currently using to their advantage.

Quite frankly, if you are for special interests, then vote against my amendment today. If you are for a more complex Tax Code, then vote against my amendment.

Now, if you believe that the President should not be held hostage to special interests, then I say vote for my amendment today. It will make this a better piece of legislation.

My only regret is that under the rule that we debated earlier on, I only get the opportunity to offer our amendment to the amendment. That is the way we get treated sometimes over here on the Republican minority side, as distinguished from being able to offer our amendment both to a base bill and to the Republican substitute. In the old days, we'd have a substitute, and amendments in the second degree. We do not do that anymore around here because the House is no longer a legislative body in the true sense of the word. We get dictated to by the Rules Committee. It is either up or down, an hour for, an hour against. "Let's get out of here and go home."

We have Monday and Friday off, and people wonder, what is this? Oh, we must refine it, call it a District Work Period to justify the absences.

So it is unfortunate that this is what this body has been relegated to, but you still have an opportunity here. I think our arguments are on good sound ground. I would certainly appreciate the support of Members on either side of the aisle who are persuaded that our cause is right.

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

The CHAIRMAN pro tempore (Mr. OBERSTAR). The gentleman from Illinois [Mr. MICHEL] has consumed 9 minutes.

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

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

Mr. Chairman, I rise in opposition to the amendment offered by Mr. MICHEL, which would allow the President to rescind tax measures through what is effectively a line-item veto.

On its face, the Michel amendment would appear to be limited to certain so-called targeted tax benefits. However, the amendment is so broadly drafted that it could actually apply to almost any tax provision, small or large, increase or decrease.

The Michel amendment applies, and I quote from the amendment, to "any provision which has the practical effect of providing a benefit * * * to a particular taxpayer or a limited number of taxpayers." There are about 115 million income tax returns filed every year. What is a limited number; 1 million, 10 million, 50 million?

Arguably, almost any tax provision applies to a limited number of taxpayers. For instance, the research and development tax credit applies only to taxpayers with research and development. The home mortgage interest deduction applies only to homeowners. The targeted jobs tax credit benefits only certain employers.

In addition, the proposal is so broad that it might even be interpreted to apply to tax increases, since a tax increase applied to one group of taxpayers might have the "practical effect of providing * * * differential treatment" to some other limited number of taxpayers.

In short, almost any tax provision passed by the Congress could be viewed by the executive branch to be subject to rescission under the Michel amendment. This broad transfer of power to the President has significant implications for the relative powers of the executive and legislative branches under our Constitution and raises serious constitutional questions that should give this House great pause.

The Michel amendment raises serious constitutional questions. The vesting of the power of the purse in the hands of the elected representatives of the people lies at the very heart of representative Government in the Anglo-American tradition. The amendment under consideration today would be a giant step backward from the English Bill of Rights, which in 1689 finally settled centuries of struggle between the Crown and the Parliament by eliminating the Crown's ability to impose taxation and by giving the pursestrings exclusively to the elected representatives of the people.

In the United States, the Constitutional Convention adopted this model.

Article 1 of the Constitution requires that all revenue measures originate in the House of Representatives. However, the Michel amendment would effectively allow the executive branch to originate tax measures by unilaterally rewriting the tax laws that are passed by the Congress.

Moreover, the Michel amendment raises additional constitutional concerns as a delegation of the taxing authority to the executive branch. The first power granted to the Congress, and exclusively to the Congress, in article 1 of the Constitution is the power to lay and collect taxes.

I would point out that in every relevant case to come before it, the Supreme Court has recognized that there are limits of delegation which there is no constitutional authority to transcend. As recently as 1989, the Supreme Court reaffirmed its longstanding principle that the delegation of the Congress' taxing powers violates the constitutional requirement of separation of powers if the Congress does not provide clear standards which would allow a court to determine whether the will of the Congress has been obeyed.

The Court has struck down as unconstitutional the delegation of legislative authority to the President where the Congress established no standard and did not define the circumstances and conditions under which the President could exercise the delegated authority.

Under the Michel amendment, because the President would have complete discretion to pick and choose which so-called targeted tax benefits would be rescinded, there effectively would be no standard, no requirements, and no definition of circumstances and conditions for exercising the delegation of the taxing power. There is serious doubt whether such a delegation of the Congress' taxing powers would pass constitutional muster.

I admit that I do not know the answers to all of the constitutional questions that can be raised, but I do know that before we dramatically shift the balance of power in this area—which is the fundamental power of the people in a democracy—we had better be sure of the answers.

I would also point out, Mr. Chairman, that our Federal tax system, which we relied on to collect over $1 trillion in revenues last year, is almost entirely dependent upon the voluntary compliance of the American people.

Because of this reliance, our tax system must be fair. There is no getting around the fact that one of our greatest responsibilities as Members of the House of Representatives is to ensure that taxpayers of this Nation obtain fair treatment under the tax laws.

The Congress passes legislation after public hearings, markups, floor debate in both bodies, and conference. Through this process, Members from across the Nation, representing all geographic regions and the rich diversity of our society, have the ability to influence the law. It is through this process that every taxpayer can be assured that his or her interests have been heard, and that his or her needs have obtained a response.

Mr. Chairman, the President should execute tax laws that we in the Congress carefully craft. The American people demand, and deserve, fairness in the tax law. This fairness can only come from the careful, painstaking legislative process of House and Senate action—there are no shortcuts to fairness. And without fairness, our system cannot and will not work.

Mr. Chairman, I would also note that the rescission authority provided in this amendment could generate enormous controversy as to whether or not the rescission was valid, and leave the tax law in a state of confusion. The House of Representatives itself would probably end up in court attempting to show why the rescission authority does, or does not, apply in a particular instance.

In summary, Mr. Chairman, the implications of this amendment are far reaching and disturbing. I urge my colleagues in the strongest possible terms to reject the Michel amendment.

□ 1300

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

Mr. MICHEL. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. LEWIS].

Mr. LEWIS of Florida. Mr. Chairman, I rise in strong support of the Michel amendment, which, along with the Castle-Solomon amendment, would make this a true line-item veto.

Make no mistake, the Democrat leadership rescission bill is nothing more than political cover.

It is not a line-item veto. In fact, many Members on record as opposing a line-item veto will support this expedited rescission.

During the campaign, President Clinton did not ask for an expedited rescission, he asked for a line-item veto.

I dare say that many in this Congress also made the same commitments.

The American people know that this Congress has lacked fiscal discipline, and they do not trust this particular fox to watch the chicken coop.

Eighty percent of the American people want a line-item veto. It is time to represent their needs over the special interests who benefit from this pork barrel spending.

Support a true line-item veto. Support the Michel amendment and the Castle-Solomon amendment.

Mr. MICHEL. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. CLINGER].

Mr. CLINGER. Mr. Chairman, I have already expressed my support for the Castle-Solomon amendment as a meaningful substitute to the weaker Spratt-Stenholm compromise. I also support Mr. MICHEL'S amendment to the Castle-Solomon substitute which adds authority for the President to repeal targeted tax benefits contained in revenue bills.

I agree with the minority leader that it is important that the President be able to single out both excessive and unnecessary spending, and special sweetheart tax provisions for an individual vote. Often such provisions are buried in large bills and Members may not even be aware of each of these individual provisions when they vote on an omnibus bill. The American people hear of these special tax give-aways only after they take effect and they are outraged at the arrogance of Congress to give special deals to special friends. A meaningful way to strike these provisions from omnibus tax bills is one way for the Government to reclaim the respect of the American people.

This authority coupled with the greater authority in the Castle-Solomon alternative would provide the President with real power, not artificial power, not weak power, real power to curb unnecessary spending and wasteful, targeted tax expenditures. This is the type of power being called for daily by the American people, and I urge its adoption.

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

Mr. STENHOLM. Mr. Chairman, I rise today to commend the respected minority leader for raising an important issue in the larger line-item veto debate, but to urge caution in taking this step prematurely.

Line-item veto authority has been debated for many, many years—long enough, as was mentioned on the floor yesterday, for the American people to have a grasp of what it is all about. The issues of balance of power, constitutionality, procedures for rescissions, and so forth have long been in the marketplace of ideas and debate.

On the other hand, only very recently have the ideas of tax expenditures and contract authority been added to this debate. I believe that these two issues, tax expenditures and contract authority, very rightfully belong in the rescission debate. I am very eager to explore these concepts personally. I want to hear others with greater constitutional and institutional expertise than I debate the nuances of including tax expenditures and contract authority in rescission authority.

For example, Mr. Chairman, some have expressed to me a concern that this amendment, the Michel amendment, might actually make it easy for a President to raise taxes, not to cut, but to raise, and I think that bothers a lot of people around this country. It may or may not do so. The point is we have not had the hearings, we have not had the looking into this particular question to the degree that we need to.

In fact, Mr. Chairman, I personally am considering legislation embodying

these two concepts and would like to get it referred to the appropriate committees, the Committee on Government Operations and the Committee on Ways and Means, to look at the concept. I think it is highly possible that 2 years from now, when we consider renewing the contract on this legislation, assuming we pass something today, I will be prepared to vote for revisions of this sort.

At this point, however, I do not believe the debate has matured to the point where we should be attaching these unexplored ideas to legislation which is likely to be signed into law.

Therefore, Mr. Chairman, I oppose this amendment today on its merits. It needs much more thoughtful study, both to the amendment before us, as well as to the amendment, the modified line-item veto, which we hope passes later today.

PARLIAMENTARY INQUIRY

Mr. MICHEL. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore (Mr. DE LA GARZA). The gentleman will state it.

Mr. MICHEL. Mr. Chairman, do I have the right to close on my side being the author of my amendment?

The CHAIRMAN pro tempore. The gentleman from Illinois [Mr. MICHEL], the author of the amendment, has the right to close.

Mr. MICHEL. And we only have 3 minutes remaining, I believe.

The CHAIRMAN pro tempore. The gentleman from Illinois [Mr. MICHEL] has 4 minutes remaining. The gentleman from Illinois [Mr. ROSTENKOWSKI] has 5 minutes remaining.

Mr. MICHEL. Mr. Chairman, I yield myself such time as I may consume to respond quickly because our amendment is drafted finitely enough to foreclose any kind of opportunity for the President under my amendment to raise taxes. The gentleman from Illinois [Mr. ROSTENKOWSKI] is so right. Under the Constitution that is a prerogative of the House. I understand that, I respect that, and in no way would I want to abridge that kind of constitutional right of the House of Representatives. My amendment is narrowly defined to simply give the President an opportunity to cut back on what he would consider, trinkets in a tax bill.

□ 1310

So with that, Mr. Chairman, I will withhold until the remaining time is used on the other side, and I will then yield the balance of whatever time we have left after the last speaker to the gentleman from Louisiana [Mr. LIVINGSTON].

The CHAIRMAN pro tempore (Mr. DE LA GARZA). The gentleman from Illinois [Mr. MICHEL] reserves 3½ minutes.

Mrs. KENNELLY. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. MATSUI].

Mr. MATSUI. Mr. Chairman, I thank the gentlewoman very much for yielding this time to me.

Mr. Chairman, I know what the gentleman's intent is with this amendment. His intent is to try to eliminate rifle shots.

Perhaps if there is a provision for a particular company or a particular individual, he would want to give the President authority to take that away by rescission power. Unfortunately, I believe the gentleman's proposal is a little too broad, significantly too broad. It is almost as if you were using a sledgehammer to go after a gnat. I understand what he is trying to do, but I believe the gentleman from Illinois [Mr. ROSTENKOWSKI] and others who have spoken on the floor on this issue realize that it would affect R&D credits and the home mortgage interest deduction. It would also affect the earned income credit, which is a credit for lower and middle income people which we are going to be developing in this tax legislation.

And contrary to what the gentleman from Illinois [Mr. MICHEL] has indicated, it could have the practical effect, depending on the interpretation, of resulting in a tax increase. For example, if you do something with respect to stock insurance companies that would then provide a differential treatment for a limited class of taxpayers which in turn could have an impact on mutual fund taxpayers, it thereby would give the President the authority, if one would read the clear language of this legislation, to increase taxes on those who had mutual funds.

So this is a very, very dangerous amendment. I understand the gentleman's intent. At the same time, the reality of this will really raise some havoc. In addition to this, as many people know, in the Tax Code we try to have balance so that all income tax groups have a certain balance in terms of what they might pay. Unfortunately, this proposal could create havoc and imbalance in the Tax Code.

So, Mr. Chairman, I urge opposition to the Michel amendment.

Mrs. KENNELLY. Mr. Chairman, I yield myself the balance of the time remaining on this side.

The CHAIRMAN pro tempore. The gentlewoman from Connecticut [Mrs. KENNELLY] is recognized for 3 minutes.

Mrs. KENNELLY. Mr. Chairman, I am very much opposed to the Michel amendment. I do no believe that the idea of including tax provisions in the proposed rescission process is a well-conceived idea, and ought to be rejected by this House.

Almost any tax provision could be argued to be a targeted tax benefit in that it can apply only to a limited number of taxpayers. Not all taxpayers will be in the position to use the investment tax credit, for example, that President Clinton wants to use to promote economic investment.

Take the Mortgage Revenue Bond Program as another example. There were 401 Members of this House who cosponsored legislation to extend this critical program last year. Yet this amendment would allow the MRB program to be rescinded because it is limited to first time home buyers. There are 115 million taxpayers in the United States, yet the MRB program only helped 120,000 families last year.

The research and development tax credit would apply only to taxpayers who do R&D, and only to those who do it within the eligibility definitions contained in the bill. Others would not get the benefit, so that is a limited number of taxpayers.

The Ways and Means Committee often carefully balances a tax bill based on distributional considerations, trying to protect the poor and middle class from the affects of the bill as much as possible. The earned income tax credit for the working poor is an example, and to the extent that could be dropped through this process it would dramatically disturb the balance of the bill.

In addition, the committee sometimes tries to simplify the Tax Code for taxpayers through rewriting a whole section of the code. Since there are usually some taxpayers in every conceivable tax situation, there are inevitably winners and losers under a provision whose primary goal is simplification. Does this mean that a revenue neutral provision could be rescinded because it contains a tax expenditure for the winners? Or does it mean that the provision could be rescinded only to the extent that it applies to the winners?

I believe the only thing you will get by passage of this amendment is increased taxpayer dissatisfaction with Government. When we are contemplating tax policy changes, the Ways and Means Committee establishes an effective date so that all taxpayers will have notice and are not caught in the middle of a transaction. To the extent these dates can be deleted or changed as a result of this amendment before us, you are going to see an exponential increase in litigation as taxpayers argue about whether transactions are governed by old law or new law. The Tax Court is backed up enough with cases, this serves no purpose. I urge my colleagues to oppose the Michel amendment.

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

Mr. MICHEL. Mr. Chairman, I yield the balance of my time to the gentleman from Louisiana [Mr. LIVINGSTON] to close debate on the amendment.

The CHAIRMAN pro tempore. The gentleman from Louisiana is recognized for 3½ minutes to close debate on the amendment.

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

Mr. Chairman, I also regret that we cannot evaluate this very important amendment as a free-standing amendment to the base bill, but I do rise in strong support of the Michel amendment to provide the President with the authority to strike—and I stress the word "strike"—targeted tax benefits from revenue bills. It does not need study. It just makes plain sense.

Mr. Chairman, the press and numerous congressional watchdogs inside and outside this institution criticize the pork-barrel spending contained in the 13 appropriations bill. But attention is rarely focused on the hundreds of special interest tax breaks for favored constituents or industries often written into annual reconciliation or tax bills that we pass every year.

These targeted tax breaks cost the Treasury millions of dollars every year and they largely escape the scrutiny of Members and groups who monitor Government waste. For example, the infamous 1990 Budget Enforcement Act provided special tax treatment for taxicabs, insurance companies doing business abroad, cigar manufacturers, a small winery, a small brewery, ethanol producers, and crop dusters. Members of the tax committees tuck these special interest provisions into hundred-page reconciliation bills that are rushed to the floor without adequate review. The lost revenue from the targeted tax exemptions and loopholes must be restored by increasing the taxes of those who do not have a friend on the tax-writing committees.

As a member of the Appropriations Committee, I want to dispel the myth that our committee is the sole refuge for pork-barrel spending and the main scapegoat for the deficit. Only 35 percent of the total Federal budget is made up of discretionary spending subject to the annual appropriations process. The remainder of the budget is mandatory spending, entitlement, or appropriated entitlement that cannot be easily adjusted without changing the authorizing legislation.

If the Appropriations Committee is going to come under the scrutiny of the line-item veto, it is only fair to provide this very same degree of scrutiny to the tax committees. In fact, all taxing and spending activities of Congress should share in the procedural reform to reduce the deficit. Let us attack the deficit by checking the special interests in appropriations and in revenue bills. I strongly urge my colleagues to support the Michel amendment, in conjunction with Castle-Solomon, to veto special interest tax provisions.

The CHAIRMAN pro tempore. The gentleman from Louisiana [Mr. LIVINGSTON] has not consumed all his time.

Does the gentleman from Illinois [Mr. MICHEL] yield back the balance of his time?

Mr. MICHEL. I do, Mr. Chairman.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from Illinois [Mr. MICHEL] to the amendment in the nature of a substitute offered by the gentleman from Delaware [Mr. CASTLE].

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

RECORDED VOTE

Mrs. KENNELLY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 257, noes 157, not voting 22, as follows:

[Roll No. 145]

AYES—257

Allard	Fingerhut	Leach
Andrews (NJ)	Fish	Lehman
Archer	Ford (TN)	Levy
Armey	Fowler	Lewis (CA)
Bacchus (FL)	Frank (MA)	Lewis (FL)
Bachus (AL)	Franks (CT)	Lightfoot
Baesler	Franks (NJ)	Linder
Baker (CA)	Gallegly	Livingston
Baker (LA)	Gallo	Long
Ballenger	Gekas	Machtley
Barcia	Geren	Mann
Barrett (NE)	Gilchrest	Manzullo
Barrett (WI)	Gillmor	Mazzoli
Bartlett	Gilman	McCandless
Bateman	Gingrich	McCloskey
Beilenson	Glickman	McCollum
Bentley	Goodlatte	McCrery
Bereuter	Goodling	McCurdy
Bilbray	Goss	McDade
Bilirakis	Grams	McHugh
Bliley	Grandy	McInnis
Blute	Greenwood	McKeon
Boehlert	Gunderson	McMillan
Boehner	Gutierrez	Meehan
Bonilla	Hall (TX)	Meyers
Bunning	Hamilton	Mica
Burton	Hancock	Michel
Buyer	Hansen	Miller (FL)
Byrne	Harman	Minge
Callahan	Hastert	Molinari
Camp	Hefley	Montgomery
Canady	Herger	Moorhead
Cantwell	Hinchey	Moran
Carr	Hoagland	Morella
Castle	Hobson	Murphy
Chapman	Hoekstra	Myers
Clement	Hoke	Nadler
Clinger	Horn	Neal (NC)
Coble	Houghton	Nussle
Collins (GA)	Huffington	Obey
Combest	Hughes	Orton
Condit	Hunter	Oxley
Cooper	Hutchinson	Packard
Coppersmith	Hutto	Pallone
Cox	Hyde	Parker
Crane	Inglis	Paxon
Crapo	Inhofe	Penny
Cunningham	Istook	Peterson (MN)
Deal	Johnson (CT)	Petri
DeFazio	Johnson (GA)	Pombo
DeLay	Johnson (SD)	Pomeroy
Derrick	Johnson, Sam	Porter
Deutsch	Johnston	Poshard
Diaz-Balart	Kasich	Pryce (OH)
Dickey	Kim	Quinn
Dicks	King	Ramstad
Dooley	Kingston	Ravenel
Doolittle	Klein	Regula
Dornan	Klug	Richardson
Dreier	Knollenberg	Ridge
Duncan	Kolbe	Roberts
Dunn	Kyl	Roemer
Edwards (TX)	LaFalce	Rogers
Emerson	Lambert	Rohrabacher
English (OK)	Lantos	Ros-Lehtinen
Everett	LaRocco	Rose
Ewing	Laughlin	Roth
Fawell	Lazio	Roukema
Rowland	Slattery	Taylor (NC)
Royce	Smith (IA)	Thomas (CA)
Sabo	Smith (MI)	Thomas (WY)
Santorum	Smith (NJ)	Torkildsen
Saxton	Smith (OR)	Upton
Schaefer	Smith (TX)	Vucanovich
Schenk	Snowe	Walker
Schiff	Solomon	Walsh
Schroeder	Spence	Weldon
Schumer	Stearns	Williams
Sensenbrenner	Stump	Wilson
Sharp	Stupak	Wolf
Shaw	Sundquist	Yates
Shays	Swett	Young (AK)
Shepherd	Talent	Young (FL)
Shuster	Tanner	Zeliff
Skeen	Tauzin	Zimmer
Skelton	Taylor (MS)	

NOES—157

Abercrombie	Gordon	Owens
Ackerman	Green	Pastor
Andrews (ME)	Hall (OH)	Payne (NJ)
Andrews (TX)	Hamburg	Payne (VA)
Applegate	Hastings	Peterson (FL)
Barlow	Hayes	Pickett
Bevill	Hefner	Pickle
Bishop	Hilliard	Price (NC)
Blackwell	Hochbrueckner	Rahall
Bonior	Holden	Rangel
Borski	Hoyer	Reed
Boucher	Inslee	Reynolds
Brewster	Jacobs	Romero-Barcelo (PR)
Brooks	Jefferson	Rostenkowski
Browder	Johnson, E. B.	Rush
Brown (CA)	Kanjorski	Sanders
Brown (FL)	Kaptur	Sangmeister
Brown (OH)	Kennelly	Sarpalius
Bryant	Kildee	Sawyer
Cardin	Kleczka	Scott
Clay	Klink	Sisisky
Clayton	Kopetski	Skaggs
Clyburn	Kreidler	Slaughter
Coleman	Lancaster	Spratt
Collins (IL)	Levin	Stenholm
Collins (MI)	Lewis (GA)	Stokes
Conyers	Lipinski	Strickland
Costello	Lloyd	Studds
Coyne	Lowey	Swift
Cramer	Maloney	Synar
Danner	Manton	Tejeda
Darden	Margolies-Mezvinsky	Thompson
de la Garza	Markey	Thornton
DeLauro	Martinez	Thurman
Dingell	Matsui	Torricelli
Dixon	McHale	Traficant
Durbin	McKinney	Tucker
Edwards (CA)	McNulty	Underwood (GU)
Engel	Meek	Unsoeld
English (AZ)	Menendez	Valentine
Eshoo	Mfume	Velazquez
Evans	Miller (CA)	Vento
Fazio	Mineta	Visclosky
Fields (LA)	Mink	Volkmer
Filner	Moakley	Waters
Flake	Mollohan	Watt
Ford (MI)	Murtha	Waxman
Frost	Natcher	Whitten
Furse	Neal (MA)	Wise
Gejdenson	Norton (DC)	Woolsey
Gephardt	Oberstar	Wyden
Gibbons	Olver	Wynn
Gonzalez		

NOT VOTING—22

Barton	Fields (TX)	Roybal-Allard
Becerra	Foglietta	Serrano
Berman	Henry	Stark
Calvert	Kennedy	Torres
de Lugo (VI)	McDermott	Towns
Dellums	Ortiz	Washington
Faleomavaega (AS)	Pelosi	Wheat
	Quillen	

□ 1340

The Clerk announced the following pair:

On this vote:

Mr. Calvert for, with Mr. Dellums against.

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

Mrs. ROUKEMA, Mr. JOHNSON of South Dakota, Messrs. DEUTSCH,

MCCURDY, LAROCCO, RICHARDSON, ENGLISH of Oklahoma, and NADLER, Ms. SCHENK, Mr. GUTIERREZ, Mr. KLEIN, Ms. SHEPHERD, Mr. SCHUMER, and Mr. POMEROY changed their vote from "no" to "aye."

So the amendment to the amendment in the nature of a substitute was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. MCDERMOTT. Mr. Chairman, during rollcall vote No. 145 on the Michel amendment to the Castle amendment I was unavoidably detained. Had I been present I would have voted "no".

The CHAIRMAN pro tempore (Mr. DE LA GARZA). The gentleman from Delaware [Mr. CASTLE] has 7 minutes remaining, and the gentleman from South Carolina [Mr. DERRICK] has 8 minutes remaining.

The Chair will recognize Members on either side of the aisle, alternating. The gentleman from South Carolina [Mr. DERRICK], the author of the bill, has the right to close.

The Chair recognizes the gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the distinguished minority leader, the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Chairman, I want to first thank Members for the unanimous vote on this side in support of my amendment, but also the 87 Democrats on the other side who also felt, as we did, that we had an amendment worthy of support. It says something about the sentiment in this body with respect to the concept of my amendment, applying the line item veto to tax bills in addition to appropriation bills.

The other point I have to make, that the point is not lost, how this side can get rather rude, blued, and scratooed by the rules in effect by making my amendment applicable only to Castle-Solomon, as distinguished from making it applicable to both bills.

I think we can gauge the sentiment around here of what will ultimately happen, but just to point out, to underscore the point, it is kind of like what happened over in the other body a week or so ago when Senator BYRD said, "You can have this amendment, you can have that amendment, because I know in the end I am going to sweep you all off the board."

That is probably exactly what is going to happen today. But this is just a reminder, particularly for those of the Democrats who supported this. I hope we can get this House to change enough to open up the rules to give us all an opportunity from time to time to make our case and get an up or down vote, because that truly, then, reflects the will of this House.

While for the moment we savor the victory, we know full well what may happen in the end, but it is an argument for certainly supporting Castle and Solomon. If the Members like what they just did, it will only be incorporated in their amendment, and I would urge the Members to vote for that amendment when it comes up.

Mr. DERRICK. Mr. Chairman, I yield such time as he may consume to the gentleman from South Dakota [Mr. JOHNSON].

Mr. JOHNSON of South Dakota. Mr. Chairman, I rise in opposition to the amendment and in support of the general bill.

Mr. DERRICK. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. FAZIO].

Mr. FAZIO. Mr. Chairman, as a member of the Committee on Appropriations I have to tell the Members this is probably one of the most difficult votes that I have been asked to cast here. I am from a committee that has a lot of pride in the work product that we put out on an annual basis. Since 1945 our committee has actually appropriated $200 billion less than we have been asked to spend by various Presidents.

When we look at the process of using the line item veto or the blue pencil, as the rescission process currently in place, we see that our committee has consistently exceeded those requirements made by Presidents on us. In other words, we have given back to Presidents more dollars than they have requested of us in the rescission process. The taxpayer has been well served.

I am not one who is convinced, that by enhanced rescission, we are going to do anything about deficits. I think all of us have to own up to the fact that they are truly growing in the entitlement section of our budget, not in the line item portion, which today, for domestic discretionary spending, is down to 16 percent of the total budget.

Having said that, I stand here in support of this effort, in opposition to the amendments, but in support of the efforts that the gentleman from South Carolina [Mr. SPRATT], the gentleman from Texas [Mr. STENHOLM], and others have brought before us.

We have a perception problem we have to deal with, and what better way to deal with it than incrementally, truly in a conservative way, by allowing an experiment to see whether or not we can find ways to restore public confidence in an institution that they believe is out of control.

There is a belief that pork barrel spending goes on here. I think it is perceived to be far greater than it is in real terms. It has probably been pointed out several times today that the so-called Lawrence Welk Home in North Dakota was an authorized project, not one perpetrated on this body or the other body by the appropriators.

I do think we have to step forward and meet public concern halfway, and that is what we are doing here. We are doing it in a way that protects the essence of the relationship between the executive and legislative branches.

It is worth giving it a try, because we cannot continue simply to recite the facts to ourselves and assume the public understands.

I want to congratulate the members of our committee who have worked to find common ground here. We will have an opportunity to provide an alternative approach, as long as it is written to cut at least as much money as is proposed to be eliminated by the executive branch.

□ 1350

I want to say to Members who believe this is the panacea, that this is the solution, I hope you are not going to be disappointed when we come up with a relatively small amount of money on an annual basis. But if we can make this experiment work and we can find the courage to extend it another term or two, we may begin the process of restoring public confidence in the institution in a way that will give us an opportunity to continue to provide leadership in areas of new investment where the Government of this country has run other kinds of deficits, human deficits, for example. If we do not have the courage to change periodically and accommodate the reality of what the world thinks of us, what the American people, our constituents, think of us, we are going to continue down a road that will not build confidence and will, in fact, further undermine our image, which is at an all-time low—and we all understand that—across this land.

So I say that as an appropriator who does believe we on our committee have done our job, that it is an appropriate thing today to vote "aye" on this bill, unamended, without the encumbrance of a two-thirds vote, which will only return gridlock to this institution. Defeat the efforts to bring an end to majority rule but give change a chance for the good of this institution.

Mr. Chairman, I rise in support of H.R. 1578, the Expedited Rescissions Act. This bill is by no means the answer to our deficit reduction problems. But it does give us the chance to examine and test our current spending process, as we try to reduce Government spending.

On February 17, President Clinton revealed his plan for economic recovery to the American people and to Congress. In it, he outlined a 5-year program for economic stimulation, investment, and renewal—a new strategy of long-term investment that nets us a return on our money, as we move toward economic growth. Since that evening when the President presented us with his bold blueprint for healing and revitalizing our ailing economy, I have received hundreds of letters from constituents expressing their views about his plan for the country. One opinion that is echoed by people all over the Third Congressional District, from Rio Vista to Red Bluff, is that before Congress considers any plan to increase spending and

revenues we must attack Government spending.

In response to these concerns, both Houses of Congress recently passed budget resolutions for the upcoming fiscal year—resolutions that include an additional $63 billion in cuts over and beyond those proposed by the President in his budget. Today, we are given another opportunity to tackle both the budget and the deficit when we vote on H.R. 1578, which will give the President the authority to highlight and eliminate unnecessary spending. I would therefore like to take this opportunity to commend Chairman DERRICK of the Legislative Process Subcommittee of the House Rules Committee, as well as the committee members and staff, for their efforts in bringing this bill to the floor.

Most of the money that the Government spends is mandatory, or required, spending. The bulk of these dollars is paid out in the form of benefits for entitlement programs, such as Social Security, Medicare, and Medicaid. This required spending has been growing at an average rate of 6.6 percent each year, and in 1992, it accounted for 62 percent of our total Federal expenses.

Our key domestic, international, and defense programs are also supported by the discretionary dollars in the budget. We have more direct control over these discretionary dollars because they fall under the jurisdiction of the annual appropriations—or spending—process here in Congress. This discretionary spending is also an area where Congress has historically approved less than requested by the President. Since 1945, Congress has approved a total of $200 billion less than our Presidents have requested.

But discretionary spending only represents a relatively small portion of the overall budget. For example, in 1992, discretionary spending accounted for 38 percent of total Federal spending. Over half of this total was used to finance defense programs, and only 16 percent supported domestic needs.

One way that we can begin to reduce spending is by focusing on the discretionary dollars in our appropriations—or spending—bills. If H.R. 1578, the Expedited Rescissions Act, becomes law, the President will be able to identify and eliminate items in this discretionary portion of the budget because, although discretionary spending does not represent most of our Federal spending, it does represent the area of the budget where we can immediately begin to make cuts. H.R. 1578 would enable the President to eliminate certain programs without having to veto an entire appropriations bill, and it would not affect spending for entitlement programs.

As a result of H.R. 1578, we would be able to spotlight narrow interest spending and make it difficult for these items to be camouflaged in large, omnibus spending bills. If Congress thought that one of the President's decisions was unreasonable, it would have the right to vote on the decision, and if a majority disagreed with the President, Congress could overturn his decision. This majority vote by Congress would insure that the democratic process remained intact, and that Government operated effectively and without gridlock. It would also mean that Congress and the President would share responsibility for these decisions, instead of playing the "blame game" when the time came to be accountable for them.

No doubt you remember the California State budget crisis last summer when the State legislature and Governor were held hostage because a two-thirds majority was needed to approve budget changes made by the Governor. This created gridlock. By example alone, this represents the need for a majority, not two-thirds, overrule of the President's ability to change Congress' spending priorities. President Clinton was elected to bring an end to the gridlock that has plagued the Government for the past 10 years. For this reason, I support giving Congress an opportunity to overturn the President's decision by majority alone.

Although this bill represents an important step we can take to eliminate wasteful spending, it is certainly not the panacea for the growing deficit or our economic crisis. It is not the perfect solution. For example, H.R. 1578 transfers power from Congress to the President. It decreases the most important power that Congress possesses—the power of the purse—and could result in just substituting Presidential spending priorities for congressional ones.

Additionally, if we wanted to achieve greater savings, we could extend this increase in Presidential purse power to all spending and revenue bills, thereby including special interest provisions in tax bills, as well. This would enable tne President to more closely review such measures and distinguish spending that is designed to benefit just a few, from investment that will benefit the greater public good. Close scrutiny of such provisions would start us on our way toward the deficit reduction that the American people have set as a goal. In 1992 alone, overall Federal tax expenditures were estimated at $375 billion.

Regardless, I support H.R. 1578 as a first step toward getting our spending practices under control. The problem is not going to go away, and we need to face the challenge that is before us now. The provisions of H.R. 1578 will be in effect for 2 years, long enough for us to test this change in our process. This trial run will enable us to see if giving the President more control over Congress' purse power does, indeed, result in decreased Government spending.

President Clinton knows that the expenses of our Federal Government are far too great. He has already asked us to make sizable reductions in Federal spending in order to pave the way for real economic growth. We here in Congress have an opportunity to lay the foundation for such growth by supporting this bill. If we are serious about bringing responsibility and fairness to the budget process, now is the time to start looking at effective ways to highlight and eliminate unnecessary spending. The time has come to test expedited rescissions.

Mr. CASTLE. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. SOLOMON], who has made such an impassioned plea for the line-item veto.

Mr. SOLOMON. Mr. Chairman, I thank the gentleman for yielding. Let me heap praise on the gentleman from Delaware [Mr. CASTLE], the gentleman from Massachusetts [Mr. BLUTE], and the gentleman from New York [Mr. QUINN], for being the Republican freshmen that have shepherded this substitute to the floor.

Mr. Chairman, let me echo the remarks of my good friend and leader, the gentleman from Illinois [Mr. MICHEL], for what he had to say. The vote of 257 votes for his amendment I think is indicative of what is happening in the Committee on Rules.

Mr. Chairman, the American people are beginning to realize just how unfair Members of this House on both sides of the aisle are treated. I have here literally dozens and dozens of letters from every State in the Union which are becoming concerned about it. Think about that.

Mr. Chairman, let me say, particularly to the new Members on both sides of the aisle, article I of section 7 of the Constitution states that when a President vetoes a bill, it requires two-thirds vote to override him. Therefore, it stands to reason that when a President vetoes a line-item, it ought to require a two-thirds vote to override him.

Castle-Solomon does just that; the bill does not, and the sponsors admit it. My good friend, the gentleman from Texas [Mr. STENHOLM]—and I have great respect for him—says that.

Mr. Chairman, if you believe in true line-item veto, vote for Castle-Solomon. Many Democrats are claiming that they have to vote for the watered down version because it is the only chance they have of getting the bill passed, and that is the only vote they will get.

Mr. Chairman, that just is not so. If one votes for Solomon-Castle, the true line-item veto, and it passes, it goes over to the other body, and that sends the toughest possible message one can send, that you believe in the line-item veto.

What happens then? If the Senate is sincere and if they are going to live up to some of the commitments that the gentleman from Texas [Mr. STENHOLM] got from the other body, they will pass the true line-item veto. But if they decide not to, they will live up to their bargain, if there is a bargain, and they will pass the watered down version. That means it will come back to this body for another vote.

Mr. Chairman, that is why Members should vote for Castle-Solomon now, because they are guaranteeing a chance for a real line-item veto, and at the very least a final vote on the watered down version. That puts pressure on the other body from the American people.

Mr. Chairman, if Members do not vote for this, 2 years from now almost all Democrats will have voted to add, and here it is right out of the Clinton budget, almost every single Democrat, including every freshman, will have voted to add another $600 billion-plus to the national debt.

Mr. Chairman, let me tell Members what happens about a month before the next elections. The National Taxpayers Union will put out a flyer, and this will be the flyer. It is labeled "The Biggest Spenders in the Congress." Most every one of your names are going to be on it.

Mr. Chairman, I would say to my friends, no one will be there to bail you out. You will be standing there all by yourself with whoever your opponent is waving these "Biggest Spenders in the Congress." That is going to be you, and you cannot alibi out of it.

Mr. Chairman, that is why Members ought to be voting for the Solomon-Castle amendment. Send it over to the Senate; live up to your campaign promises; and you will have done everything you could to get a true line-item veto that you believe in. If you cannot get it, the bill comes back here and even I would then vote for the watered down version, because we have done then everything that we can do.

Mr. Chairman, that is why Members need to vote for Solomon-Castle right now. Stand up and do it. You will be glad you did.

Members, article 1, section 7 of the Constitution states that when a President vetoes a bill, it requires a two-thirds vote to override him. Therefore it stands to reason that when a President vetoes line item, it ought to require a two-thirds vote to override him.

Castle-Solomon does that. The bill does not. And the sponsors admit it. Therefore it's clear if you believe in true line-item vote for Castle-Solomon.

Mr. Chairman, many of your Democrats are claiming they have to vote for the watered down version because it has the only chance of passing the other body and that this is the only vote they will get. Well that is not so.

If you vote for Solomon-Castle true line-item veto and it passes, it goes to the Senate and sends the message you compromised on.

If the Senate is sincere, they will either pass the true line-item veto or pass the watered down version and send it back to us for another vote.

And that is why you should vote Castle-Solomon now, because you are guaranteeing a chance for real line-item veto and at the very least a final opportunity to vote for the watered down version. Members vote Castle-Solomon and give the American people the chance to really pressure the other body.

If you don't, 2 years from now almost all of you Democrats will have voted to add another $600 billion to the national debt.

And about a month before your elections—the National Taxpayers Union will publish a list entitled Biggest Spenders who caused that unconscionable debt increase. And my friends, no one will be there to bail you out. You'll be standing all by yourself with your opponent waving your name as one of the biggest spenders in Congress.

If you're smart you'll vote for the Solomon-Castle true line-item veto. Right now. And if the Senate won't go for it, and pass the watered down version, then vote for the watered down version and at least say you tried to live up to your campaign promises.

Finally, Mr. Chairman, I want to commend our outstanding Republican freshman class for taking a leadership role on this important issue so early in their first term.

To me it is an encouraging sign that the times truly are changing and that the people are getting dedicated public servants who want to work in their best interests.

I especially commend the freshman leaders—Mr. CASTLE of Delaware, Mr. QUINN of New York, and Mr. BLUTE of Massachusetts for bringing this issue to the Rules Committee and to the floor of the House.

I hope our efforts will succeed, but if we don't, you can bet we will be back again and again and again until the will of the American people is carried out. I thank the gentleman for yielding me this time.

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

Mr. Chairman, not many years ago the budgets of most of our State governments were as likely to be out of balance as the Federal budget. There are 51 State and Federal budgets in America; 50 of them have balanced budgets. That is, revenues and expenditures equal each other every year. Forty-nine of these governments have balanced budgets. Forty-three have line-item veto authority for their executives.

The Federal Government stands out; its budget is not balanced. It has no balanced budget amendment and no line-item veto authority. Only the Federal Government has not given itself the tools to attack its deficit.

It was stated last night and early today that the States and the Federal Government are different, and that point is well-taken. They are different because the States balance their budgets, and the Federal Government does not.

Mr. Chairman, today we can start to change our budget problem. We debated the line-item veto for 2 hours last night and an hour and a half today. A vast majority of the speakers affirmed support for the concept of the line-item veto.

The dispute today is over how strong this authority should be. What is undisputed is that the Castle-Solomon amendment is the strongest line-item veto proposal. I think the gentleman from Texas [Mr. STENHOLM] said it very well last night: If you believe in the strongest line-item veto, vote for Castle-Solomon; if you believe in a modified approach, vote for Spratt-Stenholm; if you do not believe in either, then just vote "no."

Mr. Chairman, I agree. Let us take action and do the right thing. Vote for the true line-item veto. Vote for the Castle-Solomon substitute.

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

Mr. Chairman, the Spratt-Stenholm bill, you can call it a line-item veto, you can call it what you like, but it is as close as we have ever come to having accountability in this body. Not only here, but up at 1600 Pennsylvania Avenue.

Mr. Chairman, as I said last night, there are only two ways to balance the budget: You spend less or take in more. You can devise all the gimmicks you want, call them balanced budget amendments, line-tem veto, Gramm-Rudman-Hollings, whatever you like, but you are going to balance the budget by either spending less or taking in more.

□ 1400

Now, what the Castle-Solomon amendment wants you to do is relinquish your responsibility, that responsibility that the people who elected you have given you. What the Castle-Solomon amendment would do is allow you to relinquish that responsibility, to a large degree, to the President.

The Constitution gives us the responsibility, but Castle-Solomon would give it to the President with a one-third-plus-one minority. What you would be saying to your constituents back home is, "You might have thought when you elected me that I had what it took to vote 'no' on some expenditures, but you were wrong. You were wrong. I do not want that responsibility, because I cannot handle it. I am going to vote for Mr. SOLOMON's amendment, and we are going to give that responsibility to the President of the United States."

Now, if you want to go home and say to your constituents, "You elected me to deal with this problem, and I am going to deal with it," then you vote for Stenholm, because what Stenholm is about is accountability of this body and accountability down at 1600 Pennsylvania Avenue.

I do not want to have to send out fliers, as the gentleman from New York [Mr. SOLOMON] has suggested, right before the election telling your constituents that you did not have what it took. No, sir, you voted the easy way out; you voted for Solomon, and are no longer accountable.

Vote for Stenholm. Vote against Castle-Solomon.

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

The CHAIRMAN pro tempore (Mr. DE LA GARZA). All time has expired.

The question is on the amendment in the nature of a substitute, offered by the gentleman from Delaware [Mr. CASTLE], as amended.

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

RECORDED VOTE

Mr. CASTLE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 198, noes 219, not voting 20, as follows:

[Roll No. 146]

AYES—198

Allard	Gilchrest	Molinari
Andrews (NJ)	Gillmor	Moorhead
Archer	Gingrich	Morella
Armey	Goodlatte	Murphy
Bacchus (FL)	Goodling	Myers
Bachus (AL)	Goss	Nussle
Baesler	Grams	Oxley
Baker (CA)	Grandy	Packard
Baker (LA)	Greenwood	Pallone
Ballenger	Gunderson	Parker
Barcia	Hall (TX)	Paxon
Barrett (NE)	Hancock	Penny
Barrett (WI)	Hansen	Peterson (MN)
Bartlett	Hastert	Petri
Bateman	Hayes	Pombo
Bentley	Hefley	Porter
Bereuter	Herger	Pryce (OH)
Bilbray	Hobson	Quinn
Bilirakis	Hoekstra	Ramstad
Bliley	Hoke	Ravenel
Blute	Holden	Regula
Boehner	Horn	Ridge
Bonilla	Houghton	Roberts
Bunning	Huffington	Rogers
Burton	Hunter	Rohrabacher
Buyer	Hutchinson	Ros-Lehtinen
Callahan	Hyde	Roth
Camp	Inglis	Royce
Canady	Inhofe	Santorum
Cantwell	Istook	Saxton
Castle	Johnson (CT)	Schaefer
Clinger	Johnson, Sam	Schenk
Coble	Kasich	Schiff
Collins (GA)	Kim	Sensenbrenner
Combest	King	Shaw
Condit	Kingston	Shays
Cooper	Klug	Shuster
Coppersmith	Knollenberg	Skeen
Cox	Kolbe	Smith (MI)
Crane	Kyl	Smith (NJ)
Crapo	Lazio	Smith (OR)
Cunningham	Leach	Smith (TX)
Deal	Lehman	Snowe
DeLay	Levy	Solomon
Deutsch	Lewis (CA)	Spence
Diaz-Balart	Lewis (FL)	Stearns
Dickey	Lightfoot	Stump
Dooley	Linder	Sundquist
Doolittle	Livingston	Swett
Dreier	Machtley	Talent
Duncan	Mann	Tauzin
Dunn	Manzullo	Taylor (MS)
Emerson	McCandless	Taylor (NC)
Everett	McCollum	Thomas (CA)
Ewing	McCrery	Thomas (WY)
Fawell	McDade	Torkildsen
Fingerhut	McHale	Upton
Fish	McHugh	Vucanovich
Fowler	McInnis	Walker
Franks (CT)	McKeon	Walsh
Franks (NJ)	Meehan	Weldon
Gallegly	Meyers	Wolf
Gallo	Mica	Young (AK)
Gekas	Michel	Young (FL)
Geren	Miller (FL)	Zeliff
Gibbons	Minge	Zimmer

NOES—219

Abercrombie	Bonior	Cardin
Ackerman	Borski	Carr
Andrews (ME)	Boucher	Chapman
Andrews (TX)	Brewster	Clay
Applegate	Brooks	Clayton
Barlow	Browder	Clement
Beilenson	Brown (CA)	Clyburn
Bevill	Brown (FL)	Coleman
Bishop	Brown (OH)	Collins (IL)
Blackwell	Bryant	Collins (MI)
Boehlert	Byrne	Conyers
Costello	Kleczka	Reed
Coyne	Klein	Reynolds
Cramer	Klink	Richardson
Danner	Kopetski	Roemer
Darden	Kreidler	Romero-Barcelo
de la Garza	LaFalce	(PR)
DeFazio	Lambert	Rose
DeLauro	Lancaster	Rostenkowski
Derrick	Lantos	Roukema
Dicks	LaRocco	Rowland
Dingell	Laughlin	Rush
Dixon	Levin	Sabo
Dornan	Lewis (GA)	Sanders
Durbin	Lipinski	Sangmeister
Edwards (CA)	Lloyd	Sarpalius
Edwards (TX)	Long	Sawyer
Engel	Lowey	Schroeder
English (AZ)	Maloney	Schumer
English (OK)	Manton	Scott
Eshoo	Margolies-	Sharp
Evans	Mezvinsky	Shepherd
Fazio	Markey	Sisisky
Fields (LA)	Martinez	Skaggs
Filner	Matsui	Skelton
Flake	Mazzoli	Slattery
Foley	McCloskey	Slaughter
Ford (MI)	McCurdy	Smith (IA)
Ford (TN)	McDermott	Spratt
Frank (MA)	McKinney	Stark
Frost	McNulty	Stenholm
Furse	Meek	Stokes
Gejdenson	Menendez	Strickland
Gephardt	Mfume	Studds
Gilman	Miller (CA)	Stupak
Glickman	Mineta	Swift
Gonzalez	Mink	Synar
Gordon	Moakley	Tanner
Green	Mollohan	Tejeda
Gutierrez	Montgomery	Thompson
Hall (OH)	Moran	Thornton
Hamburg	Murtha	Thurman
Hamilton	Nadler	Torricelli
Harman	Natcher	Traficant
Hastings	Neal (MA)	Tucker
Hefner	Neal (NC)	Underwood (GU)
Hilliard	Norton (DC)	Unsoeld
Hinchey	Oberstar	Valentine
Hoagland	Obey	Velazquez
Hochbrueckner	Olver	Vento
Hoyer	Orton	Visclosky
Hughes	Owens	Volkmer
Hutto	Pastor	Waters
Inslee	Payne (NJ)	Watt
Jacobs	Payne (VA)	Waxman
Jefferson	Pelosi	Whitten
Johnson (GA)	Peterson (FL)	Williams
Johnson (SD)	Pickett	Wilson
Johnson, E. B.	Pickle	Wise
Johnston	Pomeroy	Woolsey
Kanjorski	Poshard	Wyden
Kaptur	Price (NC)	Wynn
Kennelly	Rahall	Yates
Kildee	Rangel	

NOT VOTING—20

Barton	Fields (TX)	Serrano
Becerra	Foglietta	Torres
Berman	Henry	Towns
Calvert	Kennedy	Washington
de Lugo (VI)	McMillan	Wheat
Dellums	Ortiz	
Faleomavaega (AS)	Quillen	
	Roybal-Allard	

□ 1421

The Clerk announced the following pair:

On this vote:

Mr. Calvert for, with Mr. Dellums against.

Mr. MOAKLEY and Mr. SLATTERY changed their vote from "aye" to "no."

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

So the amendment in the nature of a substitute, as amended, was rejected.

The result of the vote was announced as above recorded.

Mr. HOKE. Mr. Chairman, we have two complex proposals before us today, and I have no doubt that the Castle-Solomon alternative makes it more difficult for Congress to spend money on wasteful programs. I therefore prefer this clear and airtight legislation, and I strongly urge my colleagues to pass it.

But this occasion is a unique moment to the House—we have two versions of a bill proposed by the two different parties upholding the same general concept and both making improvements to current law. I ask my colleagues to consider carefully this time and their votes—rarely does the House have an opportunity to drain the partisan poison from its debates, but we could do so now.

The Spratt-Stenholm bill has some fatal flaws, yet it would move this body perhaps an inch closer to fiscal accountability. It improves the existing process by requiring House and Senate votes on a Presidential rescission package and giving Congress only 20 rather than 45 legislative days to dispose of the matter. I will therefore vote for this measure if it is the only one standing at the end of the day.

I regret, however, that we do not have the opportunity to consider H.R. 1578 under an open rule. This bill leaves huge parliamentary gaps into which we could still pour funds proposed for rescission. The legislative language of the majority's proposal, for example, remains silent on what happens to rescissions if Congress takes no action after the 20 legislative days. Proponents of Spratt-Stenholm contend that the money remains impounded indefinitely; opponents make the charge that it would have to reenter the budget.

A simple amendment to the bill could have settled this glaring open question. I also have difficulty with those provisions of H.R. 1578 that allow the Appropriations Committee to present a rival package of rescissions and permit a simple majority of either House to block the President's recommendations. The Castle-Solomon bill, on the other hand, would give Congress 20 days to pass a formal resolution of disapproval of a Presidential rescission package if the spending cuts were really distasteful to us. If we failed to take this action, the rescissions would automatically go into effect.

Castle-Solomon, therefore, has the ironic effect of converting gridlock and inaction into real budget cuts.

But the politics that have been driving enhanced rescission forward to this point are neither Republican nor Democrat—it's reform politics. And while this spirit is in the air of our Chamber, we should not sacrifice it at the altar of partisanship.

I will vote in support of both plans, Mr. Chairman, because we should go home tonight only after making it easier for the President to cut unnecessary Federal spending. Support the final passage of a bill later today that will engrave this principle into law.

Mr. CONYERS. Mr. Chairman, today the House considers H.R. 1578, legislation to provide expedited rescission authority for the President, a matter under the jurisdiction of the Committee on Government Operations.

In March, the Government Operations Legislation Subcommittee held a wide ranging hearing on this subject with witnesses from the administration, the distinguished minority leader BOB MICHEL and other interested Members, the Congressional Budget Office, the General Accounting Office and academia. We received the testimony of our former col-

league, OMB Director Leon Panetta who repeated President Clinton's call for the adoption of expedited rescission authority.

Since the hearing, the Committee on Government Operations and Congressman JOHN SPRATT have worked diligently with the administration and OMB Director Panetta, the majority leader and other committed Members of Congress.

All of us are committed to eliminating wasteful and unproductive spending. The Committee on Government Operations has vigorously exercised its oversight function, holding a series of hearings to address fraud, waste, and other abuses throughout the Federal Government. Last year, the committee issued a report identifying over $300 billion in Government mismanagement and waste, along with recommendations for improvement, many of which were incorporated into the President's budget.

Historically, one tool to cut wasteful Federal spending has been rescission authority. Since the adoption of the Impoundment Control Act of 1974, Congress has rescinded over $86 billion in unnecessary budget authority, nearly 25 percent more than proposed by the President.

As attractive and successful as rescission authority has been, I want to clarify its limitations. Rescission authority is not a panacea or cure all for the Federal deficit. During our Government Operations hearing, the GAO testified that total enacted rescissions since 1974 represent only 3 percent of the accumulated Federal debt and rescissions have never exceeded 23 percent of any single year's deficit. However, to reduce the current $319 billion deficit by a comparable 23 percent would require rescinding $73 billion, more than 13 percent of all fiscal year 1993 discretionary appropriations. This would nearly be the equivalent of rescinding the entire 1993 budget for the Departments of Education, Justice, State, Energy, and Interior. Clearly, rescission authority cannot solve the deficit problem on its own.

I am troubled by the potential for abuse and many of the concerns you have heard or will hear today reflect congressional concern fueled by administrative abuses of the 1970's. In fact, Congress adopted the Impoundment Control Act to address the misuse of an administration's impoundment authority to unilaterally and indefinitely cancel spending for selected programs. Consequently, this expedited rescission authority carefully provides for a limited trial run and the authority expires 2 years after enactment.

The legislation before the House is a modest effort to create a limited additional deficit reduction tool for the President. The legislation provides the President with a certainty of a vote on the President's rescission proposals, guaranteeing an accelerated, expedited process through Congress. The bill would permit the President to submit rescissions to Congress within 3 days of signing an appropriations bill and Congress must vote on these rescissions within 10 legislative days.

If the Appropriations Committee believes they can craft a better rescission package, they are free to report an alternative rescission proposal as well, provided it rescinds an equal or greater amount of budget authority. If the President's rescissions are defeated, this alternative proposal is automatically brought before the House for a vote. Additionally, nothing prohibits or impedes Congress from reporting additional rescissions under our constitutional power of the purse. This bill won't impede our authority to reconsider programs and rescind spending that fails to match with Federal priorities. Congress can continue to pass rescissions in addition to any of the President's rescission proposals under this authority.

President Clinton's budget moves the country forward, addressing both the budget deficit and our national investment deficit, reinvesting in critical spending priorities such as education and health. However, the Nation needs to move away from huge deficit increases accumulated during the past two administrations. Three-quarters of the total Federal debt has been accumulated during the past 12 years. With a projected 1993 budget deficit of approximately $319 billion and over $4.1 trillion in aggregated Federal debt, the President could benefit from additional, stronger deficit reduction tools to rein in unnecessary Federal spending. I support the modest proposals of H.R. 1578 and urge its adoption.

Mr. FRANKS of Connecticut. Mr. Chairman, since President Clinton introduced his budget on February 17, my constituents in Connecticut have given me hundreds of suggestions to balance the budget without tax increases. Many of these suggestions focus on the wasteful spending that is slipped into large bills that the public supports. These people know that the deficit is not the result of an inadequate tax burden on Americans, but the result of frivolous spending.

A major step toward reducing the deficit is passing legislation that allows the President to cut out the billions of dollars in waste that gets inserted in large bills. However, the expedited rescission bill, H.R. 1578, that is being advanced today as the solution to wasteful spending, is actually a sham. Under this bill, rescissions would go into effect only if the House and Senate approved them by majority vote. This bill is little more than political posturing by the perpetual promoters of pork.

We need to force the Members of Congress who support these pork projects to be accountable for their wasteful spending. The Castle-Solomon amendment is the most powerful legislation before us today to cut the waste out of serious legislation. It provides for the automatic adoption of the President's rescissions unless both the House and Senate disapprove them. If a Member of Congress wants to protect some wasteful spending, that Member has to vote to preserve the program, even after it has been identified as wasteful spending by the President of the United States.

Cutting waste should not be difficult. And once cutting waste becomes easy, Members of Congress will be less likely to slide wasteful pork programs into serious legislation. I have sponsored a bill giving the President constitutional power to make line-item vetoes. I feel that this is the power a President should have to combat waste. Although the Castle-Solomon amendment is not as ideal as a constitutional line-item veto, it is significant because it forces Congress to take an active and open stand on waste.

President Clinton said during his campaign that he was a supporter of the line-item veto—the same power he had as Governor of Arkansas. Now the President is trying to portray diluted expedited rescission legislation as a line-item veto. Well, the President neglects to recognize the constitutional definition of a veto. The votes of at least two-thirds of both Houses of Congress are required to override a veto. This phony line-item veto is yet another example of President Clinton reneging on his campaign promises—something we have seen many times during these dismal first 100 days.

Mr. HUGHES. Mr. Chairman, I rise in support of H.R. 1578, the Expedited Rescissions Act of 1993. I wish to commend my colleagues CHARLIE STENHOLM and JOHN SPRATT as well as our former colleague Tom Carper, who is now the Governor of Delaware, for their leadership in developing this innovative mechanism to tighten the reins on Government spending.

It has long been the tradition of Congress to bundle the thousands of Federal spending programs we oversee into the 13 appropriations bills. While this process helps to assure that Federal funds are distributed fairly, it is clear that this process has been abused.

All too often, we hear stories about projects which have been slipped into appropriations bills without undergoing the required scrutiny of the authorization process. In other instances, our needs simply change over the course of the year, and we find there is room to reduce or eliminate funding which has been included in appropriations bills.

H.R. 1578 will provide a mechanism to do just that, while still maintaining the constitutionally mandated balance of power between Congress and the President when it comes to the appropriation of funds.

H.R. 1578 will give the President the authority to pick out of appropriations bills which he signs, those items which he feels are excessive, or which should not have been included in the bill in the first place. The President would then submit his list of proposed rescissions to Congress, where they would have to be voted on under an expedited review process.

Specifically, the House would have to vote within 17 days on the President's request, followed by a Senate vote some 10 days later. A simple majority vote in both the House and Senate is all that would be required in order for the rescissions to take effect.

This is similar to the line-item veto authority which many Members have advocated, in that it would go a long way toward increasing the accountability of the appropriations process. The major difference is that it would maintain Congress' constitutional prerogative to appropriate funds, without unduly shifting power to the executive branch.

While I support the expedited rescission process, I do not think anyone should view this as a magic cure for our deficit problem. If you recall last year, President Bush went over every appropriations bill with a fine-tooth comb, and he came up with a list of some $5.7 billion in proposed rescissions.

Most of his rescissions came from the proposed cancellation of the second and third *Seawolf* submarines which the Bush administration itself had requested. We ended up rescinding even more than the President had requested—some $5.8 billion.

While that is a lot of money, it barely put a dent in our nearly $400 billion Federal deficit. It just goes to show that while the expedited rescission process is a good step in the right direction, we still have to do a lot more to really get the deficit under control.

That includes doing a better job of scrutinizing appropriations bills, to identify spending programs which we do not need or cannot afford. It also means following up on that scrutiny by making the tough choices to cut programs, regardless of their popularity or political appeal.

The expedited rescission process is a good first step toward restoring discipline to the budget process, and I would urge my colleagues to join me in supporting this legislation.

Mr. EWING. Mr. Chairman, the so-called line-item veto, or enhanced rescission, legislation being brought before the House, the Stenholm-Spratt proposal, is a paper tiger. It will do little more than make some adjustments to the current rescission process, and this bill is wholly inadequate.

This is another in a long list of broken promises. Just like we keep being told by the leadership that the budget will be balanced, that Congress will be reformed, now we are being told that the line-item veto is going to become law. Like the Wall Street Journal recently stated, this is not the line-item veto, it is line-item voodoo.

A real line-item veto, like the one I am sponsoring, would require a supermajority vote in Congress to override the President's veto of a wasteful spending item. My legislation would require a three-fifths vote, and other legislation would require a three-fourths vote. However, under the Stenholm-Spratt bill a simple majority in either House of Congress could kill spending cuts. This makes no sense since a simple majority passed the spending in the first place. The Stenholm-Spratt bill takes the teeth out of the line-item veto.

I also believe we need a constitutional amendment guaranteeing a line-item veto. Statutory authority, such as Stenholm-Spratt, can be taken away by the Congress just as easily as it is given. Indeed, this bill only grants enhanced rescission for 2 years.

Finally, under this bill the appropriations committees could present alternative spending cuts to the President's proposals. What kind of smoke and mirrors is this? Congress ought to be forced to vote on spending cuts requested by the President. That is what a line-item veto is all about.

For all these faults, at least the Stenholm-Spratt bill will force votes on spending, and I will support it as a step in the right direction because it will force some spending programs to stand on their own merit. However, it is not a very big step.

Stenholm-Spratt is not a line-item veto, and nobody should believe that it is.

Mr. STENHOLM. Mr. Chairman, in order to ensure that the record on H.R. 1578 is as complete as possible, I am submitting for the RECORD information intended to answer any questions about this legislation as well as several letters from various business and taxpayer groups supporting this legislation. I am also submitting for the RECORD a letter from President Bill Clinton expressing his support for this legislation.

QUESTIONS AND ANSWERS MODIFIED LINE-ITEM VETO LEGISLATION

How does Modified Line-item veto differ from the traditional line-item veto?

Traditional line-item veto proposals require ⅔ of both the House and Senate to disapprove of a Presidential proposal to eliminate a spending item. In other words, the President would need to gain the support of just ⅓ of either chamber to eliminate individual spending items. In contract, modified line-item veto requires that a majority of both chambers must approve a President rescission in order to eliminate the spending items.

In addition, under most line-item veto proposals require that the President propose to eliminate an entire line-item. In most instances, a line-item in an appropriations bill would include lump sum appropriations with specific items included in report language. This legislation would allow a President to propose to reduce the budget authority for specific parts of a line-item if he did not wish to eliminate the entire line-item.

How is the procedure under this legislation different from the existing procedure for considering Presidential rescissions under Title X of the Budget Control and Impoundment Act?

Under Title X of the Budget Control and Impoundment Act, the President may propose to rescind all or part of any item at any time during the fiscal year. If Congress does not take action on the proposed rescission within 45 days of continuous session, the funds must be released for obligation. Congress routinely ignores Presidential rescissions. The discharge procedure for forcing a floor vote on Presidential rescissions is cumbersome and has never been used. Most Presidential rescission messages have died without a floor vote.

Congress has approved just 34.5 percent of the individual rescissions proposed by the President since 1974 (350 of 1,012 rescissions submitted), representing slightly more than 30 percent of the dollar volume of proposed rescissions. Nearly a third of the Presidential rescissions approve came in 1981. Excluding 1981, Congress has approved less than 20 percent of the dollar volume in Presidential rescissions. Although Congress has initiated $65 billion in rescissions on its own, it has ignored nearly $48 billion in Presidential rescissions submitted under Title X of the Budget Control and Impoundment Act without any vote at all on the merits of the rescissions.

In 1992, the threat that there would be an attempt to utilize the Title X discharge procedure to force votes on 128 rescissions submitted by President Bush provided the impetus for the Appropriations Committee to report a bill rescinding more than $8 billion. The authors of H.R. 1013 intend to make the rescission process routinely work the way it did last year in which Congress reacted to a Presidential rescission by passing an alternative instead of simply ignoring the rescissions.

How would this legislation interact with the existing process for consideration of rescissions under Title X of the Impoundment Control Act?

This legislation is intended to supplement the existing procedure for consideration of rescissions under Title X. The expedited consideration of rescissions provided for by this legislation would be available to rescissions submitted within three days of the signing of an appropriations bill that comply with the restrictions in the bill. The current Title X procedure rescissions could be utilized for rescissions that are not submitted within three days or do not comply with the restrictions in this bill. However, the President could not propose to rescind the same project under both procedures. The President may not propose to rescind a project under the Title X procedure if the project was already considered and preserved under this supplementary procedure. The ability of the Appropriations Committee to report out separate rescission legislation would be completely preserved by this legislation.

Doesn't providing the President modified line-item veto authority alter the balance of power between Congress and the President?

No. The approach of modified line-item veto legislation strikes a balance between protecting Congress' control of the purse and providing the accountability in the appropriations process. Unlike line-item veto legislation, this bill would preserve the Constitutional power of Congressional majorities to control spending decisions. The line-item veto could give the President virtually unchecked authority to write appropriations bills. Modified line-item veto authority increases the accountability of both sides, but does not give the President undue leverage in the appropriations process because funding for a program will continue if a simple majority of either House disagrees with him.

Doesn't this legislation constitute an unconstitutional legislative veto?

No. This legislation was carefully crafted to comply with the Constitutional requirements established by the courts by *I.N.S.* v. *Chada* 462, U.S. 919 (1983), the case that declared legislative veto provisions unconstitutional. Legislative vetoes allow one or both Houses of Congress (or a Congressional committee) to stop executive actions by passing a resolution that is not presented to the President. The *Chada* court held that legislative vetoes are unconstitutional because they allow Congress to exercise legislative power without complying with Constitutional requirements for bicameral passage of legislation and presentment of legislation to the President for signature or veto. For example, allowing the House (or Congress as a whole) to block a Presidential rescission by passing a motion of disapproval without sending the bill to the President for signature or veto would violate the *Chada* test.

This bill meets the *Chada* tests of bicameralism and presentment by requiring that both chambers of Congress pass a motion enacting the rescission and send it to the President for signature or veto, before the funds are rescinded. The bill does not provide for legislative review of a preceding executive action, but expedited consideration of an executive proposal. Thus, it represents a so-called "report and wait" provision that the court approved in *Sibbach* v. *Wilson and Co.*, 312 U.S. 1 (1941) and reaffirmed in *Chada*.

Doesn't expedited rescission violate the legislative prerogative by requiring action preventing amendments to a rescission bill?

The expedited procedure for consideration of rescission messages in this bill is similar to fast track procedures for trade agreements or for base closure reports, which have worked relatively well. In fact, the scope of the legislation that would be subject to expedited consideration is much more confined under this procedure than in either trade agreements or base closings.

Doesn't expedited rescission allow the President to unduly dictate the legislative calendar?

This bill seeks to balance the goal of obtaining votes on Presidential rescissions in a timely fashion with the need to prevent the

President from tying up the legislation process. This bill requires that the President package all of the rescissions from each individual appropriations bill to prevent a President from creating a legislative logjam by proposing dozens of separate rescissions. The legislation was changed to provide that the time allowed for consideration of the bill before a vote is required be counted in legislative days instead of calendar days, ensuring that the House will be in session for ten days after receiving the message before a vote is required. The House could vote on the package any point within the ten legislative days for consideration. This preserves the flexibility of Congressional leaders to develop the legislative schedule while ensuring that the President's package is voted on in a timely fashion.

Would the Appropriations Committee be able to offer an alternative rescission package?

Yes. The bill provides that if the Appropriations Committee could report an alternative package and report it at the same time as the President's package. The Appropriations Committee alternative would come to the floor if the President's package is first defeated in the House.

Could the President propose to lower the spending level of an item, or would he have to eliminate the entire item?

The President could propose to rescind the budget authority for all or part of any program in an appropriations bill. Consequently the President could, if he so chose, submit a rescission that simply lowered the budget authority for a certain program without eliminating it entirely. In comparison, most line-item veto proposals require the President to propose to eliminate an entire line item in an appropriations bill.

Wouldn't modified line-item veto authority needlessly complicate the budget process by requiring Congress to vote on programs it has already approved?

Modified line-item veto authority is a reasonable, balanced reform of the budget process that adds an orderly procedure for review of questionable spending that escaped review during initial consideration of an appropriations bill. Although appropriations bills sent to the President have been considered by each chamber at least once and often twice, the legislative process rarely provides an opportunity to review individual items on their own merits. Congress has been embarrassed on many occasions by items included in appropriations bills that most members were unaware of when they voted on the appropriations bill. The fact that a program was included in a larger appropriations bill that was passed does not in any way mean that the majority of Congress approved of that program. For example, when Congress passed the Agricultural Appropriations Bill in 1990, the majority of the members did not endorse spending on Lawrence Welk's home. Requiring a second vote on individual items included in a omnibus appropriation bill is not an unreasonable response to realities of the legislative process.

How does this legislation ensure that a Presidential rescission is voted on by Congress?

This bill establishes several procedural requirements ensuring that Congress cannot simply ignore a rescission message. A rescission bill would be introduced by request by either Majority or Minority Leader. If the Appropriations Committee does not report out the rescission bill as required within ten days, the bill is automatically discharged from the committee and placed on the appropriate calendar. Once the bill is either reported by or discharged from the Appropriations Committee, any individual member may make a highly privileged motion to proceed to consideration of the bill. Although a motion to adjourn would take precedence, the House could not prevent a vote on a rescission message by adjourning because only legislative days are counted toward the ten day clock. By providing for a highly privileged motion to proceed to consideration and limiting debate and preventing amendments to a rescission bill. This bill ensures that there will be a vote on a rescission bill so long as one member is willing to stand up on the House floor and make a motion to proceed.

Furthermore, it is assumed that OMB will continue the practice it has followed under Title X of the ICA of withholding funds from apportionment until Congress acts on the rescission message. (See CRS Report 87-173 ALD "Presidential Impoundment Authority After *City of New Haven* v. *United States*," by Richard Ehlke and Morton Rosenberg, March 3, 1987.) The funds would be withheld, not cancelled. This practice has developed to prevent funds from being spent on projects that may be eliminated. The bill provides that the funds must be released for obligation upon defeat of a rescission bill in either House. This language clearly provides that OMB will be required to release the funds only when Congress rejects the rescission bill. In effect, funds included in a rescission message would be frozen in the pipeline until Congress either votes to rescind them (and remove them from the pipeline entirely) or to release them for obligation. Congress will have a strong incentive to vote on the funds to ensure that they are released for obligation.

Would this proposal allow the President to strike legislative language from appropriations bills?

No. It specifically allows a President to rescind only budget authority provided in an appropriations act. Legislative language, including limitation riders, would not be subject to this procedure.

Could the President propose to increase budget authority for a program?

No. The bill specifically provides that the President may propose to eliminate or reduce budget authority provided in an appropriations bill. It does not allow the President to propose an increase in budget authority.

Would this bill apply to entitlement programs such as social security and medicare?

No. Although earlier versions of the legislation would have allowed a President to propose to rescind spending for entitlement programs funded through the regular appropriations bills (as is the case with unemployment insurance and other income support programs), this was changed to clarify that the expedited rescission process does not apply to any entitlement programs.

Since the rescission process would only apply to the relatively small amount of spending in discretionary programs, isn't this just a political gimmick that won't have a significant impact on the deficit?

The authors of this proposal have never claimed that this proposal would balance the budget or even make a substantial dent in the budget deficit. However, it will be a useful tool in helping the President and Congress identify and elimiante as much as $10 billion in wasteful or low-priority spending each year. It will help ensure that the federal government spends its scarce resources in the most effective way possible and does not divert resources to low-priority programs. Perhaps most importantly, by increasing the accountability of the budget process, it will help restore some credibility to the federal government's handling of taxpayer money with the public. This credibility is necessary if Congress and the president are to gain public support for the tough choices of raising taxes or cutting benefits necessary to balance the budget.

What happens if the president submits a rescission message after Congress recesses for the year?

The House has ten legislative days to consider the rescission message. Since the time allowed for consideration of the rescission message only counts days that Congress is in session, Congress would not be required to vote on a rescission message until after it returns from recess. However, the funds would not be released for apportionment for proposed rescissions until Congress votes on and defeats a Presidential rescission bill. Congressional leaders would have to decide whether to reconvene Congress to consider the rescission message or to leave the message pending while Congress is in recess. Congress could delay adjourning sine die until the time period in which the President could submit a rescission has expired so that it can reconvene to consider a rescission message if it is submitted after congress completes all other business. If the funds included in a rescission message are considered by Congress to be important, Congress would have to return to session to vote on the message. If a rescission message is submitted after the first session of the 103rd Congress has adjourned for the year, or if Congress adjourns before the period for consideration of a rescission message expires, the rescission message would remain pending at the beginning of the second session of the 103rd Congress. The House would still be required to vote on the rescission message by the tenth legislative day after the rescission package was submitted. For rescission messages that are submitted but not disposed of at the end of the 103rd Congress, the bill includes a special transition rule that provides that the Presidential rescission message would be resubmitted. In the case of messages resubmitted in the 104th Congress, the House would have ten legislative days from the day in which the message was resubmitted to vote on the rescission message.

THE WHITE HOUSE,
Washington, DC, April 27, 1993.

Hon. THOMAS S. FOLEY,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I am writing in support of the substitute for H.R. 1578, the Expedited Rescissions Act, which has been made in order for House Floor consideration by the Rules Committee in H. Res. 149.

As you know, I support a line-item veto to reduce wasteful government spending. The bill about to be considered by the House would give the President modified line-item veto authority which I believe would go a long way toward achieving the purposes of a line-item veto.

The bill would enable the President to reject items in an appropriations bill. Those items could then be approved only by a separate vote in the Congress. The measure essentially would expedite the existing process for consideration of rescissions.

I believe this bill would increase the accountability of both the executive and legislative branches for reducing wasteful spending. It would provide an effective means for curbing unnecessary or inappropriate expenditures without blocking enactment of

critical appropriations bills. Some have expressed concern that this proposal might threaten the prerogatives of the Congress, but I do not believe that it would shift the constitutional balance of powers that is so critical to the success of our form of government.

I urge the House to work with me to control government spending by agreeing to consider the expedited rescission issue and by adopting H.R. 1578 as set forth in Part 1 of the Rules Committee's report.

Sincerely,

BILL CLINTON.

NATIONAL TAXPAYERS UNION,
Washington, DC, April 12, 1993.

DEAR REPRESENTATIVE: The National Taxpayers Union, America's largest grassroots taxpayer organization, urges you to support H.R. 1578, the "Modified Line-Item Veto" bill introduced by Representatives John Spratt and Charles Stenholm.

While we have long preferred stronger legislation that would allow full line-item veto powers for the President, the Spratt-Stenholm "Modified Line-Item Veto" is a practical, positive step forward on the path toward fiscal restraint. It can and should be passed by the House.

A side-by-side comparison of H.R. 1578 and H.R. 1013, the original Stenholm measure, indicates that, on balance, the Spratt-Stenholm version is actually stronger than H.R. 1013 and that it would be a more effective tool to eliminate wasteful spending.

For these reasons, we urge you to work for the passage of H.R. 1578 when the House returns from recess. We also encourage you to support other line-item veto measures, such as H.R. 159, the "Legislative Line-Item Veto," by Representative John Duncan, Jr.

The only effective line-item veto will be one that is enacted into law. We believe that H.R. 1578 provides the best opportunity for passage in both the House and the Senate. For that reason, any procedural vote, as well as final passage, that pertains to H.R. 1578, will be a top priority for the National Taxpayers Union.

The Spratt-Stenholm "Modified Line-Item Veto" would be a major improvement to the current process. We urge you to support it on the floor of the House.

Sincerely,

DAVID KEATING,
Executive Vice President.

NATIONAL ASSOCIATION OF HOME BUILDERS,
Washington, DC, April 1, 1993.

DEAR REPRESENTATIVE: On behalf of the more than 160,000 member firms of the National Association of Home Builders (NAHB), I respectfully urge your vote for H.R. 1578, the Expedited Rescission Act of 1993 by Representative Spratt (D–SC).

H.R. 1578 would revise rescission procedures under the Budget Act for fiscal 1993 and 1994 only, and would require a simple majority vote by both chambers to approve the President's rescission request, otherwise the funds in question must be made available for obligation on the following day.

Such a provision actually is more acceptable than a line-item veto in that it does not challenge the co-equal authority of the Legislative and Executive branches of government. Moreover, this approach would achieve greater flexibility for both branches of government than currently exists. It would allow the Executive branch to go beyond signing or vetoing a bill, by allowing a challenge to specific funding levels with mandatory Congressional response. Alternatively, Congress, by a simple majority, could overturn the President's request by failing to support it.

We believe that the expedited rescission authority would provide a meaningful balance for retaining the co-equal authority of the Legislative and Executive branches, while providing an effective alternative process for addressing overly generous spending. Therefore, we respectfully urge your vote for H.R. 1578.

Best regards,

J. ROGER GLUNT.

NATIONAL FEDERATION OF INDEPENDENT BUSINESS,
Washington, DC, April 19, 1993.

Hon. CHARLES STENHOLM,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE STENHOLM: On behalf of over 600,000 members of the National Federation of Independent Business (NFIB), I am writing to express support for your modified line-item veto legislation, H.R. 1578.

While NFIB members believe a stronger spending restraint proposal as embodied in a pure line-item veto would be the best way to reduce the federal deficit, H.R. 1578 is certainly an improvement over current law. NFIB members believe that bi-partisan efforts to reduce the federal deficit should be Congress' top priority as indicated in a 1991 poll. They feel strongly that the deficit acts as a brake on economic growth and mortgages their children's future.

H.R. 1578 is a needed first step toward ensuring that tax dollars are spent according to national priorities, not narrow interests. H.R. 1578 will provide an important tool to reduce federal spending and help cut the budget deficit.

We look forward to working with you to ensure that H.R. 1578 passes when it is considered on the House floor.

Sincerely,

JOHN J. MOTLEY III,
Vice President,
Federal Governmental Relations.

U.S. BUSINESS AND INDUSTRIAL COUNCIL,
Washington, DC, April 15, 1993.

Hon. CHARLES W. STENHOLM,
U.S. House of Representatives,
Washington, DC.

DEAR CONGRESSMAN STENHOLM: Speaking for the fifteen hundred business leaders of the United States Business and Industrial Council, I offer our endorsement of H.R. 1578, the Stenholm-Spratt Enhanced Rescission bill. H.R. 1578 would establish a procedure requiring the consideration of rescissions proposed by the President, an important reform of our current budget law.

Let me make clear that the Council also strongly supports Line-Item Veto legislation. Reps. Gerald Solomon and Michael Castle will offer a line-item veto amendment during this debate.

Under current law, Congress can (and usually does) simply ignore presidential rescissions. If H.R. 1578 becomes law, it will require the Appropriations Committees of both Houses to discharge rescissions within seven days. The President could propose to rescind entire programs, and H.R. 1578 requires the House to vote on the President's proposal within ten legislative days. In short, Congress could no longer simply ignore presidential rescissions with Stenholm-Spratt in place.

We offer our support for Stenholm-Spratt and stand ready to help in securing its passage.

Sincerely yours,

C. BRYAN LITTLE,
Director for Government Relations.

COUNCIL FOR CITIZENS AGAINST GOVERNMENT WASTE,
Washington, DC, April 20, 1993.

Hon. CHARLES STENHOLM,
U.S. House of Representatives,
Washington, DC.

DEAR MR. STENHOLM, I am writing to express the Council for Citizens Against Government Waste's (CCAGW) support for the Expedited Rescissions Act of 1993 (H.R. 1578) introduced by Rep. John Spratt and yourself. It is an improvement over the current system which allows Congress to ignore presidential rescission requests.

By forcing Congress to vote on presidential rescissions, some accountability will be restored to the way tax dollars are spent. It is our understanding that this legislation would allow the Office of Management and Budget to continue to withhold funds for obligation for targeted projects until Congress votes on the president's rescission package. This is an important provision that will ensure that Congress act on the package.

Taxpayers are angry about how Washington spends their hard-earned dollars. They are outraged that pork-barrel projects are funded year after year while our national debt continues to escalate. Your legislation takes an important first step in putting the taxpayers interest ahead of the special interests.

Sincerely,

TOM SCHATZ.

NATIONAL ASSOCIATION OF MANUFACTURERS,
Washington, DC, April 21, 1993.

Hon. CHARLES W. STENHOLM,
U.S. House of Representatives,
Washington, DC.

DEAR MR. STENHOLM: On behalf of the National Association of Manufacturers, I am writing in support of H.R. 1578, the "Modified Line Item Veto" bill. The NAM has long supported the concept of the line item veto as an effective tool for eliminating nonessential spending and restoring accountability to the budget process.

While the NAM's preference continues to be for stronger language allowing line item veto rather than rescission authority, we support H.R. 1578 as a realistic and beneficial budget process reform.

Sincerely,

JERRY J. JASINOWSKI.

TRADE ASSOCIATION LIAISON COUNCIL,
Washington, DC, April 16, 1993.

Hon. THOMAS S. FOLEY,
Longworth House Office Building,
Washington, DC.

DEAR MR. SPEAKER: We, the undersigned, respectfully urge you to support H.R. 1578, the "Modified Line-Item Veto" bill introduced by Representatives John Spratt and Charles Stenholm.

The Spratt-Stenholm "Modified Line-Item Veto" is a practical, positive step forward on the path toward restraint. Its passage would be an effective tool to eliminate wasteful spending. It can and should be passed by the House.

We also encourage you and your colleagues to support other line-item veto measures such as those sponsored by Representatives John Duncan and John Kasich, Senator John McCain, etc.

The only effective line-item veto will be one that is enacted into law. We believe that H.R. 1578 provides the best opportunity for passage in both the House and the Senate.

The Spratt-Stenholm "Modified Line-Item Veto" would be a major improvement to the current process. We urge you to support it on the floor of the House.

Sincerely,

Don Fuqua, Chairman, Trade Association Liaison Council, and President, Aerospace Industries Association of America; Paul C. Abenante, President, American Bakers Association; John R. Block, President, National-American Wholesale Grocers' Association; Nick J. Bush, President, National Gas Supply Association; Red Cavaney, President, American Forest & Paper Association; Regis Delmontagne, President, NPES—The Association for the Suppliers of Printing and Publishing Technologies; Andy Doyle, Executive Director, National Paint & Coating Association; Joe G. Gerard, Vice President for Government Affairs, American Furniture Manufacturers Association; Roger Glunt, President, National Association of Home Builders; Richard J. Iverson, President, American Electronics Association; Jerry Jasinowski, President, National Association of Manufacturers; Tom Kuhn, President, Edison Electric Institute; Manly Molpus, President, Grocery Manufacturers of America; Malcolm O'Hagan, President, National Electrical Manufacturers Association; Barry Rogstad, President, American Business Conference; Larry L. Thomas, President, Society of the Plastics Industry; Wayne H. Valis, President, Valis Associates.

AMERICAN FARM BUREAU FEDERATION,
Washington, DC, April 26, 1993.

DEAR REPRESENTATIVE: The American Farm Bureau Federation, which represents over four million rural families throughout the country, believes that a balanced budget achieved through spending restraint is a high priority. Our members support a number of budget tools to accomplish this goal including a balanced budget amendment to the U.S. Constitution and presidential line-item veto.

While we prefer the enactment of legislative or constitutional changes to give the president pure line-item veto authority, we support the enhanced rescission authority contained in H.R. 1578. This bill, introduced by Representative Stenholm (D-Texas) and Representative Spratt (D-SC), would give the president the ability to rescind spending within three days of signing an appropriations bill. The rescissions would become effective if a majority of Congress approved the rescission package.

The enactment of this bill is critical to the process of gaining control of federal spending. We urge you to vote for H.R. 1578.

Sincerely,

DEAN R. KLECKNER,
President.

PARLIAMENTARY INQUIRY

Mr. SOLOMON. Madam Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore (Mrs. KENNELLY). The gentleman will state his parliamentary inquiry.

Mr. SOLOMON. Madam Chairman, there is some confusion as to the series of votes that may take place. I am confused myself.

I just want to know if it is true that the next vote that will occur in the Committee of the Whole, in which we are in now, will be on the modified Spratt amendment in the nature of a substitute that allows the Appropriations Committee to report an alternative to the President's rescission bill.

I am trying to find out for our side what is the difference between this vote coming up and the base text of the bill? No one seems to know.

The CHAIRMAN pro tempore. The gentleman is correct.

Mr. SOLOMON. Let me see what I am correct with, Madam Chairman.

The CHAIRMAN pro tempore. The gentleman is correct, because the next question is on the amendment in the nature of a substitute made in order as an original text. The vote will be taken in the Committee of the Whole.

Mr. SOLOMON. I thank the Chair.

The CHAIRMAN pro tempore. The question is on the amendment in the nature of a substitute made in order as original text.

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

RECORDED VOTE

Mr. DERRICK. Madam Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 247, noes 168, not voting 22, as follows:

[Roll No. 147]

AYES—247

Abercrombie	DeFazio	Hayes	Mann	Payne (VA)	Slaughter
Ackerman	DeLauro	Hefner	Manton	Pelosi	Smith (IA)
Andrews (ME)	DeLay	Hilliard	Margolies-Mezvinsky	Penny	Smith (OR)
Andrews (TX)	Derrick	Hinchey	Markey	Peterson (FL)	Snowe
Bacchus (FL)	Deutsch	Hoagland	Matsui	Peterson (MN)	Spratt
Baesler	Dicks	Hobson	Mazzoli	Pickett	Stark
Barcia	Dingell	Hochbrueckner	McCloskey	Pickle	Stenholm
Barlow	Dixon	Holden	McCrery	Pomeroy	Stokes
Barrett (WI)	Dooley	Hoyer	McCurdy	Poshard	Strickland
Bellenson	Durbin	Hughes	McDermott	Price (NC)	Studds
Bevill	Edwards (CA)	Hutto	McHale	Quinn	Stupak
Bilbray	Edwards (TX)	Inslee	McKeon	Rahall	Swett
Blackwell	Emerson	Jacobs	McNulty	Rangel	Swift
Boehlert	Engel	Jefferson	Meehan	Regula	Tanner
Bonior	English (AZ)	Johnson (CT)	Meek	Reynolds	Tauzin
Borski	English (OK)	Johnson (GA)	Menendez	Richardson	Taylor (MS)
Boucher	Eshoo	Johnson (SD)	Meyers	Roberts	Thompson
Brewster	Fawell	Johnson, E. B.	Mfume	Roemer	Thornton
Browder	Fazio	Johnston	Miller (CA)	Romero-Barcelo (PR)	Thurman
Brown (CA)	Fields (LA)	Kanjorski	Mineta	Rose	Torkildsen
Brown (OH)	Fingerhut	Kaptur	Moakley	Rostenkowski	Torricelli
Bryant	Flake	Kennelly	Mollohan	Roukema	Tucker
Byrne	Foley	Kildee	Montgomery	Rowland	Underwood (GU)
Cantwell	Ford (MI)	Kleczka	Moran	Rush	Unsoeld
Carr	Ford (TN)	Klink	Murphy	Sabo	Valentine
Chapman	Frank (MA)	Kopetski	Murtha	Sangmeister	Velazquez
Clay	Frost	Kreidler	Nadler	Sarpalius	Vento
Clement	Furse	LaFalce	Natcher	Sawyer	Visclosky
Clyburn	Gejdenson	Lambert	Neal (MA)	Schenk	Volkmer
Coleman	Gephardt	Lancaster	Neal (NC)	Schroeder	Vucanovich
Collins (GA)	Geren	Lantos	Norton (DC)	Schumer	Watt
Collins (IL)	Gibbons	LaRocco	Oberstar	Scott	Waxman
Condit	Glickman	Laughlin	Obey	Sharp	Whitten
Conyers	Gordon	Lehman	Olver	Shays	Williams
Cooper	Grandy	Levin	Orton	Shepherd	Wilson
Coppersmith	Green	Lewis (GA)	Owens	Sisisky	Wise
Costello	Gutierrez	Lightfoot	Parker	Skaggs	Wyden
Coyne	Hall (OH)	Lipinski	Pastor	Skelton	Wynn
Cramer	Hall (TX)	Livingston	Payne (NJ)	Slattery	Yates
Danner	Hamburg	Lloyd			Zimmer
Darden	Hamilton	Long			
de la Garza	Harman	Lowey			
Deal	Hastings	Maloney			

NOES—168

Allard	Gallo	McKinney
Andrews (NJ)	Gekas	McMillan
Applegate	Gilchrest	Mica
Archer	Gillmor	Michel
Armey	Gilman	Miller (FL)
Bachus (AL)	Gingrich	Minge
Baker (CA)	Gonzalez	Mink
Baker (LA)	Goodlatte	Molinari
Ballenger	Goodling	Moorhead
Barrett (NE)	Goss	Morella
Bartlett	Grams	Myers
Bateman	Greenwood	Nussle
Bentley	Gunderson	Oxley
Bereuter	Hancock	Packard
Bilirakis	Hansen	Pallone
Bishop	Hastert	Paxon
Bliley	Hefley	Petri
Blute	Herger	Pombo
Boehner	Hoekstra	Porter
Bonilla	Hoke	Pryce (OH)
Brown (FL)	Horn	Ramstad
Bunning	Houghton	Ravenel
Burton	Huffington	Reed
Buyer	Hunter	Ridge
Callahan	Hutchinson	Rogers
Camp	Hyde	Rohrabacher
Canady	Inglis	Ros-Lehtinen
Cardin	Inhofe	Roth
Castle	Istook	Royce
Clayton	Johnson, Sam	Sanders
Clinger	Kasich	Santorum
Coble	Kim	Saxton
Combest	King	Schaefer
Cox	Kingston	Schiff
Crane	Klein	Sensenbrenner
Crapo	Klug	Shaw
Cunningham	Knollenberg	Shuster
Diaz-Balart	Kolbe	Skeen
Dickey	Kyl	Smith (MI)
Doolittle	Lazio	Smith (NJ)
Dornan	Leach	Smith (TX)
Dreier	Levy	Solomon
Duncan	Lewis (CA)	Spence
Dunn	Lewis (FL)	Stearns
Evans	Linder	Stump
Everett	Machtley	Sundquist
Ewing	Manzullo	Synar
Filner	Martinez	Talent
Fish	McCandless	Taylor (NC)
Fowler	McCollum	Tejeda
Franks (CT)	McDade	Thomas (WY)
Franks (NJ)	McHugh	Traficant
Gallegly	McInnis	Upton

Walker	Weldon	Young (AK)
Walsh	Wolf	Young (FL)
Waters	Woolsey	Zeliff

NOT VOTING—22

Barton	Faleomavaega (AS)	Roybal-Allard
Becerra	Fields (TX)	Serrano
Berman	Foglietta	Thomas (CA)
Brooks	Henry	Torres
Calvert	Kennedy	Towns
Collins (MI)	Ortiz	Washington
de Lugo (VI)	Quillen	Wheat
Dellums		

□ 1349

The Clerk announced the following pair:

On this vote:

Mr. Dellums for, with Mr. Calvert against.

Messrs. HILLIARD, THOMPSON, YATES, and ENGEL changed their vote from "no" to "aye."

So the amendment in the nature of a substitute made in order as original text was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mrs. KENNELLY). Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having assumed the chair, Mrs. KENNELLY, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1578) to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority, pursuant to House Resolution 149, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

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

RECORDED VOTE

Mr. WALKER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—yeas 248, nays 163, not voting 21, as follows:

[Roll No. 148]

AYES—248

Abercrombie	Browder	Costello
Ackerman	Brown (CA)	Coyne
Andrews (ME)	Brown (FL)	Cramer
Andrews (TX)	Brown (OH)	Danner
Bacchus (FL)	Bryant	Darden
Baesler	Byrne	de la Garza
Barcia	Cantwell	Deal
Barlow	Carr	DeFazio
Barrett (WI)	Chapman	DeLauro
Beilenson	Clay	DeLay
Bevill	Clayton	Derrick
Bilbray	Clement	Deutsch
Bishop	Clyburn	Dicks
Blackwell	Coleman	Dingell
Blute	Collins (GA)	Dixon
Boehlert	Collins (IL)	Dooley
Bonior	Collins (MI)	Durbin
Borski	Condit	Edwards (CA)
Boucher	Conyers	Edwards (TX)
Brewster	Cooper	Emerson
Brooks	Coppersmith	Engel
English (AZ)	Laughlin	Rangel
English (OK)	Lehman	Regula
Eshoo	Levin	Reynolds
Fawell	Lewis (GA)	Richardson
Fazio	Lightfoot	Roberts
Fields (LA)	Lipinski	Roemer
Fingerhut	Livingston	Rose
Flake	Lloyd	Rostenkowski
Foley	Long	Roukema
Ford (MI)	Lowey	Rowland
Ford (TN)	Maloney	Rush
Frank (MA)	Mann	Sabo
Frost	Manton	Sangmeister
Furse	Margolies-Mezvinsky	Sarpalius
Gejdenson	Markey	Sawyer
Gephardt	Matsui	Schenk
Geren	Mazzoli	Schroeder
Gibbons	McCloskey	Schumer
Glickman	McCrery	Scott
Gonzalez	McCurdy	Sharp
Gordon	McDermott	Shays
Grandy	McHale	Shepherd
Green	McKeon	Sisisky
Gutierrez	McKinney	Skaggs
Hall (OH)	McNulty	Skelton
Hall (TX)	Meehan	Slattery
Hamburg	Meek	Slaughter
Hamilton	Menendez	Smith (IA)
Harman	Meyers	Smith (OR)
Hastings	Mfume	Snowe
Hayes	Miller (CA)	Spratt
Hefner	Mineta	Stark
Hilliard	Moakley	Stenholm
Hinchey	Mollohan	Stokes
Hoagland	Montgomery	Strickland
Hobson	Moran	Studds
Hochbrueckner	Murphy	Stupak
Holden	Murtha	Swett
Hoyer	Nadler	Swift
Hughes	Natcher	Tanner
Hutto	Neal (MA)	Tauzin
Inslee	Neal (NC)	Taylor (MS)
Jacobs	Oberstar	Thompson
Jefferson	Obey	Thornton
Johnson (CT)	Olver	Thurman
Johnson (GA)	Orton	Torkildsen
Johnson (SD)	Owens	Tucker
Johnson, E.B.	Parker	Unsoeld
Johnston	Pastor	Valentine
Kanjorski	Payne (NJ)	Velazquez
Kaptur	Payne (VA)	Visclosky
Kennelly	Pelosi	Volkmer
Kildee	Penny	Vucanovich
Kleczka	Peterson (FL)	Watt
Klink	Peterson (MN)	Whitten
Kopetski	Pickle	Williams
Kreidler	Pomeroy	Wilson
LaFalce	Poshard	Wise
Lambert	Price (NC)	Wyden
Lancaster	Quinn	Wynn
Lantos	Rahall	Yates
LaRocco		Zimmer

NOES—163

Allard	Crapo	Hansen
Andrews (NJ)	Cunningham	Hastert
Applegate	Diaz-Balart	Hefley
Archer	Dickey	Herger
Armey	Doolittle	Hoekstra
Bachus (AL)	Dornan	Hoke
Baker (CA)	Dreier	Horn
Baker (LA)	Duncan	Houghton
Ballenger	Dunn	Huffington
Barrett (NE)	Evans	Hunter
Bartlett	Everett	Hutchinson
Bateman	Ewing	Hyde
Bentley	Filner	Inglis
Bereuter	Fish	Inhofe
Bilirakis	Fowler	Istook
Bliley	Franks (CT)	Johnson, Sam
Boehner	Franks (NJ)	Kasich
Bonilla	Gallegly	Kim
Bunning	Gallo	King
Burton	Gekas	Kingston
Buyer	Gilchrest	Klein
Callahan	Gillmor	Klug
Camp	Gilman	Knollenberg
Canady	Gingrich	Kolbe
Cardin	Goodlatte	Kyl
Castle	Goodling	Lazio
Clinger	Goss	Leach
Coble	Grams	Levy
Combest	Greenwood	Lewis (CA)
Cox	Gunderson	Lewis (FL)
Crane	Hancock	Linder
Machtley	Pombo	Solomon
Manzullo	Porter	Spence
Martinez	Pryce (OH)	Stearns
McCandless	Ramstad	Stump
McCollum	Ravenel	Sundquist
McDade	Reed	Synar
McHugh	Ridge	Talent
McInnis	Rogers	Taylor (NC)
McMillan	Rohrabacher	Tejeda
Mica	Ros-Lehtinen	Thomas (CA)
Michel	Roth	Torricelli
Miller (FL)	Royce	Traficant
Minge	Sanders	Upton
Mink	Santorum	Walker
Molinari	Saxton	Walsh
Moorhead	Schaefer	Waters
Morella	Schiff	Weldon
Myers	Sensenbrenner	Wolf
Nussle	Shaw	Woolsey
Oxley	Shuster	Young (AK)
Packard	Skeen	Young (FL)
Pallone	Smith (MI)	Zeliff
Paxon	Smith (NJ)	
Petri	Smith (TX)	

NOT VOTING—21

Barton	Henry	Thomas (WY)
Becerra	Kennedy	Torres
Berman	Ortiz	Towns
Calvert	Pickett	Vento
Dellums	Quillen	Washington
Fields (TX)	Roybal-Allard	Waxman
Foglietta	Serrano	Wheat

□ 1459

The Clerk announced the following pair:

On this vote:

Mr. Dellums for, with Mr. Calvert against.

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

Mrs. MALONEY, Mr. BISHOP, and Ms. BROWN of Florida changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. CLINGER

Mr. CLINGER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CLINGER. I am, in its present form, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. CLINGER moves to recommit the bill (H.R. 1578) to the Committee on Rules with instructions to report back the same forthwith to the House with the following amendment:

Strike section 2(b) of the bill and substitute the following:

"(b) EXERCISE OF RULEMAKING POWERS.—(1) The provisions of this Act, insofar as they affect the procedures of either House, may only be waived, changed or suspended by statutory enactment or by a vote of three-fifths of the Members of the House involved, a quorum being present.

"(2) It shall not be in order in the House of Representatives to consider any rescission bill introduced pursuant to the provisions of this Act under a suspension of the rules or under a special rule.".

The SPEAKER. The gentleman from Pennsylvania [Mr. CLINGER] is recognized for 5 minutes in support of his motion to recommit.

Mr. CLINGER. Mr. Speaker, I will be very brief on my motion to recommit, but this is the last chance we will have today to do something right by closing a loophole that is big enough to drive the proverbial Mack truck through.

Under the terms of section 2(b) of the bill, the provisions of the bill are brought under section 904 of the Budget Act. That section states that the procedures are enacted as part of the rulemaking authority of the House and Senate and may be changed at any time by either House, the same as any other rule of the House.

What that means is that this bill's so-called teeth can be yanked at any time by a simple resolution from the Rules Committee that waives, suspends or changes these provisions. The Rules Committee could recommend that we allow the President's bill to be amended, or that we simply suspend the rescission act for a particular message, or for the rest of the Congress.

What this motion to recommit does is three things: first, it strikes the references to the Budget Act that allow this bill to be changed by simple majority vote of either House. In its place the motion to recommit requires that the procedures contained in this bill can only be changed by statutory enactment or by a vote of three-fifths of the Members of the House involved. Finally, the motion to recommit specifically prohibits a consideration of a Presidential rescission bill under a suspension of the rules or under a special rule.

Mr. Speaker, I would strongly urge adoption of this motion. It will at least put some teeth into the law by requiring a new law or a super-majority in congress to waive, change or suspend the Expedited Rescissions Act.

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

Mr. CLINGER. I yield to the ranking member of the Committee on Rules, the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, I would just say to the gentleman, the ranking member of the Committee on Government Operations, who mentioned this would put some teeth back in, here is our chance to at least put one tooth back in, not a mouthful of teeth, into this bill.

What the bill does, what the motion to recommit does, it says that we do not want to make it possible to waive or suspend those procedures by majority vote. Instead, we would need a three-fifths vote. If we were going to waive the Budget Act up in the Committee on Rules, that would void this bill.

The Members do not want to do this. I think those of us who are going to vote for this rescission bill certainly ought to vote for it. I would urge the Members' support for the motion to recommit.

Mr. CLINGER. Mr. Speaker, I thank the gentleman for his contribution, and would urge that everybody vote to close this gaping loophole as it is presently structured.

The SPEAKER. The Chair recognizes the gentleman from South Carolina [Mr. DERRICK] for 5 minutes in opposition to the motion to recommit.

Mr. DERRICK. Mr. Speaker, I would say to the Members, if they like the way the U.S. Senate operates, they ought to vote for this motion to recommit, because that is exactly what they would get. The amendment in the motion to recommit proposes to require a 60-percent super majority to change these procedures. Such a rule would allow 40 percent plus one of the House, in other words, the minority, to run this place. I would ask the majority to take that into account.

It is a bad idea, and I advise a "no" vote on the motion to recommit.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit. The question was taken; and the Speaker announced that the noes appeared to have it.

RECORDED VOTE

Mr. CLINGER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 182, noes 233, not voting 17, as follows:

[Roll No. 149]

AYES—182

Allard	Cunningham	Hayes
Archer	DeLay	Hefley
Armey	Diaz-Balart	Herger
Bachus (AL)	Dickey	Hobson
Baker (CA)	Doolittle	Hoekstra
Baker (LA)	Dornan	Hoke
Ballenger	Dreier	Horn
Barrett (NE)	Duncan	Houghton
Bartlett	Dunn	Huffington
Bateman	Emerson	Hunter
Bentley	Everett	Hutchinson
Bereuter	Ewing	Hyde
Bilirakis	Fawell	Inglis
Bliley	Fish	Inhofe
Blute	Fowler	Istook
Boehlert	Franks (CT)	Johnson (CT)
Boehner	Franks (NJ)	Johnson, Sam
Bonilla	Gallegly	Kasich
Bunning	Gallo	Kim
Burton	Gekas	King
Buyer	Geren	Kingston
Callahan	Gibbons	Klug
Camp	Gilchrest	Knollenberg
Canady	Gillmor	Kolbe
Cantwell	Gilman	Kyl
Cardin	Gingrich	Lazio
Castle	Goodlatte	Leach
Clinger	Goodling	Levy
Coble	Goss	Lewis (CA)
Collins (GA)	Grams	Lewis (FL)
Combest	Grandy	Lightfoot
Condit	Greenwood	Linder
Cooper	Gunderson	Livingston
Coppersmith	Hall (TX)	Machtley
Cox	Hancock	Manzullo
Crane	Hansen	McCandless
Crapo	Hastert	McCollum
McCrery	Quinn	Smith (TX)
McDade	Ramstad	Snowe
McHugh	Ravenel	Solomon
McInnis	Regula	Spence
McKeon	Ridge	Stearns
McMillan	Roberts	Stump
Meyers	Rogers	Sundquist
Mica	Rohrabacher	Talent
Michel	Ros-Lehtinen	Tauzin
Miller (FL)	Roth	Taylor (NC)
Minge	Roukema	Thomas (CA)
Molinari	Royce	Thomas (WY)
Moorhead	Santorum	Torkildsen
Morella	Saxton	Upton
Myers	Schaefer	Vucanovich
Nussle	Schiff	Walker
Oxley	Sensenbrenner	Walsh
Packard	Shaw	Weldon
Parker	Shays	Wolf
Paxon	Shuster	Young (AK)
Petri	Skeen	Young (FL)
Pombo	Smith (MI)	Zeliff
Porter	Smith (NJ)	Zimmer
Pryce (OH)	Smith (OR)	

NOES—233

Abercrombie	Frost	Menendez
Ackerman	Furse	Mfume
Andrews (ME)	Gejdenson	Miller (CA)
Andrews (NJ)	Gephardt	Mineta
Andrews (TX)	Glickman	Mink
Applegate	Gonzalez	Moakley
Bacchus (FL)	Gordon	Mollohan
Baesler	Green	Montgomery
Barcia	Gutierrez	Moran
Barlow	Hall (OH)	Murphy
Barrett (WI)	Hamburg	Murtha
Beilenson	Hamilton	Nadler
Bevill	Harman	Natcher
Bilbray	Hastings	Neal (MA)
Bishop	Hefner	Neal (NC)
Blackwell	Hilliard	Oberstar
Bonior	Hinchey	Obey
Borski	Hoagland	Olver
Boucher	Hochbrueckner	Orton
Brewster	Holden	Owens
Brooks	Hoyer	Pallone
Browder	Hughes	Pastor
Brown (CA)	Hutto	Payne (NJ)
Brown (FL)	Inslee	Payne (VA)
Brown (OH)	Jacobs	Pelosi
Bryant	Jefferson	Penny
Byrne	Johnson (GA)	Peterson (FL)
Carr	Johnson (SD)	Peterson (MN)
Chapman	Johnson, E. B.	Pickett
Clay	Johnston	Pickle
Clayton	Kanjorski	Pomeroy
Clement	Kaptur	Poshard
Clyburn	Kennelly	Price (NC)
Coleman	Kildee	Rahall
Collins (IL)	Kleczka	Rangel
Collins (MI)	Klein	Reed
Conyers	Klink	Reynolds
Costello	Kopetski	Richardson
Coyne	Kreidler	Roemer
Cramer	LaFalce	Rose
Danner	Lambert	Rostenkowski
Darden	Lancaster	Rowland
de la Garza	Lantos	Rush
Deal	LaRocco	Sabo
DeFazio	Laughlin	Sanders
DeLauro	Lehman	Sangmeister
Derrick	Levin	Sarpalius
Deutsch	Lewis (GA)	Sawyer
Dicks	Lipinski	Schenk
Dingell	Lloyd	Schroeder
Dixon	Long	Schumer
Dooley	Lowey	Scott
Durbin	Maloney	Sharp
Edwards (CA)	Mann	Shepherd
Edwards (TX)	Manton	Sisisky
Engel	Margolies-Mezvinsky	Skaggs
English (AZ)	Markey	Skelton
English (OK)	Martinez	Slattery
Eshoo	Matsui	Slaughter
Evans	Mazzoli	Smith (IA)
Fazio	McCloskey	Spratt
Fields (LA)	McCurdy	Stark
Filner	McDermott	Stenholm
Fingerhut	McHale	Stokes
Flake	McKinney	Strickland
Foley	McNulty	Studds
Ford (MI)	Meehan	Stupak
Ford (TN)	Meek	Swett
Frank (MA)		Swift

Synar
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torricelli
Traficant
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt
Waxman
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—17

Barton
Becerra
Berman
Calvert
Dellums
Fields (TX)
Foglietta
Henry
Kennedy
Ortiz
Quillen
Roybal-Allard
Serrano
Torres
Towns
Washington
Wheat

□ 1523

The Clerk announced the following pair:

On this vote:

Mr. Calvert for, with Mr. Dellums against.

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. WALKER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 258, noes 157, not voting 17, as follows:

[Roll No. 150]

AYES—258

Ackerman
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Bacchus (FL)
Bachus (AL)
Baesler
Baker (LA)
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bateman
Beilenson
Bereuter
Bevill
Bilbray
Bishop
Blute
Boehlert
Bonilla
Boucher
Brewster
Browder
Brown (CA)
Brown (OH)
Bryant
Buyer
Byrne
Canady
Cantwell
Cardin
Castle
Chapman
Clement
Collins (GA)
Condit
Conyers
Cooper
Coppersmith
Costello
Cox
Cramer
Crapo
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Derrick
Deutsch
Dickey
Dicks
Dingell
Dooley
Duncan
Dunn
Durbin
Edwards (TX)
Emerson
English (AZ)
English (OK)
Eshoo
Ewing
Fawell
Fazio
Fingerhut
Fish
Foley
Fowler
Frank (MA)
Franks (NJ)
Frost
Furse
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastert
Hayes
Hefley
Hefner
Hinchey
Hoagland
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hutchinson
Hutto
Inglis
Inhofe
Inslee
Jacobs
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kennelly
Kildee
Kim
Kingston
Kleczka
Klein
Klink
Klug
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lipinski
Lloyd
Long
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Mazzoli
McCloskey
McCrery
McCurdy
McDermott
McHale
McInnis
McKeon
McMillan
McNulty
Meehan
Meyers
Mica
Miller (CA)
Miller (FL)
Mineta
Minge
Moakley
Montgomery
Moran
Morella
Murphy
Natcher
Neal (MA)
Neal (NC)
Obey
Olver
Orton
Pallone
Parker
Payne (VA)
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Porter
Poshard
Price (NC)
Quinn
Ramstad
Regula
Richardson
Roberts
Roemer
Rose
Roth
Roukema
Rowland
Sangmeister
Sawyer
Saxton
Schaefer
Schenk
Schumer
Sensenbrenner
Sharp
Shaw
Shays
Shepherd
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Snowe
Spratt
Stark
Stenholm
Strickland
Studds
Stupak
Sundquist
Swett
Tanner
Tauzin
Taylor (MS)
Thornton
Thurman
Torkildsen
Torricelli
Upton
Valentine
Vento
Visclosky
Volkmer
Waters
Weldon
Williams
Wilson
Wise
Wyden
Wynn
Zeliff
Zimmer

NOES—157

Abercrombie
Applegate
Archer
Armey
Baker (CA)
Ballenger
Bartlett
Bentley
Bilirakis
Blackwell
Bliley
Boehner
Bonior
Borski
Brooks
Brown (FL)
Bunning
Burton
Callahan
Camp
Carr
Clay
Clayton
Clinger
Clyburn
Coble
Coleman
Collins (IL)
Collins (MI)
Combest
Coyne
Crane
Cunningham
DeLay
Diaz-Balart
Dixon
Doolittle
Dornan
Dreier
Edwards (CA)
Engel
Evans
Everett
Fields (LA)
Filner
Flake
Ford (MI)
Ford (TN)
Franks (CT)
Gallegly
Gilchrest
Gillmor
Gilman
Gingrich
Hamburg
Hancock
Hansen
Hastings
Herger
Hilliard
Hobson
Hunter
Hyde
Istook
Jefferson
Johnson, Sam
Kasich
King
Knollenberg
Kolbe
Kyl
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Linder
Livingston
Lowey
Martinez
Matsui
McCandless
McCollum
McDade
McHugh
McKinney
Meek
Menendez
Mfume
Michel
Mink
Molinari
Mollohan
Moorhead
Murtha
Myers
Nadler
Nussle
Oberstar
Owens
Oxley
Packard
Pastor
Paxon
Payne (NJ)
Pelosi
Pryce (OH)
Rahall
Rangel
Ravenel
Reed
Reynolds
Ridge
Rogers
Rohrabacher
Ros-Lehtinen
Rostenkowski
Royce
Rush
Sabo
Sanders
Santorum
Sarpalius
Schiff
Schroeder
Scott
Shuster
Skeen
Smith (IA)
Smith (TX)
Solomon
Spence
Stearns
Stokes
Stump
Swift
Synar
Talent
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Traficant
Tucker
Unsoeld
Velázquez
Vucanovich
Walker
Walsh
Watt
Waxman
Whitten
Wolf
Woolsey
Yates
Young (AK)
Young (FL)

NOT VOTING—17

Barton
Becerra
Berman
Calvert
Dellums
Fields (TX)
Foglietta
Henry
Kennedy
Ortiz
Quillen
Roybal-Allard
Serrano
Torres
Towns
Washington
Wheat

□ 1541

The Clerk announced the following pairs:

On this vote:

Mr. Kennedy for, with Mr. Torres against.

Mr. Calvert for, with Mr. Dellums against.

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ELECTION OF MEMBERS TO COMMITTEE ON AGRICULTURE AND COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. HOYER. Mr. Speaker, by direction of the Democratic caucus, I offer a privileged resolution, House Resolution 161, and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 161

Resolved, That the following named Members, Resident Commissioner, and Delegates, be, and they are hereby, elected to the following standing committees of the House of Representatives: Committee on Agriculture: Bennie G. Thompson, Mississippi. Committee on Merchant Marine and Fisheries: Bennie G. Thompson, Mississippi.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY TO HAVE UNTIL MIDNIGHT, MONDAY, MAY 3, 1993, TO FILE REPORT ON H.R. 820, NATIONAL COMPETITIVENESS ACT OF 1993

Mr. BROWN of California. Mr. Speaker, I ask unanimous consent that the Committee on Science, Space, and Technology have until midnight, Monday, May 3, 1993, to file a late report on H.R. 820, the National Competitiveness Act of 1993.

This has been cleared with the minority.

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

There was no objection.

LEGISLATIVE PROGRAM

(Mr. SOLOMON asked and was given permission to address the House for 1 minute.)

Mr. SOLOMON. Mr. Speaker, I have asked for this time in order to enter

into a colloquy with the majority leader to ascertain the schedule for the rest of the week and next week.

Mr. Speaker, I am glad to yield to the majority leader.

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

Business and votes are finished for today.

There will not be votes tomorrow.

On Monday, May 3, the House will meet at noon, but there will be no legislative business.

Tuesday, May 4, the House will meet at noon to take up 12 bills on Suspension. Recorded votes on Suspensions will be postponed until after consideration of all Suspensions. The bills on Suspension are as follows:

H.R. 995, veterans' employment and reemployment;

H.R. 578, Investment Advisor Regulatory Enhancement and Disclosure Act of 1993;

H.R. 616, amendment to SEC rule 11(a);

H.R. 682, World War II Memorial;

House Concurrent Resolution 71, use of Capitol Grounds for the National Peace Officers' Memorial Service;

House Concurrent Resolution 82, use of Capitol Grounds for the Greater Washington Soap Box Derby;

House Concurrent Resolution 81, 1993 Special Olympics torch relay;

H.R. 1345, to designate the "Robert F. Peckham U.S. Courthouse and Federal Building";

H.R. 1346, to redesignate the "Almeric L. Christian Federal Building";

H.R. 791, to name the "James L. Foreman Courthouse";

H.R. 1513, to designate the "Lewis F. Powell Jr. United States Courthouse"; and

H.R. 1303, to designate the "Clarkson S. Fisher Federal Building and U.S. Courthouse."

On Wednesday, May 5, and Thursday May 6, the House will meet at 2 p.m. on Wednesday and at 11 a.m. on Thursday to consider H.R. 2, the National Voter Registration Act of 1993 conference report subject to a rule; and possibly H.R. 820, the National Competitiveness Act, subject to a rule.

The House will meet at 11 a.m. on Friday, May 7, but there will be no legislative business or votes.

Mr. SOLOMON. Mr. Speaker, I would ask the majority leader again, there will be no votes on Monday.

Mr. GEPHARDT. That is correct.

Mr. SOLOMON. On Tuesday, I know from this side of the aisle we do not expect to have any procedural vote on the Journal or anything like that on Tuesday at noon.

So what might be the earliest there might be a vote on Tuesday, would the majority leader have any idea?

Mr. GEPHARDT. I would say to the gentleman the best guess would be midafternoon, 2:30, 3 o'clock or 3:30, somewhere in that neighborhood.

Mr. SOLOMON. So any votes ordered on suspensions would be rolled until later at the end of the day.

Mr. GEPHARDT. That is correct.

Mr. SOLOMON. And no votes on Friday, even though it is listed as a legislative day.

Mr. GEPHARDT. That is correct.

Mr. SOLOMON. Well, Mr. Speaker, on behalf of our side, we thank the majority leader and hope he has a nice weekend.

Mr. GEPHARDT. The same to the gentleman, and I thank the gentleman.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

ADJOURNMENT TO MONDAY, MAY 3, 1993

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday, May 3, 1993.

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

There was no objection.

□ 1550

THE GENOCIDE IN BOSNIA MUST BE STOPPED

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

Mr. ENGEL. Mr. Speaker, I rise today to very, very strongly say that we must act very quickly to put an end to the genocide going on right now in Bosnia.

Mr. Speaker, I just returned from a trip to that area, and I can tell my colleagues what I have seen is something that could easily be a page out of the thirties or forties with the Nazi treatment of the Jewish people.

I interviewed refugees at refugee camps. I spoke with people I heard chilling stories, stories of rapes, stories of pillages, stories of people being driven from their homes, and in one particular instance I met a man who told me a story.

Mr. Speaker, this man came from the town of Fazia in Bosnia and was driven out. Before the hostilities erupted that town had 22,000 Moslems, 18,000 Serbs and 1,000 Croats. The town right now is completely devoid of any Moslems or Croats, containing only Serbs.

He told me that his Serbian neighbor came to him and said:

They are going to kill you. If you want to get out with your life, sign over all your property to me. Sign over your business, sign over your cows, your house and all your possessions, and I will intervene with the authorities to let them save your skin.

Mr. Speaker, the man had no choice, so he signed the papers. Before I left, he took the paper allowing him to go out of the country and signing away all his possessions, and he gave it to me, and he said to me, "Tell America what is really happening here. Tell America what is happening to our people."

He told me that he was allowed to leave, his wife was allowed to leave, his son was not, his daughter-in-law was allowed to leave, and his grandchild was allowed to leave. When I asked him where his son was, he said, "In prison. I hope he's alive, but I really don't know if he's alive or dead."

And when I asked him, "Was your son a political activist," he said, "No, they just keep all the young men." His son was 42.

He said to me, "You know the papers that I signed said that my Serb neighbor has to keep my property in good condition until I return," and then he laughed and said, "if I ever return, if I ever return, I know my house will be burned to the ground."

This week the New York Times ran a story about someone else. It is entitled "With Broken Glass." I would like to insert this into the RECORD. He said:

"I carved this with a piece of broken glass while I was at Manjaca prison camp," he said, "to show how we had to stand during the day, with our heads down and our hands tied behind our backs." The small figure seemed to burn in my hand with its pain and intensity. Mumbling something about its power and beauty, I started to hand it back to the young baker. "No," he said, "please take it back to your country, and show it to your people. Show the Americans how we have been treated. Tell America what is happening to us."

Mr. Speaker, those were the same words that were chillingly echoed to me at the camp in Skopje.

The article in its entirely is as follows:

WITH BROKEN GLASS

(By Richard Holbrooke)

"Tell America what is happening to us."

This was in Europe today, not during World War II, in a holding center for Bosnian Muslim refugees in Karlovac, less than an hour by car from the Croatian capital of Zagreb, and barely an hour by plane from the great cities of the new Europe—Rome, Zurich, Vienna, Prague, Frankfurt, Athens.

The speaker was a young baker from Sanski Most, a town in Serb-occupied northern Bosnia, the area that has given the world a grotesque new euphemism, "ethnic cleansing."

He was 28. He did not give his name, but, with his father and about a dozen other men surrounding him, he said his mother, who

was still trapped in Bosnia, had been raped in Sanski Most while he was in prison. The other men interrupted him to tell similar stories.

As they talked the young baker fished a small plastic bag out from under his mattress and pressed into my hand a wooden figure he had carefully wrapped in the dirty plastic. "I carved this with a piece of broken glass while I was at Manjaca prison camp," he said, "to show how we had to stand during the day, with our heads down and our hands tied behind our backs." The small figure seemed to burn in my hand with its pain and intensity. Mumbling something about its power and beauty, I started to hand it back to the young baker. "No," he said, "please take it back to your country, and show it to your people. Show the Americans how we have been treated. Tell America what is happening to us."

Mr. Speaker, what is going on today is sheer genocide. I believe very, very firmly that the United States, in conjunction with our European allies, must attempt to stop the genocide now. We must have bombing of the Serb targets to end the heavy artillery, to end the deployment and to blow up the bridges across the Drina River where they are redeploying and resupplying their troops.

I also believe that we must end the arms embargo because the arms embargo is now only locking the Serb advantage into place. It is helping the aggressor and hurting the victim. We cannot continue.

I also traveled to the Kosovo region. The Kosovo region contains 2 million ethnic Albanians. They are living there under Serbian oppression, under virtual occupation. Time after time the Albanians told me how they are summarily dismissed from their jobs. Their parliament was closed, their schools are closed, the university was closed. They have restrictions on teaching the Albanian language. Unemployment is 80 or 90 percent. These people do not want to live under Serbian occupation.

I fear that after Bosnia is over and done that Kosovo is the next place where the Serbs will make their move, and that could spill into the rest of the Balkans with perhaps 1 million Albanian refugees fleeing into Albania itself out of Kosovo and fleeing down into the former Yugoslav Republic of Macedonia. It has the potential to make Bosnia seem like a tea party.

The world sent the wrong signal to Mr. Milosevic, the head of the Serbian Government, 1½ years ago when it did nothing giving him a green light to in essence do his ethnic cleansing. I cannot believe that in 1993 we are standing here and once again talking about ethnic cleansing. The world surely cannot allow this type of thing to continue.

It is never easy to make a move. Nobody likes to do these kinds of things. But if we do not put the full force of the United States behind this, we will continue to watch genocide.

PUTTING FAMILIES IN FOCUS

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

Mr. WOLF. Madam Speaker, next Monday, May 3, is tax freedom day. The average American will work the first 123 days of the year to pay all Federal, State and local taxes. American families work hard to take care of their kids, pay the bills, and save for their futures. Yet the Federal Government keeps adding to the burden families carry by increasing their taxes.

American families deserve real change. Today, I would like to speak about a comprehensive, profamily, progrowth measure I am introducing, the Family and Economic Recovery Act of 1993, a measure that directly reinvests in American families and provides incentives to increase job creation, private savings, and sound investments in the future by providing individuals and families with a greater role in determining their own futures. Instead of increasing taxes and writing off the middle class, this measure will resurrect many of the promises made to the middle class during the election and help to revive the ability of families to personally invest in their future.

The growing tax toll on families burdens millions of, if not most, families. When State and local taxes are included, government now takes over one-third of the income of the average family. During the past four decades, the tax protection for families has shrunk to one-quarter of what it was in the 1950's. Without the Republican reforms of the past decade it would only be one-eighth of its 1950 value. Yet, if the dependent deduction had kept pace with inflation and per capita income, it would stand at over $8,000 a person this year according to the Urban institute, rather than the 1992 level of $2,300.

In the 1950's, a family of four didn't start paying income tax until they were close to the median income; today the same family starts paying Federal taxes when they hit near poverty-level wages. Since the 1950's, the annual family income lost due to the decline in the personal exemption exceeds the annual cost of an average family home mortgage of $8,000. We are literally taxing families out of house and home.

Furthermore, two-thirds of the average working mother's earnings go to paying for increases in Federal taxes over the past several decades rather than providing additional income for her family. Uncle Sam gets more out of Mom's paycheck than do her own children.

Not surprisingly, the condition of children and families has declined along with this increased taxation on families. Yet, while today's families are under tremendous cultural pressures and social changes, they are forced by financial realities to spend less and less time attending to family matters. Daily, we see the adverse effects of this downward spiral.

A recent report by former Education Secretary William Bennett identifying various cultural indicators of well being paints a disturbing picture of our culture today: There has been a 419-percent increase in illegitimate births since 1960; more than a 200-percent increase in the teenage suicide rate; a quadrupling in divorce rates; a tripling of the percentage of children living in single-parent homes; a drop of almost 80 points in SAT scores; and a 560-percent increase in violent crime, much of it by perpetrators of a younger and younger age. Another frequently cited study noted that parents today spend 40 percent less time with their children than did parents a generation ago. And all of this has occurred while total social spending by all levels of government—measured in constant 1990 dollars—has risen from $143 billion to $787 billion—more than a fivefold increase. Inflation adjusted spending on welfare has increased by 630 percent, spending on education by 225 percent. Bennett writes, "Never before has the reach of government been greater or its purse larger—and never before have our social pathologies been worse."

Historian Barbara Whitehead, in an article entitled, "Dan Quayle was Right" points out the tragedy of the dissolution of families over the past 30 years:

> Children in single-parent families are six times as likely to be poor * * * are 2 to 3 times as likely to have emotional and behavioral problems * * * are more likely to drop out of high school, to get pregnant as teenagers, to abuse drugs, and to be in trouble with the law * * * Many children from disrupted families have a harder time achieving intimacy in a relationship, forming a stable marriage, or even holding a steady job.

The devastating statistics continue in Ms. Whitehead's report:

> More than 70 percent of all juveniles in state reform institutions come from fatherless homes. A Canadian study found preschool children in stepfamilies were 40 times as likely to suffer abuse as children in intact families.

What's a mother and father to do? First, we should acknowledge the responsibility of parents in putting children first.

Second, we should recognize the importance of actually putting parents—mothers and fathers—at the center of family policy. We should recognize that there are many problems facing our Nation that cannot be cured by more government spending. A recent article by Wade Horn, the former Commissioner of the Administration for Children, Youth, and Families in the Bush administration pointed out the obvious: "Government can't buy you love." What families need most, Doctor Horn argues is "not more money in the Federal Budget, but more money in the family budget."

Third, we should all face squarely the consequences of family breakdown and the limits of government intervention in the family arena. We need not and should not do this in an accusatory manner but in an adult manner—owning up to the facts and finding positive solutions to stop the unraveling of families. According to William Galston, a current Domestic Policy Adviser to President Clinton:

Changes in family structure over the past generation are strongly correlated with rising rates of poverty among children * * * child poverty rates today would be one-third lower if family structure had not changed so dramatically since 1960. Fifty-one percent of the increase in child poverty observed during the 1980s is attributable to changes in family structure during that period.

Professor Galston has also noted additional repercussions from family breakdown:

The economic consequences of a parent's absence are often accompanied by psychological consequences, which include higher than average levels of youth suicide, low intellectual and educational performance, and higher than average rates of mental illness, violence, and drug use.

According to David Ellwood, the designated Assistant Secretary of Planning and Evaluation at HHS, 73 percent of children from single-parent families will be in poverty at some point during their children while only 20 percent of children in two-parent families will experience poverty at any time in their childhood. He has also pointed out that a two-parent family—able to provide more money, more time, more investment, more accountability—is the best anti-poverty program around.

In a recent article in The American Scholar, Senator MOYNIHAN writes: "We are obligated to ask why things do not change" given the billions of dollars spent on programs oriented to solve many family problems.

So has this new administration been mugged by reality?

Well, despite what would seem to be the good instincts and growing appreciation of reality by these new members of the administration and powers that be, President Clinton's economic plan involves taking more money out of the family budget in order to feed a bigger and more bloated Federal budget.

As a recent Wall Street Journal editorial observed, when candidate Clinton visited Cleveland during the primary season, he berated "Beltway Democrats who want to spend more of your tax money on programs that don't embody your values." Candidate Clinton also spoke of taking responsibility. Yet the plan, President Clinton has proposed taxes credibility as well as American families. The Wall Street Journal observes:

Americans knock themselves out trying to raise families and provide them a modicum of financial security. The Cleveland Clinton would have sympathized, but the Washington version looks at families and only sees chickens to be plucked. His economic plan would hobble their progress with new, "progressive" tax burdens, which serve only to discourage the kinds of responsible behavior the Cleveland Clinton promised to reward.

This is not the change Americans heard about during the election. Last January as a Presidential candidate, Bill Clinton said that family tax relief was the answer. He said "the one glaring difference" between himself and Democratic rival Paul Tsongas was his support for a middle-class tax cut. This tax cut was to be in the form of a child-based tax credit or a reduction in middle-class tax rates; families would select one or the other. In his campaign treatise, "Putting People First," Mr. Clinton reiterated this policy: "Virtually every industrialized nation recognizes the importance of strong families in its tax code: we should too."

Most people—including many Republicans—thought this was a good idea. In face, a recent CNN-USA Today Gallup Poll found strong support, 69 percent, for a middle-class tax cut. Last year, as chairman of the Senate Finance Committee, Lloyd Bentsen also included a $300 per child tax credit—as well as expanded IRA's—in the economic recovery plan he pushed through the Senate.

Yet, unfortunately, this administration which ran on the slogan, "it's the economy, stupid," and promised a middle-class tax cut, chose to make this promise the first to be officially broken, even before the Inauguration. And to add insult to injury, President Clinton now proposes that we pass an economic plan that will heap millions of dollars in new taxes on families and transfers much of this money to growing the poverty industry instead of growing the economy. The Clinton plan includes approximately $40 billion in new welfare spending including, for example, an additional $9 billion in food stamps and $1.9 billion in energy assistance to low-income people in order to counteract some of the misguided energy tax. And worse yet, Clinton's new taxes increase the marriage penalty.

A recent Wall Street Journal headline read, "Living in Sin to Cut Tax Bill Would Look Even Better to Some Under Clinton Plan." Under current law, a single woman with two children earning $12,000 would currently receive in earned income tax credit of $593 from the Government while a man with an identical income and one child would receive a $238 credit from the Government. If these two people were to get married, their tax liability would jump from negative $831 to $3,575. Yet, under the Clinton plan, the joint tax liability would increase even further to $4,040. On the other end of income spectrum, earners making $75,000 each would also be better off not getting married. So the Clinton plan has the dubious distinction of punishing single, low earning, working mothers who would like to marry as well as higher income dual career couples. Given what we know of the potential for toxic fallout from family meltdown, we should not be adding to the marriage penalty. Marriage and remarriage remove more families from the welfare rolls than any government program. Yet the marriage tax and more taxes are what the Clinton plan proposes. This is trample down economics and America's families should not take it anymore.

Families need a tax break, not tax increases. The sacrifices should be done in Washington in controlling the cost and size of government. Then we can directly reinvest in families and businesses without Uncle Sam as the middle man. Government has already proved itself to be a poor substitute to the family.

Indeed many of the Government programs that the Clinton plan proposes to vastly expand have come under close scrutiny for having failed to live up to their public relations billing. For example, Jodie Allen of the Washington Post recently asked why Clinton would put more billions into Head Start when it has been unable to absorb the funds already available to it and has never produced the results so frequently claimed. Another recent Washington Post article notes that even strong advocates of Head Start such as Senator TOM HARKIN states: "I would not want to spend double [on the program] as it is right now." The flaws right now include half of the programs having serious management problems, 13 percent of the centers couldn't spend all of their budgeted money and only 43 percent of the preschoolers had been given all the required immunizations. A New York Times article also pointed out the limits of this highly touted government program:

Several government and academic reports say the program suffers from considerable management problems and has not produced the results some of its supporters have long claimed.

On the other hand, we know families work and have a track record worth investing in. Bill Galston has written:

Government cannot, under any set of circumstances provide the kind of nurturing that children, particularly young children, need. Given all the money in the world, government programs will not be able to instill self-esteem, good study habits, advanced language skills, or sound moral values in children as effectively as strong families.

WHAT IS THE ALTERNATIVE TO TAX AND SPEND?

Tax increases are the wrong prescription for today's ailing families. Instead the measure I am introducing today includes the following:

Profamily tax relief of a $600 per child tax credit for each child under the age of 19. The tax credit is an alternative to increasing the dependent deduction and similarly protects family income from taxation. This measure will restore a large amount of the lost

tax protection for today's families, particularly for families in the lowest income bracket. The recent policy manual forwarded to the Clinton administration by the Progressive Policy Institute, "Mandate for Change," recommended targeted tax relief to families such as this.

When Clinton administration transition adviser, Robert Shapiro, of the Progressive Policy Institute testified before the Select Committee on Children, Youth, and Families in 1991, he also supported this policy stating:

> Of all the aspects of family policy, finding appropriate ways of reducing the tax burden on families is the most simple and straightforward * * * The first principle of a new, pro-family tax policy should be that the government does not tax away income needed to support children.

The National Commission on Children, which Bill Clinton participated in as a Governor, also recommended a tax credit for children as the centerpiece of their recommendations for improved family policies. Notably, they recommended this tax credit as a priority above increased spending for Federal programs.

More recently, the Communitarian Network, an diverse group of individuals and organizations committed to shoring up our moral, social, and political environment also recommended increasing tax protection for families with children. Their position paper on families advocated a $600 family allowance, which is in effect how this $600 per child tax credit would function. Under this proposal, a family with two children would have an additional $100 per month. This $100 per month represents the approximate cost of groceries for a family of four for a week to 10 days, the cost of child care for 1 to 2 weeks. For another family it could provide the additional income to add to a college savings plan, savings for a first home or money to save for retirement.

In the 102d Congress a family tax relief measure that I introduced, H.R. 1277, which increased the dependent deduction for children, gained the bipartisan support of 262 House Members. This tax credit serves the same purposes and will allow families to keep more of their own hard-earned money. I invite my many colleagues who supported this tax relief measure to join me again in this larger effort to reinvest in families.

A credit for adoption expenses of up to $5,000 in expenses so that adoption is more easily accessible to those of modest means and we can reinforce this positive solution to out-of-wedlock births. Legal costs associated with adoption can run into tens of thousands of dollars. This credit will provide adoptive families with more tax protection in the first year that they adopt a child. This in turn could allow families more flexibility in taking family leave to attend to the particular needs in attending to an adopted child.

Short-term grants for companies to explore and/or expand family friendly work policies to employees. This would include work policies such as part-time jobs, flexitime, telecommuting, and job sharing. This program would provide seed money for employers to design programs and policies to assist employees trying to balance family and work responsibilities. Inflexible work schedules make it difficult for working parents to juggle day care arrangements, after school care, or care of a sick child.

These grants will allow employers to establish work and family programs and to coordinate their efforts through assessing the needs of employees, conducting employee surveys, focus groups, or whatever best assists a company in determining how best to meet the needs of their employees. This measure will be particularly timely because with the onset of mandated family leave, employers will by necessity have to implement at least this one work and family policy.

These grants will allow employers to strategically plan for adopting family leave in conjunction with other work and family programs that might complement and enhance family leave policies and provide families with the financial means to take advantage of family leave policies which are usually unpaid. For example, a company could provide part-time and job sharing initiatives to complement a family leave policy so that mothers of young children could come back to work on a reduced schedule and have more time to spend with their child in the first few years. We know that family experts of all stripes agree that the first few years of life are the most important and a comprehensive work and family strategy can better accommodate these realities in conjunction with the particular needs and interests of their employees.

Family friendly policies such a flexitime, for example, can also reduce the cost to families of child care by allowing parents to stagger their work hours to reduce the number of hours they need child care or to provide the care themselves. Flexitime policies are the most frequently used family friendly policy in the Federal Government with over 40 percent of employees taking advantage of flexitime hours. A number of large companies have also started to implement such policies and many more are expected to. Many employers, including the Federal Government, have learned the positive impact of flexible and supportive work policies. The Federal Government, for example, has over 90 on-site child care centers for Federal employees. This is a positive way to help flexibly adapt to the many demands on today's families.

Expanding IRA's by allowing penalty-free withdrawal for first-time homebuyers, education costs, or medical emergencies and increasing the fully deductible limit to $75,000 for singles and $100,000 for couples. This expansion of IRA's was passed last year in H.R. 11 with the support of then Senator Lloyd Bentsen. Studies show that the baby boom generation is failing miserably in saving for higher education and retirement.

A recent Washington Post article reported that baby boomers are saving only a third of what they will need for a comfortable retirement. Americans' savings rates are far below other industrialized nations and this in turn provides less capital available for investment. Expanding and indexing IRA's, as well as allowing limited use for additional purposes such as first-time home purchases, will provide an incentive to save and plan for the future to millions of families.

The lack of saving in America has also hurt our productivity. Sustained economic growth requires more saving and investment. Savings provide the funds for economic expansion and investment capital. When there is more capital available, businesses will have the resources to invest in new technologies, equipment, and worker training and retraining. This will in turn reduce the deficit, as the economy grows and people go back to work.

Increased savings results in what a recent Merrill Lynch study calls a virtuous cycle—from saving to investment to higher wages to additional saving which drives economic growth and rising prosperity. Therefore, increased saving not only will assist the lives of individuals and families but will also serve our national interests in economic growth and job creation. As the Merrill Lynch study pointed out, even if we eliminated the Federal budget deficit, we would still have a national savings program. That is why we must also focus on individual savings to eliminate both the Federal and personal savings deficit. This will provide more long-term security for both families and our Nation by allowing middle-class families more incentives for long-term savings and investment.

Medical savings accounts will allow individuals to spend their current health care dollars in a different manner. One of the biggest problems with our current health care system is high costs that restrict access and impact even those who are currently covered from utilizing services, such as primary care, which often are not covered or subject to a deductible. On the average, the cost of an employer-provided family health plan is $4,500 per year. The employer buys a group plan that provides third-party insurance payment for each employee's health care with a deductible of $100 to $250.

Medical savings accounts will allow that same $4,500 to be spent in a different way by allowing employers to put say $3,000 into a medical IRA for

each employee, which the employee uses to pay the first $3,000 of his family's health care costs each year while the remaining $1,500 is used to buy health insurance that pays for all medical expenses above $3,000. The employee ends up having first-dollar coverage unlike the present system and the funds can also be used for health care related expenses not covered under the policies many individuals and families carry—expenses such as dental care, eyeglasses, or mental health costs. These funds are also portable and would make health insurance much like auto, home, and life insurance—tied to the employee, not the employer.

Even better, any portion of the $3,000 that is not spent on health care accumulates in the medical IRA year after year. This will introduce into health care spending more patient control. Patients will have the security of having a medical fund, but they will also be spending their own money in purchasing health care.

These funds can also be used to pay premiums during periods of unemployment or self-employment or in between jobs. As long as the IRA money is spent for health care it would remain tax free. Also, under this plan, premiums will be allowed to be 100 percent deductible, unlike present law which only permits a 25-percent deduction.

These funds would provide security and long-term insurance for health care costs—costs that cause many families great concern and hardship today. They would also go a long way toward solving the problem of the uninsured, many of whom are in between jobs and only without insurance for brief periods of time.

Single and working mothers would particularly benefit from this plan because they are more likely to go in and out of the workplace and will benefit from health plans that are tied to the individual rather than the employer. Medical savings accounts are a good first start in overall health care reform and have had bipartisan support from such diverse Members as Representative ANDY JACOBS and Representative BILL ARCHER. The control over health care under such a plan would remain overwhelmingly with individuals instead of a vastly expanding health bureaucracy. It would also make individuals responsible for capping costs rather than the Government.

Obviously, no single plan can solve the complex problems in the health care debate but we can make our tax system more oriented toward spending our current health care dollars in a more efficient manner. Getting a handle on medical costs which represent one of the fastest growing costs in the family budget will also impact upon the national budget and the budget deficit.

This plan also includes progrowth policies including cutting the capital gains tax and establishing enterprise zones to encourage job creation in distressed areas. Most capital gains are being paid by middle-income taxpayers, particularly a large number of middle-class elderly. The United States has the highest capital gains tax in the industrialized world. Reducing the capital gains tax is one of the most important steps we can take to help both families and the national economy. For example, the largest chunk of savings for most Americans continues to be their home. Eliminating capital gains tax on the sale of a primary residence will restore security to families for whom this is their single greatest investment and provide them with additional insurance as they get older.

Nationally, high-tax rates on capital gains inhibit capital formation by reducing the long-term return to entrepreneurial activity. Lowering the tax will stimulate capital investment—particularly in many of the new technologies and new businesses that most of us would like to see expand and create jobs—good paying jobs. This would in turn provide higher rates of economic growth and improved international competitiveness and a reduced deficit.

The enterprise zones provisions would provide additional incentives for capital investment in targeted distressed areas that suffer high unemployment rates and are most in need of significant job creating incentives and increase the costs of so many of our struggling Federal social programs.

During the 1980's, we grew the economy by $3 trillion—almost doubling the economy from $3 to $6 trillion. If we only do half as well again—we can reach a $9 trillion economy that could better provide the resources, both public and private to build up America and pay down the deficit.

Finally, this measure includes educational reform measures including a GI bill for children and an expansion of flexible spending accounts to allow for coverage of education costs.

The GI bill for children will provide $1 billion a year over the next 4 years for $2,000 scholarships to middle- and low-income children to attend the school of their choice. Today, choosing a school is mainly an option for families wealthy enough to move to a desirable neighborhood or those who can afford private or parochial schools.

Most of the parents in the new administration, including the President and Vice President, have opted to take their children out of the D.C. public school system because they can afford choice. If the very public choices of our leaders do not undermine public education why should private choices by individual families cause concern? What is good enough for their children should be good enough for your children and the many low-income children from families with little choice.

The fear that this measure would harm the public schools is unfounded. In fact, most of the scholarship money is likely to go to families choosing a public school. Thus, this measure will both empower parents and give them a stake in their schools and give many of our poorest school districts a targeted infusion of additional money.

This pilot program will provide an impetus to transform our education system, through the power of parents as consumers, in choosing schools for their children. Just as the GI bill, after World War II, gave veterans an opportunity to exercise consumer power to help create the best colleges and universities in the world, the GI bill for children will open up the same possibilities.

Choice in education, for example, would allow real change for a single mother in the inner city who hopes for the same things we all do for our children—a good education and a brighter future—now. The GI bill for children would allow her to select the school her child is to attend. She would not have to await top-down changes, more 5-year plans or the kindness of bureaucratic strangers. Change would literally be in her own hands; she could choose to have her child move to the head of the class.

The GI bill for children would truly shake up the educational system in this country and help all children and families to have a fair start. Instead of break the bank policies that would shake down the American taxpayers for more money for more of the same old thing that could fail another generation of school children, we can provide parents with the opportunity to determine the educational destiny of their children. Our international competitors employ school choice—so should we. Even Russia, as of January 1, allows parents the right to choose a school for their children. I would hope that we here in the United States can be at least as open to change as Russia. If parents cannot break through the education bureaucracy; we must supply them with other means because our children simply cannot wait any longer. Education delayed is education denied.

A provision to expand employee flexible spending accounts would also assist families by allowing employers to set up accounts for employees to set aside pretax dollars to be used for education costs including: preschool costs, elementary, secondary, college, post-graduate and retraining purposes in public or private institutions. This plan would be an expansion of the current flexible spending accounts that employers are permitted through the Tax Code to provide to employees for child care and health care costs. Up to $5,000 in education costs could be set in these accounts each year that could provide for a lifelong commitment to education.

THE VISION

I believe this plan provides a comprehensive approach to invigorating and investing in families, rediscovering the forgotten middle class and defining a future that involves actively participating citizens and families. More control and more responsibility will be placed in the hands of citizens, rather than the Government. The Family and Economic Recovery Act implicitly trusts the common sense of the American people and provides them with the means to more fully take advantage of opportunities and provide for their futures.

Instead of looking to the Government to solve all of the Nation's problems, our vision focuses on the unlimited talent and potential in our Nation's communities. Instead of looking to the armchair experts and special interest groups this measure focuses on policies rooted in choice and opportunity—policies which unleash the talent of the multitudes. This is what real change is about—freedom, opportunity, responsibility.

Financially empowering families is a strong profamily measure that recognizes that a dollar in the hands of a caring parent can be stretched more effectively and more creatively than one in the hands of the Government. Allowing families to keep more of their own hard-earned money and allowing them more control and choices in the important areas of health care, education and long-term savings are some of the simplest and best ways to empower families and allow them to function on their own. This addresses the financial deficit experienced by many of today's hard-pressed families.

Increasing tax rates on families is not what today's families want or need. Furthermore, increasing tax rates resurrects the marriage penalty for two-earner couples. Higher tax rates force more second earners into the workplace and yet, once in the workplace, it penalizes the work efforts of many working mothers with a marriage penalty. By adjusting the income thresholds at which the top tax rates kick in, the Clinton plan would impose a new tax rate on a family with four kids earning $150,000, yet a single person earning $110,000 would not have their tax rate increased. Is this fair to today's working mothers and fathers trying to save and invest in the future and invest in their children?

The incentives for flexible work policies are important because they address the time deficit that many families face today. Many parents wish to spend more time with their children and want more flexibility to do so. A recent survey found that Americans believe parents having less time to spend with their families is the single most important reason for the family's decline in our society.

Furthermore, many of the problems in the area of increased youth crime, increased teen pregnancies, increased teen suicide and the like are strongly connected to the fact that too many kids today are left on their own—home alone. This problem crosses racial and socioeconomic lines—it is a problem throughout our society. Over the years I have shared with many Members of Congress my concern about the burdens on today's mothers and fathers and have often quoted the lyrics from the Harry Chapin song, "The Cat's in the Cradle": "When ya coming home Dad * * * I don't know when, we'll get together then * * *." These lyrics are not only sung on the radio but too often heard across the country from our children.

This is due in large part to the economic pressures on today's fathers and mothers. The policies put forward in this bill will work to alleviate some of these pressures and give families the ability to address the twin deficits of too little time and too little money. Tax and work/family policies which empower families allow families their proper place at the center of all of our lives. This is important because if this center does not hold, our society may very well fall apart. Children need the secure base that a family and a supportive community provides.

Too often the Government solution has been to add to the tax burden on families, which in turn contributes to the unraveling of the delicate social fabric of the family. The questions are really quite simple * * * do families want to work more for Uncle Sam or for their families? How many more hours can today's mothers and fathers work and how many more hours can we afford for parents to be away from their children? Do they want Government to have more or less control over the complex and delicate questions of importance to families?

This measure clearly places our trust and commitment directly in the hands of the American people. We trust the American people to take advantage of opportunities in a growing economy, we trust businesses and employees to work together for family friendly workpolicies; we trust parents to select the school of their choice for their children and we trust the American people enough to allow them to keep more of their own hard-earned money. This measure brings change back home—back to families and communities and back to Main Street.

Much of this can be accomplished by revenues generated from new growth and redirecting spending cuts to families rather than expanding Government. This will put control and responsibility back into the hands of families and businesses so they can do the reinvesting in our economy and communities.

This will involve a redirecting of our priorities from investing in Government to reinvesting in families and individuals. By putting families first, we provide the kind of upfront investment that can save many of the later costs associated with broken or troubled families. By providing the means for mothers and families to invest their own money and time in their own families and communities we rebuild our social infrastructure from the ground up—family by family, community by community.

This is a program that could be phased in over a number of years with coordinated spending cuts as we direct the money back to families and individuals. Lowering the rate of growth of many of our Federal programs would be feasible if we are doing so to send the money back to the taxpayers themselves to do the job of raising their children, paying their bills, and saving for the future.

This is the kind of reinvestment in people we can all support. Over the past few decades we have witnessed what those around conference tables and task force tables have recommended for families. It is time that families themselves have their turn. After all, the family is the best Department of Health and Human Services.

Of course, no Government policy can solve the myriad problems evident in our society today. Over a year ago, a report from the Bipartisan National Commission on Children, which included among its members, then Governor Clinton stated:

> Rising rates of divorce, out of wedlock childbearing, and absent parents are not just manifestations of alternative lifestyles, they are patterns of adult behavior that increase children's risk of negative consequences.

Senator MOYNIHAN, in his recent article, writes how our society increasingly normalizes pathological behaviors. MOYNIHAN argues "we are getting used to a lot of behavior that is not good for us." The "trivialization of the lunatic crime rate," soaring out of wedlock births and rising rates of divorce are greeted with nonchalance. MOYNIHAN quotes a judge in New York who has seen the cultural horrow show up close:

> The slaughter of the innocent marches unabated: subway riders, bodega owners, cab drivers, babies; in laundromats, at cash machines, on elevators, in hallways. This numbness, this near narcoleptic state can diminish the human condition to the level of combat infantrymen, who, in protracted campaigns, can eat their battlefield rations seated on the bodies of the fallen, friend and foe alike. A society that loses its sense of outrage is doomed to extinction.

In our homes, in our neighborhoods, in our schools, in our communities, we can fight these outrages and turn this tide if we are given the resources. Bill Galston encourages—the current state of affairs "is not an irresistible undertow that will carry away the family. It is more like a swift current against which it is possible to swim." People and society can change. As a people, we

have always had the capacity to reinvigorate our culture and institutions and begin anew.

I invite my colleagues to join me and cosponsor, the Family and Economic Recovery Act of 1993 and begin anew.

SUMMARY OF THE FAMILY AND ECONOMIC RECOVERY ACT

PRO-FAMILY TAX RELIEF

A $600 per child tax credit for each child under the age of 19. Inflation has eroded the value of the dependent exemption over the last 40 years. A credit is the most direct way to provide relief to families. The credit is non-refundable but it can be used against both income tax and payroll tax liability. This measure will restore a large amount of the lost tax protection for families.

A Credit for Adoption Expenses of up to $5,000 in expenses so that adoption is more easily accessible to those of all means and this positive solution to out-of-wedlock pregnancies is enhanced.

PROMOTING FAMILY FRIENDLY WORK POLICIES

Providing assistance in the form of temporary grants to businesses to develop and promote family friendly work policies such as part-time jobs, job sharing, flexitime, flexiplace, telecommuting or working from home.

FAMILY AND MEDICAL SAVINGS ACCOUNTS

Expanding IRAs for Home Ownership, Education and Medical Expenses and increasing income limits for fully-deductible IRAs. Allow penalty-free IRA withdrawals and increase fully-deductible limit to $75,000 for singles, $100,000 for couples.

Medical Savings Accounts which would allow individuals to set aside pre-tax dollars to be used for health care costs. If unused during the year, this money would be allowed to accumulate and compound tax free like IRAs and could be utilized for long-term health care needs or retirement needs. The health care premium deduction for the self-employed would also be made permanent and expanded to 100 percent.

PRO-GROWTH INCENTIVES

Cutting the Capital Gains Tax to 15 percent for everyone except those in the 15 percent bracket who would pay zero percent rate and also including a zero rate on the gains from the sale of a primary residence. This proposal will help small business owners, which include many family owned businesses and family farmers by reducing the cost of capital. It would assist homeowners by allowing them to retain the sweat equity of their investment in their homes that is currently allowed to be swallowed up by paper inflationary gains. It will also greatly benefit the poor and unemployed by creating up to 2.5 million additional jobs for the economy.

Enterprise zones offer special tax incentives to companies that are willing to locate and create jobs in economically depressed areas. Up to 50 zones would be selected over a four-year period, and one-third would be in rural areas. The Federal tax incentives provided for zones would include an employee credit, a capital gain exclusion, and stock expensing.

EDUCATIONAL EMPOWERMENT FROM PRE-SCHOOL TO COLLFGE

GI Bill for Kids which would provide a pilot school choice program allowing vouchers of up to $2,000 for working and middle class families. This measure would allow families of lower or modest income to have the same kind of choice in education that more affluent families currently enjoy. $1B per year would be allocated to states per year over the next four years to pilot the program.

An expansion of Employee Flexible Spending Accounts. Currently these plans allow participating employers to set aside pre-tax dollars for employees for their own education (up to $5,250), child care (up to $5,000) and health care. The expansion in education assistance plans would allow education funds to be used for an employee, spouse or dependent children for education costs including: pre-school costs, elementary, secondary, college, post-graduate or retraining purposes in public or private institutions.

□ 1600

CRIME IN NEBRASKA

The SPEAKER pro tempore (Ms. MCKINNEY). Under a previous order of the House, the gentleman from Nebraska [Mr. HOAGLAND] is recognized for 5 minutes.

Mr. HOAGLAND. Madam Speaker, for the RECORD I insert a letter that I sent to Attorney General Janet Reno.

Hon. JANET RENO,
Attorney General of the United States,
Washington, DC.

DEAR ATTORNEY GENERAL RENO: I am writing because I am very concerned about the need to pass significant crime control legislation quickly. We have had a major increase in crime in my hometown of Omaha, Nebraska, this April. Residents of our community are becoming afraid to go out at night. The crime wave has shocked our entire community.

I was a member of the Crime and Criminal Justice Subcommittee of the Judiciary Committee during the last Congress when we worked hard to pass comprehensive crime legislation that would directly help communities fight crime. You will recall that the legislation passed the House in 1991, but was blocked by gridlock and a Republican filibuster in the Senate.

I urge the Administration to proceed as quickly as possible to work with the Congress to enact as many elements of last year's Crime Bill as possible.

I am enclosing an article from the Omaha World-Herald of April 23, 1993, entitled "April Shootings In Omaha." Gang- and drug-related crime is up substantially from the first three months of last year. So far this month we have experienced 21 incidents involving the discharge of firearms, including:

Five drive-by shootings resulting in injuries to two people and considerable property damage. Two of the shootings occurred last Saturday.

Two gang related killings, one "execution" style in a bathroom at a McDonald's Restaurant late Saturday night, and the second, a killing in an alley a week ago last Monday by a rival gang member.

Two accidental shootings involving an 11-year-old and a 14-year-old playing with weapons. These, of course, are attributable to large numbers of unlicensed and illegal guns on the streets of Omaha.

A number of incidents involving fender bumps and arguments on our streets and highways. One of these resulted in two teenagers being shot last Saturday.

Shootings and deaths resulting from arguments among acquaintances and family members, as described in the enclosed article.

In addition there have been fifty-three rapes since the beginning of the year. Many of them are believed to have been committed by the same individuals.

I am deeply distressed over the failure to pass the Crime Bill in the last Congress because many of the provisions in that bill dealt directly with, and might have deterred, many of the types of crimes recently committed in Omaha.

For instance, the 1991 Crime Bill included:

Provisions making drive-by shootings a federal offense where the shooting was done with the intent to injure. A drive-by shooting resulting in a death was made a federal capital offense.

Provisions making the gang-related use of a handgun a federal offense where it results in injury or death. A gang-related shooting resulting in a death was made a federal capital offense.

A five-day waiting period for the purchase of handguns.

Provisions designed to make our schools safer, our confinements of juveniles yield better results, and our drug diagnosis and treatment efforts work more effectively.

Last Congress, under the leadership of full Judiciary Committee Chairman Jack Brooks and Subcommittee Chairman Chuck Schumer, the subcommittee held thorough and complete hearings on all aspects of the Crime Bill. We put together an effective piece of legislation. These fully developed proposals could be enacted quickly. They would significantly increase our ability to combat crime in communities like Omaha. I urge you to send a bill to Congress or ask the Committee to develop its own bill as quickly as possible.

I would appreciate an opportunity to visit with key members of your team at the Justice Department to urge that they move quickly in this area. Two of the finest and strongest leaders we have in Congress, Jack Brooks and Chuck Schumer, stand ready, I am sure, to move quickly on these issues.

Please give us some help before things get worse in Omaha.

Very truly yours,

PETER HOAGLAND.

Madam Speaker, let me just spend a minute or two talking about this letter. We have had a crime wave of violence in Nebraska. This April we have had five drive-by shootings, we have had two gang-related killings, we have had two accidental shootings involving an 11-year-old and a 14-year-old, and we have had 53 rapes since the beginning of the year.

I am calling on the Attorney General in this letter to expedite passage of the crime bill. In the crime bill that we developed last Congress, which got bogged down because of gridlock and because of a filibuster in the Senate, there were many provisions that would have dealt directly with the kind of gang and drug-related violence we are experiencing in Omaha today. There is really no reason for us not to receive from Justice a proposed crime bill for this Congress, or else turn Chairman SCHUMER and Chairman BROOKS loose of our Committee on the Judiciary to develop a crime bill here in the House.

Madam Speaker, I would just urge the administration to move quickly on this subject, because there are a lot of crimes occurring around the country

that might be deterred by a provision in last year's crime bill. We ought to get on with it and get it passed this year.

CAP ON TAX DEDUCTION ON EXECUTIVE SALARIES

Madam Speaker, the second issue I would like to address here is to announce my support of President Clinton's proposal to cap the tax deduction on executive salaries at $1 million. Salaries are a cost of doing business and therefore should be deductible, but I think there has to be a limit somewhere. Many people in Nebraska have expressed to me their concern that executive salaries seem to go up even when the failures of their management result in revenue losses and massive layoffs. When hard working Nebraskans find out that the companies can deduct the full amount of even the biggest salaries, they are outraged. When I read articles like the Business Week cover story of April 26, 1993, I feel the same way.

It seems to me that there is a point at which compensation goes beyond what we normally think of as the cost of doing business, and moves into the range of executive greed and ego gratification. Perhaps the market for CEO's can continue to sustain such overinflated compensation packages, but the U.S. Treasury no longer can. Overall, every dollar paid by a large company to its executives reduces their tax liability by 34 cents.

I don't pretend to know exactly where the cost of doing business stops and the poor judgment of executive compensation committees begins. But the President has proposed that the tax deduction for executive salaries be capped at $1 million, and I am included to support that position. He has proposed further that any additional deduction must be justified by performance-based criteria, and approved by the shareholders. This would allow companies to choose to compensate their executives at whatever level they want, but the American taxpayers would not subsidize those decisions by forgoing tax revenues because of an unlimited tax deduction provision.

J.P. Morgan once said that no executive should earn more than 20 times the pay of the average worker. In Germany today, the average CEO makes roughly 23 times the salary of the average worker, and in Japan, the average CEO earns roughly 17 times the salary of the average worker. In the United States, the gap between most workers and CEO's is far wider. According to the April 26, 1993, Business Week, average CEO's of large U.S. corporations made over $3.8 million last year. The median household income in the United States is approximately $34,000. American CEO's make more than 100 times what the median American family makes—and in many of those families, both the mother and father are working.

I am distressed by the widening gulf between the haves and the have-nots in this country. I am concerned for the families that work harder and harder and still fall behind. But let me make clear that by endorsing the President's proposal, I don't mean to engage in class warfare, nor do I think—as critics of the proposal have charged—that this will raise up the working families by tearing down the wealthy. I just do not feel that it is fair to allow an infinite tax deduction for compensation. When the deficit is spiralling out of control and bringing down the living standards of the average American, our tax policies should not favor paying corporate executives 8-figure salaries. We have to draw a line somewhere. The Clinton administration proposal is not an unreasonable tax policy. It won't balance the budget, but it will help restore a sense of fairness to the millions of working Americans who are shocked at the excesses of corporate boardrooms. That sense of fairness is important in a democracy, in a system where the voluntary compliance with the tax system is what keeps the Government going.

INTRODUCTION OF H.R. 1898

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

Mr. KIM. Madam Speaker, once again this Congress is playing a game with the American people.

To be more specific, Madam Speaker, Congress is creating artificial surpluses and counting them as revenue to make the deficit seem less than it really is.

The money is there, we have surpluses, and it cannot be used for anything else.

Why is Congress playing this shell game with the taxpayers' money? I will tell you why.

By taking this artificial surplus and hiding it in the budget, Congress is able to doctor the deficit numbers. That is wrong. In the private sector, if an accountant fixed numbers like this he would be sent to jail.

But Congress lives above the law.

Madam Speaker, it is time for Congress to come clean with the American people and restore the public's confidence in our Nation's infrastructure trust funds.

Yesterday, I introduced legislation that would take the infrastructure trust fund off budget to ensure that these special accounts are used only for the infrastructure projects for which they were designed.

In establishing trust funds, Congress promised the American taxpayer that specific transportation user fees and taxes, like the gas tax, would be set aside and used only for transportation infrastructure.

For example, the Federal gas tax we pay at the pump is to be used solely for highway projects and the special fee ships pay for using American ports is to be used to pay for harbor maintenance and improvements.

While no one likes to pay taxes, the American public has been willing to pay these specific taxes because they know this revenue is reinvested in better roads, bridges, airports, and shipping lanes.

The American people understand that these infrastructure projects translate into economic growth and jobs.

But what the American public does not understand is why, if surpluses exist in these trust funds, are they being asked to support more deficit financing to fund the highway bill?

The answer lies in deceptive congressional budgeting.

Let's look at the following simple example involving only one of the four trust funds, in this case, the Highway Trust Fund: for 1993, the multi-year Highway bill authorizes $26.2 billion to pay for important road and bridge projects that will create tens of thousands of new jobs. We need these projects and we need these jobs.

Yet, only $17.8 billion—only 66 percent—will be spent. That means over 33 percent of available funds for the year alone are being held hostage and used to manipulate the Government's budget books to make the deficit appear smaller than it really is; $1 out of every $3, that's outrageous. Think of all the lost jobs and unfinished roads.

Now, we realize that this example represents only 1 out of 6 years of the Highway bill and only 1 out of 4 infrastructure trust funds. This kind of deception is occurring repeatedly over the years with all four trust funds and is costing America hundreds of thousands of new jobs and much needed infrastructure improvements. What's even more outrageous is that this deceptive accounting system is so complicated—the bureaucrats and Congress don't even really know where all the money is and how much is actually being spent. That's ridiculous.

My bill, H.R. 1898 ends this pattern of deception. No more business as usual. It is time for honesty. By taking the trust funds off budget, it reserves them as separate accounts for infrastructure—just as they are supposed to be.

Madam Speaker, when the American people says its time to put an end to business as usual practices, this is exactly what they are talking about.

H.R. 1898 will restore public confidence in these trust accounts. This is honest, responsible accounting that the American taxpayer can understand and support. And it deserves the support of every Member of Congress.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 123

Mr. SCOTT. Madam Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 123.

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

There was no objection.

THE MICKEY LELAND CHILDHOOD HUNGER RELIEF ACT OF 1993

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

Mrs. CLAYTON. Madam Speaker, the issue of hunger has recently come under a heightened amount of attention. The hunger fast of our esteemed colleague, TONY HALL, has served to cast additional light on this problem. Internationally, we have witnessed the deaths of literally thousands of people in countries such as Somalia due to inadequate food supplies caused in part by warring clans. However, at the same time, we are confronted with a growing domestic hunger dilemma that reaches into the ranks of those who are most vulnerable: our children. I believe that the Mickey Leland Childhood Hunger Relief Act of 1993 speaks to this grave concern.

The nationwide community childhood hunger identification project [CCHIP] released in 1991 reported that 5.5 million American children under age 12 are hungry. This means 1 out of every 12. Furthermore, an additional 6 million children find themselves in families that are at-risk of hunger because of recurring problems of food shortage. These figures are astonishing in light of the abundance that we find in American agriculture.

These figures were underscored by the testimony of the Secretary of Agriculture, Mike Espy, at yesterday's hearing at the Committee on Agriculture. According to the latest statistics, 35.7 million people live in poverty in this country. A staggering 21.8 percent of our children, more than 1 in 5, grow up in poverty. Secretary Espy also announced an all time high in food stamp participation of 26.9 million Americans for the month of February.

Madam Speaker, the Food Stamp Program is the only program in America that comprehensively addresses the issue of hunger. It is the only hunger program that is available to everyone. This includes those groups who are most vulnerable to the problem of hunger such as the elderly and the young. One-half of the recipients of food stamp benefits are children, while 80 percent of the benefits in the program go to families with children. Put simply, it is the front line of defense for preventing hunger in America.

The Food Stamp Program is not perfect and it is not a solution for poverty and the problems we see in our poor rural areas and inner cities. To support the Mickey Leland bill is not to disparage future attempts at welfare reform or attempting to make people more self-sufficient. To support the Leland bill is to support the hungry and our children who are the future of this Nation.

We must not accept hunger as a standard in this country. The provisions of the Mickey Leland bill speak to the problem of hunger by providing basic subsistence to those who are in desperate need. I deeply urge my colleagues to support the efforts of the administration by supporting the Mickey Leland Childhood Hunger Relief Act of 1993.]

INTRODUCING LEGISLATION TO STOP NUCLEAR PROLIFERATION IN THE FORMER SOVIET UNION

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

Mr. STARK. Madam Speaker, today I am introducing the Former Soviet Nuclear Threat Reduction Act of 1993, legislation to stop nuclear proliferation in the former Soviet Union. I am pleased to have my distinguished colleagues, Mr. EVANS, Mr. DICKS, and Mr. BERMAN, join me in this effort.

The 1991 Soviet breakup left large nuclear arsenals on the soil of Belarus, Kazakhstan, and Ukraine. Right from that moment, the United States had made a priority of achieving a nuclear-free status for these three republics. The world is already a dangerous enough place without more countries armed with the ultimate weapon.

Last May, Belarus, Kazakhstan, and Ukraine each signed the Lisbon Protocols to the START treaty, which obligated them to give up all of their nuclear weapons and join the Nuclear Non-Proliferation Treaty [NPT]. But so far, only Belarus has followed through on this commitment, ratifying the NPT in February. Ukraine, especially, has given mixed signals. Ukrainian President Leonid Kravchuk continues to assure the United States that Ukraine will ratify START I and the Nuclear Non-Proliferation Treaty [NPT]. But some members of the Ukrainian parliament have argued against giving up their nuclear status.

The stakes for the United States are enormous. If Ukraine retains the nuclear weapons on its soil, then the START I will not go into force, leaving the United States and Russia with nuclear arsenals far larger than are necessary and costing United States taxpayers billions of additional dollars. A nuclear-armed Ukraine would also put in jeopardy the future of the NPT, which comes up for extension in 1995. Some of our European allies may rethink their non-nuclear status if they see additional nuclear powers to the east. If Ukraine fails to join the NPT, it would increase the chances of nuclear smuggling, raise the possibility of a regional nuclear war, and set a terrible precedent for other countries which want an A-bomb capability. Last month, North Korea announced it was dropping out of the NPT. If Ukraine doesn't follow through on its nonproliferation commitment, it could provide further justification for other countries to build the bomb.

The legislation I am introducing today will reward Belarus for keeping its nonproliferation promise and provide added incentives for Ukraine and Kazakhstan to do the right thing. The Former Soviet Nuclear Threat Reduction Act of 1993 is modeled on similar bills passed in 1991 and 1992 which established the $800 million Nunn-Lugar program to aid the former Soviet republics in transporting, storing, and dismantling their nuclear weapons.

This year's bill creates a $500 million program with the former Soviet republics on nuclear safety and cleanup. Assistance would be linked to the Republics' ratification of the Nuclear Non-Proliferation Treaty. Thus, Russia and Belarus would be immediately eligible for aid, while Ukraine and Kazakhstan could receive as soon as they join the NPT.

The Energy Department currently has about $4 billion in leftover defense funds from prior year budgets. Some of this money was earmarked for programs that have since been canceled. This legislation directs the President to transfer up to $500 million in these leftover funds for this new nuclear safety program. This could help make up a large portion of President Clinton's new $1.8 billion aid pledge to the former Soviet Union without requiring a new appropriation.

The former Soviet republics have a compelling reason to accept the conditions of this program. One of the most hideous legacies of the old Communist regime is the poisoned land, air, and water stemming from the Soviet nuclear complex. Large sections of the East European countryside in Belarus and Ukraine remain contaminated from the Chernobyl explosion. Russia and Ukraine still operate more than a dozen Chernobyl-model reactors with the same fundamental design and construction flaws that caused the initial accident. Russia continues to dump nuclear waste from decommissioned nuclear submarines into the Arctic and Pacific oceans. Finally, Russia is still producing bomb-grade nuclear material, even though the United States halted production in 1988. This poses obvious severe proliferation and environmental consequences, as the recent Tomsk-7 explosion so frighteningly demonstrated.

A cooperative program on nuclear safety and environmental assistance offers more than simple handouts. It's partnership that would provide direct, tangible benefits to the people of these Republics. The programs would provide work for nuclear scientists and industrial workers in the United States and the former U.S.S.R., cushioning the defense cutbacks both sides are undertaking. Already, a number of United States firms have proposed specific cooperative ventures to help clean up the Soviet nuclear mess. But these projects need some direction and support from the United States Government.

President Clinton has recognized the importance of preventing proliferation and aggressively aiding the course of reform in the former Soviet Union. As he stated in his February 26 speech at American University, "* * * these (former Soviet) republics now have a wealth of resources and talent and potential, and with carefully targeted assistance, conditioned on progress towards reform and arms control and nonproliferation, we can improve our own security and our future prosperity at the same time we extend democracy's reach."

This program will take concrete steps that will help reach those goals.

H.R. 1948

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 "Former Soviet Union Nuclear Threat Reduction Act of 1993".

SEC. 2. PROGRAM TO REDUCE NUCLEAR THREAT IN FORMER SOVIET UNION.

(a) ESTABLISHMENT OF PROGRAM.—The President shall establish a program to reduce the environmental and national security threats from nuclear facilities located in the former Soviet Union, specifically the threat from nuclear facilities located in Belarus, Kazakhstan, Russia, and Ukraine.

(b) CONDUCT OF PROGRAM.—In carrying out the program established under subsection (a), the President shall meet the following requirements:

(1) PROVISION OF ASSISTANCE.—Subject to section 3, the President shall provide assistance to Belarus, Kazakhstan, Russia, and Ukraine to—

(A) accelerate the retirement of plutonium production and chemical separation facilities;

(B) accelerate the closure of Chernobyl-type nuclear reactors;

(C) establish alternative energy sources and promote energy conservation measures;

(D) identify, assess, and set priorities for the cleanup of nuclear contaminated sites;

(E) establish training and technology development programs for environmental restoration and waste management activities at nuclear contaminated sites;

(F) deactivate and safely dispose of decommissioned nuclear-powered submarines;

(G) store and dispose of spent fuel and other radioactive materials; and

(H) strengthen nuclear materials accounting and security systems, and foster cooperative means of verifying reciprocal data exchanges covering past fissile material production and current inventories.

(2) ESTABLISHMENT OF TECHNICAL WORKING GROUPS.—Not later than 180 days after the date of the enactment of this Act, the President shall establish with the appropriate independent states of the former Soviet Union and with other nations capable of producing nuclear weapons material bilateral or multilateral technical working groups in accordance with section 3151(c) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484).

SEC. 3. CERTIFICATION REQUIREMENTS.

The President may provide assistance under section 2(b)(1) to a country specified in such section only if the President certifies to the Congress that such country—

(1) has ratified the Treaty on the Reduction and Limitation of Strategic Offensive Arms (START I);

(2) has acceded to the Treaty on the Non-Proliferation of Nuclear Weapons;

(3) is eligible for assistance under section 1412(d) of the Former Soviet Union demilitarization Act of 1992 (section 1412(d) of the National Defense Authorization Act for Fiscal Year 1993; 22 U.S.C. 5902(d)) and section 502 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (Public Law 102-511; 22 U.S.C. 5852); and

(4) will not use assistance under section 2(b)(1) to support the continued operation or enhancement of plants for chemical separation of plutonium from the fission products in spent nuclear fuel.

SEC. 4. REPORTING REQUIREMENTS.

(a) PRIOR NOTICE TO CONGRESS OF OBLIGATION OF FUNDS.—The reporting requirements under section 1431 of the Former Soviet Union Demilitarization Act of 1992 (section 1431 of the National Defense Authorization Act for Fiscal Year 1993; 22 U.S.C. 5921) and section 3121(a)(2) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484) shall apply with respect to the obligation or use of funds for the program established under section 2(a).

(b) QUARTERLY REPORTS ON PROGRAMS.—Not later than 30 days after the last fiscal quarter of fiscal year 1993 and not later than 30 days after the end of each fiscal year quarter of fiscal year 1994, the President shall transmit to the Congress a report on the activities carried out under the program established under section 2(a) in accordance with section 1432 of the Former Soviet Union Demilitarization Act of 1992 (section 1432 of the National Defense Authorization Act for Fiscal Year 1993; 22 U.S.C. 5922).

(c) REPORT ON NUCLEAR STOCKPILE INFORMATION.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the Congress a report containing a description of the specific actions that have been taken and are planned to be taken to comply with the condition described in subsection (a)(8) (concerning nuclear stockpile weapons arrangement) of the Senate resolution of ratification of START I (Treaty Doc. 102-20 and 102-32).

SEC. 5. ADMINISTRATION.

(a) EXECUTIVE AGENT.—The Office of Defense Programs or the Office of Intelligence and National Security of the Department of Energy shall serve as the executive agent for the program established under section 2(a) and shall carry out such program in coordination with other appropriate Federal agencies.

(b) COORDINATION.—The President shall provide for the coordination of the program established under section 2(a) with other programs that provide assistance to the independent states of the former Soviet Union in accordance with the program coordination provisions of section 102 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (Public Law 102-511; 22 U.S.C. 5812).

SEC. 6. FUNDING.

The President shall transfer to the appropriate accounts for national security programs of the Department of Energy from amounts appropriated to the Department of Energy for years prior to fiscal year 1993 for such programs such amounts as are available up to $500,000,000 to carry out section 2(a).

REPUBLICAN REGULATORY RELAY

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

Mr. DELAY. Madam Speaker, today I take the well to run the opening lap of the Republican Regulatory Relay of the 103d Congress. The relay was first created in the last Congress as some 30 Members came to the House floor to detail stories of regulatory overkill. The relay team Members of this Congress are waiting anxiously at the gate to bring to our colleagues and the American public the results of a regulatory system run amok. I'd like to take this opportunity to enter into the RECORD the list of relay runners for this year.

SCHEDULE OF SPEAKERS FOR THE 1993 REPUBLICAN REGULATORY RELAY

April 20-22—Rep. Tom DeLay (TX).
April 27-29—Rep. Ernest Istook (OK).
May 4-6—Rep. Duncan Hunter (CA).
May 11-13—Rep. Sam Johnson (TX).
May 18-20—Rep. Tom Ewing (IL).
May 25-27—Rep. Jim Ramstad (MN).
June 8-10—Rep. Denny Hastert (IL).
June 15-17—Rep. Roscoe Bartlett (MD).
June 22-24—Rep. Henry Bonilla (TX).
June 29-July 1—Rep. Jay Kim (CA).
July 13-15—Rep. Cass Ballenger (NC).
July 20-22—Rep. Jim Greenwood (PA).
July 27-29—Rep. Mel Hancock (MO).
August 3-5—Rep. John Doolittle (CA).
September 7-9—Rep. Michael Crapo (ID).
September 14-16—Rep. Jim Saxton (NJ).
September 21-23—Rep. Bob Dornan (CA).
September 28-30—Rep. Cliff Stearns (FL).
October 5-7—Rep. Nick Smith (MI).

Our country is faced with a huge and growing Federal bureaucracy of overzealous regulators who ignore cost/benefit analysis and whose primary concern is validating their own existence. In the name of protecting the health and safety of Americans, the Democrat majority is passing mandates and calling upon this unelected and unaccountable regulatory bureaucracy to fulfill their social agendas.

At its best, the process makes no sense; at its worst, regulators classify children's teeth as toxic waste, force banks to make teller machines accessible to blind drivers, dictate that hard hats be disinfected before each use and require employers to inform employees about the hazards of coming into contact with Joy dishwashing liquid.

The direct costs of Federal regulations are estimated to be between $400 to $500 billion annually but if you take into account the indirect costs and include State and local regulation, the regulatory burden could be anywhere between $810 billion to $1.7 trillion per year or a staggering $8,400 to $17,0000 per year per household.

Further, as a direct result of the growth in the regulatory burden since 1990, the private sector has lost nearly 2 million jobs.

The evidence speaks for itself. Overregulation bloats the Federal Government, saps our businesses, levies a heavy hidden tax on our constituents, and impedes our ability to compete.

The Republican Regulatory Relay, which gets under way today, will fight the regulatory bureaucracy by highlighting—one at a time—the barrages of unnecessary and ill-conceived rules that are forced down the throats of American businesses and American consumers. From today until the October target adjournment date, a member of the relay team will take the well of the House each week to bring to our colleagues' and the public's attention the cost to our country of a regulatory process run amok. And each week, the focus will be on a different outrageous regulatory practice.

Members will give details of overzealous enforcement, overly burdensome

rules, unreasonable paperwork requirements, and rules that fail to achieve their goals. Such examples abound, and we who participate in the relay are determined to raise the volume of protest against regulatory overkill, as a small but necessary first step toward reforming the regulatory process.

Our message: The system for drafting, evaluating, approving, and promulgating rules must be overhauled. The lack of an effective regulatory review process to weigh costs and benefits is wreaking havoc on our economy. Some proposals for controlling the redtape tide are the enforcement of cost/benefit analysis, reauthorization of the Office of Information and Regulatory Affairs, or OIRA, through the Paperwork Reduction Act, the strengthening of the Regulatory Flexibility Act and regulatory budgets.

The regulatory horror story I will detail today is, unfortunately, a typical example of the Federal Government imposing another inane impediment handicapping the ability of our businesses to compete and recklessly raising the price of goods purchased by American consumers.

You may not realize this, but according to the Department of Transportation, the salad dressing you had on your salad at lunch is a hazardous material while in shipment.

That's right, the bureaucrats at DOT, in an attempt to prevent oilspills like the *Exxon Valdez* incident, have classified olive oil, peanut oil, canola oil, corn oil, safflower oil, soybean oil, and sunflower oil, as well as animal products like lard, tallow, and butterfat, as hazardous materials. An oil, or hazardous material, is defined as any substance that leaves a sheen on water at room temperature—a definition that includes virtually any liquid lighter than water that doesn't dissolve in it.

Stupidity of this nature is far from inexpensive. The classification forces transporters of edible oils to follow higher standards of care in transportation—the same standards applied to hazardous chemicals and hazardous waste products. And this is quite costly; this proposal will significantly hike freight rates and increase shippers' training and recordkeeping requirements.

The new rules would require carriers of these products to comply with labeling, placarding, packaging, and training provisions, in addition to forcing higher registration and fee payments, increased insurance, and more stringent license requirements. According to the National Industrial Transportation League, the rail rate for a typical hazardous material in movement is $120 per carload higher than a comparable shipment of edible oils shipped under current regulations.

And that's not all. These rules become even more bizarre when seen in the context of the Sanitary Food Transportation Act, a 1990 law that treats edible oils as a food category. This law was passed to protect consumers by keeping hazardous materials and food products in separate vehicles. The new DOT rules and the Sanitary Food Transportation Act actually prohibit the transportation of salad dressing and cooking oil with any other food—even if all of the other requirements for the transport of hazardous materials are met. Manufacturers of edible oils must be forgiven if they have a hard time understanding how their cooking ingredient products ended up lumped together with fuel oil and sludge.

Fortunately, however, these rules are not final. DOT regulators admit, "We realize that many of the comments that are coming in say that the definition is of little or no help to the reader * * *. When the final rule is issued, it will have a more helpful definition to the reader." Well, I hope so, but somehow I won't be at all surprised if, in fixing the problem for edible oils, the DOT bureaucrats make worse problems for other manufacturers.

Which brings me to another topic. I'd like to take a few minutes to discuss a bill I introduced last Thursday called the Private Sector Whistleblowers' Protection Act. In our efforts in the relay last year, we encountered an unmistakable reluctance of businesses and individuals to go on the record with the regulatory abuses to which they had been subjected. They feared that angry regulators would retaliate by doing anything from holding up permits to levying fines. Of course, agencies deny such abuse of power takes place. But the experiences of our constituents argue otherwise.

The Private Sector Whistleblowers' Protection Act makes retaliation a prohibited regulatory practice. Regulators found to have taken retaliatory regulatory action could end up paying $25,000 for each violation. Any individual or business injured or threatened by a prohibited regulatory practice may bring civil action in a district court against any person or agency alleged to have engaged in or threatened to engage in such a prohibited practice.

As our constituents struggle daily to comply with an unending array of regulatory requirements, at the very least they should be free to speak openly about regulatory actions taken against them that they believe to be unfair. Further, if Federal or State regulators are taking retaliatory action for such openness by our constituents, they ought to be held accountable.

When there is no accountability in a system, that system cannot work. When that system is a coercive one, and pervasive in society, it stops society from working properly.

We in the Republican party are committed to doing our utmost to bring accountability to the coercive, pervasive bureaucracy which is at fault for the suffocating overregulation of our country.

Madam Speaker, I include for the RECORD a copy of the "Backgrounder" from the Heritage Foundation:

HOW REGULATION IS DESTROYING AMERICAN JOBS

INTRODUCTION

During* the 1980s, America's ability to create jobs was the envy of the world. No longer. The American job-generating machine has ground to a halt, and regulation deserves much of the blame. The regulatory burden on U.S. firms relaxed through most of the 1980s, and private-sector employment grew by 19 million jobs. Most of these new jobs were created by small businesses, which are most sensitive to regulatory costs. Over the last four years, however, the regulatory burden has grown substantially (especially for small- and medium-sized businesses), and the private sector has lost nearly two million jobs since early 1990.

While government red tape is a costly frustration to American business, few business owners—or even government policy makers—appreciate the full impact of regulation. Among the little-known facts:

Government regulation costs at least $8,000 per household, and may reduce national output by as a much as $1.1 trillion per year.

Unnecessary and inefficient regulation at the federal, state, and local levels is now costing the American people somewhere between $810 billion and $1.7 trillion per year—even after taking account of the benefits of regulation—or between $8,400 and $17,100 per year per household.[1] A major portion of this cost consists of the additional goods and services that the American economy could have been producing today but is not because of over two decades of slower growth due to excessive and inefficient regulation. The value of this foregone output is somewhere between $450 billion and $1.1 trillion per year.[2]

Regulation reduces total U.S. employment by at least three million jobs.

Another heavy cost of regulation is reduced employment opportunities for Americans. This toll is not usually apparent, because in most instances regulation merely leads to a slower growth in employment rather than to visible loss in existing jobs. Nonetheless, even by a fairly conservative estimate, there are at least three million fewer jobs in the American economy today than would have existed if the growth of regulation over the last twenty years had been slower and regulations more efficiently designed.[3]

Many regulations directly increase the cost of employing workers and thereby act like a hidden tax on job creation and employment. Among such regulations are minimum wages laws and federal labor laws. These regulations place especially heavy burdens on small businesses, the primary engines of job creation. And exempting smaller businesses from regulations generally does not solve the problem. Instead it simply creates a "Catch 22" situation in which growing small firms are penalized by an increase in the number of regulations they became subject to.

Officials currently face no explicit requirement to consider employment effects as they develop new rules. Nor do lawmakers. Even when the agencies or congressional committees do consider the employment effects of

*Footnotes at end of article.

proposed rules or regulatory legislation, policy makers often do so in ways that are simplistic or that rely on faulty assumptions and models. The methodologies used vary from agency to agency, and from regulation to regulation even within agencies. Moreover, nowhere in the entire federal regulatory process does anyone consider the cumulative effects of existing regulations, or the possible combined effects of new and existing regulations.

To deal with the mounting employment costs of regulation, Congress and the Clinton Administration should institute several urgent reforms. Among the most important:

Reform # 1: President Clinton should issue an executive order requiring explicit consideration of the employment effects of all new regulations.

Reform # 2: Congress should extend the same requirement to all "independent" regulatory agencies that are outside the executive branch.

Reform # 3: Congress should establish a federal regulatory budget. Such a budget means that a maximum total regulatory burden that government could impose on the economy—or regulatory budget—would be established. Whenever an agency planned to add a new regulation that would exceed the budget, it would be required to repeal or modify some other regulation so that the total burden imposed on the economy by federal regulation would not be increased. Alternatively, the government would have to arrange an offsetting reduction from another agency.

Reform # 4: Congress should require the expected employment effects of all proposed regulations to be published in the *Federal Register;* even before such a requirement is imposed, executive and independent agencies should voluntarily publish the expected employment effects of proposed regulations. This would permit the American people to know the expected magnitude of any job losses due to a new rule before it takes effect. Americans then could let officials and lawmakers know if they felt the benefits of the proposed rule were worth the job losses.

Enactment of these four reforms would reduce substantially the cost that federal regulations impose on the economy, while preserving or even increasing the benefits that regulations sometimes can provide. In particular, they would reduce the toll on employment and wages that the well-meaning pursuit of worthy ends often takes. A clean environment and safe and discrimination-free workplaces can be achieved without depriving three million or more Americans of jobs.

HOW REGULATION KILLS JOBS

Between January 1, 1983, and March 31, 1990, private-sector employment in the U.S. economy grew by some 19 million jobs, rising from 72.8 million jobs in December 1982, to 91.8 million jobs in March 1990. However, over the next two years the private sector lost nearly 2.2 million jobs, reaching a low of just over 89.6 million jobs in January 1992. The number of private-sector jobs has recovered only slightly since then, rising to 90.1 million jobs as of January 1993.[4]

What accounts for the difference between the two periods? In particular, what caused employment to start rising in January 1983, and what caused it to begin to fall in April 1990? To be sure, there are many factors that affect employment levels, including taxation. Tax rates were reduced significantly in 1983, but increased somewhat in 1990.[5] But there is considerable evidence to suggest that changes in the total cost of federal and state regulation also played a major role, especially in the downturn that occurred in 1990.

As the graph on the following page indicates, regulatory costs generally were declining during the period of private-sector employment growth. The period of decline and stagnation, by contrast, started shortly after regulatory costs started to rise again. Moreover, as the graph on page 5 shows, there was a very close negative correlation between the number of federal regulators and private-sector employment. Fewer regulators coincided with an increase in job growth; an increase in regulators with a decline in job growth and even a decline in jobs.

Policy makers concerned about job creation need to understand the basic factors that determine the level of wages and employment. Explains economist Arthur B. Laffer:

Firms base their decisions to employ workers * * * in part, on the total cost to the firm of employing workers. * * * All else equal, the greater the cost to the firm of employing each worker, the less workers the firm will employ. Conversely, the lower the cost per worker, the more workers the firm will hire.[6]

In a world without taxes or regulations, the cost to employers of hiring an additional hour of labor services and the benefit to a worker of working an additional hour would be the same. Taxes and regulations raise the cost to employers above the reward received by the employee. These government-mandated costs include such items as unemployment and disability insurance, government paperwork requirements, and the cost of lawyers to advise firms on how to comply with the rules. While some of these government-imposed costs do provide a benefit to the employee, many of them do not.

The difference between what it costs a firm to employ a worker and the net benefit the worker receives is commonly referred to by economists as the "regulation and tax wedge." Any increase in the wedge, whether caused by regulations or by taxes, will tend to raise the cost to employers of hiring an additional employee, thereby reducing the demand for labor, and reduce the net wages and benefits workers receive, thereby reducing the supply of labor as well. Thus, the basic laws of economics indicate that if regulatory burdens rise (and tax burdens do not fall by an equal or greater amount), employment and wages will fall.

THE DIRECT AND INDIRECT EFFECTS OF REGULATION

Some regulations have a direct and immediate impact on wages or employment. The minimum wage law and federal labor laws, for example, tend to increase the cost of employing workers and thereby decrease wages or employment, and sometimes both. Other regulations affect wages and employment indirectly, but just as significantly. Banking and environmental regulations, for example, have a considerable negative effect on the overall level of economic activity. And when output slows, employment usually slows with it.

More often than not, the effects of regulation on employment are hidden by other factors, such as tax policy or general economic changes. But in other instances, the impact on jobs is very clear.

Example: The federal government's efforts to protect the northern spotted owl, under the Endangered Species Act and other related laws, means millions of acres of land in Washington, Oregon, and northern California have been closed to logging operations. Tens of thousands of loggers have lost or will lose their jobs because of these regulations, and thousands more jobs have been lost in communities dependent on logging as the principal industry.

Example: California has increased regulation sharply over the last two years, driving businesses and jobs from the state. California has lost approximately 700,000 jobs since May 1990.[7] Indeed for the first time in nearly twenty years, more people are leaving California than arriving.[8] While California's job exodus of course is due to many factors, including higher taxes, several studies and surveys have concluded that regulations—especially onerous new environmental regulations—are the principal factor driving businesses' decisions to leave the state.[9]

Why the Regulatory Cost Is Usually Hidden

Still, cases in which regulation can be clearly identified as the culprit for specific jobs losses are the exception rather than the rule. There are several reasons why there is rarely a smoking gun:

Businesses usually base their decisions on such matters as whether or where to build a new plant, and how many people they will hire, on a variety of considerations. It is rarely clear which consideration was decisive.

The result of regulation often is not a cut in wages or employment levels, but simply slower growth over time. Jobs not created are much less visible than layoffs.

Regulation in one part of the economy can have an impact in other areas. For example, a recent study by economists Michael Hazilla of American University and Raymond Kopp of Resources for the Future, a Washington, D.C.-based research group specializing in environmental issues, found that environmental regulations had reduced employment in the finance, insurance, and real estate industries by 2.64 percent as of 1990.[10] This occurred despite the fact that these industries produce no pollution themselves and thus did not incur the direct cost of pollution abatement equipment. Hazilla and Kopp found that all sectors of the economy are affected by environmental regulations, because such regulations cause the cost of inputs to the production process such as labor, raw materials, and electricity to rise, and cause savings, investment and capital formation to fall.

Unfortunately for workers, the indirect causal links whose effects Hazilla and Kopp attempted to measure are invisible to most observers. Nonetheless, Hazilla and Kopp found the employment effects of environmental regulation for the economy as a whole to be substantial. By their estimates, environmental regulations alone had by 1990 reduced the overall employment level by 1.18 percent.[11] This would mean between 1.1 million and 1.4 million fewer jobs than would have existed without environmental regulation.[12] Moreover, environmental regulation significantly altered the distribution of labor employment across the economy. Although a few sectors, such as the natural gas industry and the wholesale and retail trade sectors, experienced modest increases in employment, most sectors experienced reductions.

THE TOTAL COST TO THE ECONOMY

Most studies analyzing the cost of regulation examine only direct compliance expenditures. They do not consider the indirect effects of regulation on output and employment. But some other studies, such as that by Hazilla and Kopp, suggest that the indirect effects may be as large as or even sig-

nificantly larger than the direct compliance costs, at least in the case of environmental regulations.[13] The reason for this is that reductions in investment due to regulation have cumulative effects over time on output and employment.

The most widely cited estimates of the combined cost of all federal regulations put the figure between $595 billion and $667 billion per year for 1992, measured in 1991 dollars.[14] However, these estimates do not take any account of the indirect effects of regulation on output and employment. A recent study by Nancy Bord and William Laffer, of The Heritage Foundation, attempted to estimate the indirect effects of all regulations—state as well as federal—by extrapolating from the results of other studies, such as that of Hazilla and Kopp. Bord and Laffer calculate that, in the absence of all unnecessary regulatory costs,[15] annual gross domestic product (GDP) would exceed its current level of $5.672 trillion as of 1991 by at least some $450 billion, and possibly by as much as $1.1 trillion.[16] This additional output would mean the existence of several million additional jobs. Even a conservative estimate would put the figure at well over three million jobs.[17]

EXAMPLES OF JOB-DESTROYING REGULATIONS

As noted earlier, some regulations directly increase the cost of employing workers and thereby act like a tax on job creation and employment. Three examples show in practical terms how this happens.

Example # 1: Minimum Wage Legislation

It is now almost universally accepted that minimum wage laws reduce the employment of low-skilled workers whose productivity simply is not worth what the employers are required by law to pay.[18] The only major disagreement today is over the degree of employment reductions caused by the minimum wage requirement.[19]

For the nine years running from January 1981 through March 1990, the federal minimum wage remained fixed at $3.35 per hour. Because of inflation, however, the real value of the minimum wage—and therefore the real cost to businesses of employing less-skilled workers—declined. Not surprisingly, the percentage of teenagers with jobs climbed from 41 percent to over 48 percent over the same period.[20]

Congress decided in 1989 to increase the federal minimum wage to $3.80 per hour as of April 1, 1990, and to $4.25 per hour as of April 1, 1991. Again, not surprisingly, teenage employment fell immediately after each of these increases. Just four months after the 1990 increase, for instance, the percentage of teenagers with jobs had fallen from over 48 percent to less than 43 percent, undoing most of the previous nine years' improvement.[21]

In total, the federal minimum wage rose by 27 percent, and teenage employment fell by 11 percent.[22] The 1990 and 1991 minimum wage increases made it harder for teenage workers to get summer and Christmas vacation jobs. The hikes made it harder for younger adults with little education, skill, or experience to obtain their first full-time entry-level jobs. These are the jobs where they would acquire the training, experience, and work habits that eventually would make their labor worth more than the legal minimum. And the increases in the minimum wage made it harder for unskilled housewives trying to supplement their family's income while their children are in school to obtain part-time work.

Calculations by economists Lowell Gallaway and Richard Vedder of Ohio University show that the total cost to a business for each worker hired and for each hour worked rose sharply after each of these increases in the minimum wage, but especially after the first—which was the larger of the two increases in percentage terms.[23] Furthermore, calculations by Gallaway and economist Gary Anderson of the Joint Economic Committee (JEC) of Congress suggest that the total cost per worker hired and per hour worked rose particularly sharply for smaller businesses.[24] Larger corporations tend to be less affected (at least directly) by increases in the minimum wage, since they already pay most if not all of their workers wages well above the legal minimum. By contrast, the overwhelming majority of businesses that employ people at the minimum wage are small and medium-sized. Consequently, increases in the minimum wage—like most other increases in the regulatory burden—tend to have a greater impact on smaller firms, and to exacerbate the disparity that already exists between small and large firms.[25]

Private-sector employment peaked in March 1990, and started declining sharply in April 1990. It appears likely, therefore, that the legally mandated explosion in the cost of employing relatively unskilled workers was a significant factor contributing to the 1990–1991 recession and the stagnation of the past year.

Example # 2: Federal Labor Laws

Federal labor laws regulate employers' dealings with their employees and with organized labor unions. Under these laws, the flexibility of companies to hire and fire workers is restricted, and often they are required to engage in costly negotiations with labor unions. Far from being balanced, federal labor laws deliberately tilt the scales in favor of unions and against employers, as well as against employees who do not wish to join a union.[26]

There is, however, no free lunch. Restrictions imposed on employers (and employees) by federal labor laws inevitably increase the cost of employing workers, resulting in fewer jobs and lower wages, or at least in slower growth in employment and wages over time.[27]

Example # 3: Mandated Benefits

Regulations that require employers to provide various benefits to their employees, such as health insurance, unemployment insurance, workers' compensation, retirement benefits, or child care, all tend to reduce wages and employment. They increase the cost of employing workers, which can lead to a slowdown in the creation of new jobs or even to layoffs.

In the long run, employers will seek to offset their increased costs, either by reducing wage and salary payments or by cutting back on other benefits that the employer previously might have provided voluntarily as a means of attracting workers. As a result, the total value of the employees' compensation eventually may be no higher than it would have been in the absence of the regulation. In fact, the value to the employee may even end up being less than it would have been, while the cost to the employer may still be greater. In this case, the regulation will end up reducing the supply of labor as well as demand. Thus, one way or another, much of the cost of the regulation will end up being borne by the workers, whether in the form of fewer jobs, fewer fringe benefits, a reduction in the growth of wages over time, or some combination of the three.[28]

REGULATION AND SMALL BUSINESS

The U.S. economy created some 19 million net new private-sector jobs during the 1980s. Most of these new jobs were created by new businesses, and most of the remainder were created by existing small businesses.[29] By contrast, large U.S. multinational corporations contributed less than one-tenth of one percent of the employment growth that occurred between 1982 and 1989.[30] Indeed, employment by *Fortune* 500 corporations actually fell by about 4 million jobs during the 1980s.[31] Thus, taken as a separate sector, employment in small and medium-sized businesses actually grew by an astounding 23 million jobs.

Small businesses have always been the engine of job creation in the U.S. economy. Some 57.2 percent of all net new jobs created between 1976 and 1986 were created by firms with fewer than 500 employees, 43.7 percent were created by firms with fewer than 100 employees, and 26.2 percent were created by firms with fewer than 20 employees.[32] Today, two out of every three new jobs in the United States are created by small and medium-sized businesses.[33] The vast majority of American businesses are small, and the majority of American workers are employed by small firms. In the U.S., 93.3 percent of all business establishments employ fewer than 100 employees, and 83.4 percent employ fewer than 20 employees. Only 3.4 percent of all firms employ 500 or more employees, and only 1.5 percent of all firms employ 5,000 or more employees.[34]

How Regulation Hurts Small Business

Regulation does not affect all businesses equally. It imposes the heaviest burdens on small and medium-sized businesses. The reason is that small and medium-sized firms find it harder to spread the high overhead costs of processing paperwork, attorney and accountant fees, and the staff time needed to negotiate the federal regulatory maze. Direct labor regulations, such as increases in the minimum wage, also represent a comparatively larger burden for small firms. Consequently, increasing levels of regulation tend to put small and medium-sized businesses at a competitive cost disadvantage compared with larger firms.[35]

Future regulation will compound this problem. For example, although President Clinton has yet to finalize his health care proposals, he has indicated tentative support for proposals to require firms to shoulder much of the cost of universal coverage for workers and their families. This would significantly increase the cost of hiring workers in the small business sector, where many firms currently do not provide coverage. While 98 percent of all firms with 100 or more employees already provide health benefits, only 27 percent of firms with fewer than 10 employees offer health benefits at present.[36] In other words, while 73 percent of firms with fewer than 10 employees would see their cost of employing workers rise under either of these proposals, only 2 percent of firms with 100 or more employees would be significantly affected.

Out of the Frying Pan and into the Fire. To its credit, Congress generally has tried to compensate for the disproportionate burden of regulation on smaller firms by exempting firms below a certain size—measured by the number of employees—from various regulations. For example, the Worker Adjustment and Retraining Notification Act of 1988, which requires employers to give employees and local government officials advance notice before closing a plant or laying off workers, only applies to firms with 100 or more employees. Likewise, the Americans with Disabilities Act (ADA) of 1990 currently applies only to firms with 25 or more em-

ployees. After July 26, 1994, however, the ADA will apply to firms with 15 or more employees.

Unfortunately, this well-intentioned approach does not really solve the problem; it merely changes the form of the problem. In some respects it may even make the problem worse, for it gives businesses an incentive not to grow beyond a certain size. If a firm stays small enough, it remains exempt from regulations. However, if it hires "too many" workers, it becomes subject to various costly regulations. Thus, instead of punishing firms merely for being small, federal regulations also punish small firms for growing and creating more jobs.

As a result, firms nearing the relevant threshold for a rule have a powerful incentive to avoid hiring additional employees. For example, in a letter to The Washington Times, the president of Schonstedt Instrument Company of Reston, Virginia, tells how he has deliberately kept his company below 50 employees in order to avoid having to file certain forms with the federal government, because of the cost of time involved.[37]

Worse still, the prospect of an exemption from a regulation can make it profitable for firms actually to reduce their workforces in order to fall below the relevant threshold. For example, the Family and Medical Leave Act of 1993, recently signed into law by President Clinton, will apply to firms with 50 or more employees. Calculations by the Joint Economic Committee (JEC) of Congress suggest that under this law, a firm whose optimal size before the regulations was 60 employees might actually find it profitable to cut back to 49 employees.[38] As the JEC report puts it, "Exemption from government regulations and mandates on the basis of the size of the company is a guaranteed recipe for making small businesses smaller."[39]

THE MYTH THAT REGULATION CREATES JOBS

Defenders of regulation sometimes argue that while regulation may cut jobs in some firms, in general it is good for the economy and creates jobs. A number of writers recently have made this argument in connection with environmental regulation.[40] For example, it is pointed out that environmental regulations stimulate employment in industries that manufacture special devices required by government, such as scrubbers for smokestacks, and create jobs in environmental clean-up firms. Similarly, it is argued that securities regulations and the Treasury's regulations interpreting the Internal Revenue Code create employment for lawyers and accountants.

These arguments almost always rest on a basic economic fallacy: they confuse the creation of jobs in a particular industry with the creation of jobs for the economy as a whole. Thus while jobs are indeed created in firms that assist in helping companies comply with rules, these rules also cost jobs in the regulated industry. The fallacy that adding costs to firms actually creates jobs in the economy is a persistent fallacy that was refuted decades ago. Rather than creating jobs, regulation simply diverts employment from productive to unproductive activities, with a net loss in efficiency and jobs.[41] In particular instances, the jobs created may be more or less numerous than those destroyed. For example, if a new Medicare regulation increases the cost of doing brain surgery, a hospital may lay off one $300,000-per-year brain surgeon and hire three $30,000-per-year administrators to fill the relevant Medicare forms. In other instances, however, a firm may lay off three blue-collar workers and replace them with one higher-paid engineer. There is no reason to expect the jobs that are created because of regulation to systematically outnumber—or pay more than—the jobs that are destroyed.

HOW TO AVOID UNNECESSARY JOB LOSSES

Jobs are lost unnecessarily through regulation because currently there is no explicit requirement that the employment effects of regulation be considered, either by Congress when it legislates or by federal regulatory agencies in the rule-making and enforcement process.

Executive Order (EO) 12291, issued by President Reagan in February 1981, does require executive branch agencies to inquire into the overall costs and benefits of proposed regulations. However, EO 12291 does not explicitly require any particular kind of costs or benefits to be counted. Thus, while the negative effects of a proposed regulation on wages or employment levels can be counted as costs, they do not have to be. Likewise, the employment-enhancing effects (if any) of a proposed regulation can be counted as benefits, but need not be. An agency thus may compute benefits and costs in dollars without ever counting how many jobs would be gained or lost. Moreover, EO 12291 applies only to new regulations, not regulations that are already on the books. And EO 12291 does not apply to any of the "independent" regulatory agencies that lie outside the executive branch, such as the Securities and Exchange Commission or the Federal Communications Commission.

This is not merely a problem in theory. A recent study by the National Commission for Employment Policy examined the regulatory review practices of seven federal agencies with major responsibility for preparing and enforcing regulation. The study found that "federal regulatory agencies * * * do not explicitly or systematically take potential employment effects into consideration during the review process, or in enforcement decisions."[42] Even when employment effects are considered by the agencies, they are considered either in a simplistic way, or on the basis of faulty assumptions and models. The methodologies used vary from agency to agency, and even from regulation to regulation within agencies. The study also found that federal regulatory agencies generally fail to consider the cumulative effects of existing regulations and the possible effects of new regulations on existing rules.

Because regulation of one part of the economy can affect other parts, and because regulations often interact with each other in significant ways, no regulation can properly be judged or measured in isolation.[43] In fact, this interaction means the adoption of a new regulation can increase the cost imposed by existing regulations. Therefore, computing the total costs and benefits of any new regulation would require determination of the net impact of all regulations taken together. Generally speaking, the greater the volume of regulation that already exists when a new regulation is introduced, the greater will be the incremental, overall cost of adding the new regulation. Failure to take account of this is one of the most important factors contributing to the enormous growth in the overall regulatory burden. It also helps explain the decline in U.S. labor productivity and wage growth over the past two decades (see chart on following page), and the decline in employment during the last two years.

In light of the severe burden imposed by regulation on employment, President Clinton and Congress should reform the regulatory review process. Among the necessary reforms:

Reform #1: President Clinton should issue an executive order requiring explicit consideration of the employment effects of all new regulations.

Reform #2: Congress should extend the same requirements to all of the "independent" regulatory agencies that lie outside the executive branch.

Reform #3: The President and Congress should establish a federal regulatory budget.

Under a regulatory budget, a limit would be placed on the total estimated cost imposed on the economy each year by all federal regulations. This limit would apply to new and existing regulations taken together. Thus, if the budget had been reached, an agency wishing to add a new regulation would have to repeal or modify an existing regulation. If an agency could not find a large enough offsetting reduction among the other regulations for which it was responsible, the government would have to agree to an offsetting reduction by another agency.

The introduction of a regulatory budget would have several virtues. First, it would place a limit on the total cost that can be imposed on the economy by federal regulation. This total burden would have to be a political decision, with ordinary Americans able to take part in the national discussion.

Second, it would force agencies to debate each other to justify the merits of proposed regulations, with the Office of Management and Budget (or any other body designated by the President, such as the newly created National Economic Council) making the final call. This in turn would compel the agencies, as they are not compelled at present, to think seriously about which regulations are most important to them and yield the greatest benefits.

And third, it would give agencies the incentive to review their existing regulations and find those which are not really worth retaining—or are causing greater job losses than expected—in order to make room for new regulations with a higher priority.

Reform #4: Congress should require the expected employment effects of all proposed regulations to be published in the Federal Register before the regulations take effect.

Present law allows but does not require publication of expected employment effects in the Federal Register. Congress should make such disclosure mandatory. In the meantime, executive and independent agencies should disclose expected job losses or wage reductions voluntarily. This would permit the public to know the expected magnitude of any job losses or net wage reductions. Thus Americans could comment on this aspect of proposed regulations before they take effect. This also would enable the public to compare actual job losses with what was predicted at the time each regulation was issued.

CONCLUSION

The President and Congress must do something to get the problem of growing federal regulation under control. Regulation at the federal, state, and local levels in now costing the American people somewhere between $810 billion and $1.7 trillion per year, even after taking account of benefits, or between $8,400 and $17,100 per year per household. A major portion of this cost consists of the output that the American economy could have been producing today but is not because of over twenty years of excessive and inefficient regulation—somewhere between $450 billion and $1.1 trillion per year.

Another important cost of regulation is the failure to create more employment opportunities for Americans who would like to

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work. Many regulations directly increase the cost of employing workers and therefore act just like a hidden tax on job creation and employment. Unfortunately, regulation places especially heavy burdens on smaller and medium-sized businesses, which are the primary engines of job creation. As a consequence, there probably are at least three million fewer private-sector jobs in the American economy than could have existed today if the growth of regulation had been controlled and regulations had been more sensibly and efficiently designed.

While regulation has been taking a toll on employment throughout the last two decades, the toll has risen sharply in just the last four years. Moreover, two of the most significant and costly new regulations of the last four years—the 1990 Clean Air Act Amendments and Americans with Disabilities Act (ADA)—only started to take effect a few months ago; some of their provisions will not take effect until the middle of 1994. So the impact of these regulations on employment still lies in the future—the heavy job losses due to regulation in the last three years have been caused by existing rules. In other words, the employment loss due to regulation is almost certain to get worse if the President and Congress do not take action.

Many specific federal regulatory programs deserve a drastic overhaul. Even though repeal of such new regulatory programs as the Clean Air Act Amendments and the ADA is politically unlikely, the President and Congress could act to lighten the overall regulatory burden in other areas. Reform of deposit insurance and federal banking laws, for example, could help the entire economy and would do much to alleviate the credit crunch that has restrained job creation by small and medium-sized businesses over the past three years.[44]

But besides dealing with specific regulations, the regulatory process itself is badly in need of reform. What is needed is for the President and Congress to force agencies to inform Americans of the likely employment effects of proposed rules and to set priorities in rule-making. If these reforms are instituted, the federal government's regulation of the economy could be conducted with the fewest pink slips for American workers.

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FOOTNOTES

[1] Nancy A. Bord and William G. Laffer III, "George Bush's Hidden Tax: The Explosion in Regulation," Heritage Foundation Backgrounder No. 905, July 10, 1992, p. 19. Regulations may be treated as "unnecessary" if (1) the costs they impose exceed the benefits they produce, or (2) even though they produce benefits that may exceed costs, they do so in an unnecessarily costly manner because of an inefficient method or approach. The basis for the distinction between necessary and unnecessary regulations is discussed further in footnote 15 below.

[2] Ibid.

[3] Footnote 17 below explains how this figure was calculated.

[4] Source: U.S. Department of Labor, Bureau of Labor Statistics (BLS) ("establishment data," based on a monthly survey of employers, seasonally adjusted). These figures do not include agricultural employment or employment by federal, state, or local governments. Using BLS's figures for total civilian employment ("household data," based on household interviews conducted monthly by the Bureau of the Census, seasonally adjusted), including agricultural employment and non-military government employment, the relevant employment figures are 99 million jobs in December 1982, 118.3 million jobs in May 1990, 116.5 million jobs in August 1991, and 118 million jobs as of January 1993.

[5] See Daniel J. Mitchell, "An Action Plan to Create Jobs," Heritage Foundation memo to President-Elect Clinton No. 1, December 14, 1992, pp. 4–5. The tax cuts were enacted in 1981 did not take full effect until January 1983. Although the 1990 tax increases were not signed into law until November 1990, President Bush renounced his "no new taxes" pledge and indicated his willingness to agree to a tax increase in June 1990.

[6] Arthur B. Laffer, "Supply-Side Economics," Financial Analysts Journal, September/October 1981, pp. 32–33.

[7] George F. Will, "Can California Compete?" The Washington Post, September 27, 1992, p. C7.

[8] "Californians leaving state in record numbers," The Washington Times, September 4, 1992, p. A2.

[9] The most important of these studies is "California's Jobs and Future" (April 23, 1992), a detailed report prepared by the Council on California Competitiveness, led by Peter Ueberroth, the former baseball commissioner and organizer of the 1984 Olympic Games in Los Angeles. Another is Mark Baldassare and Associates, "Department of Commerce Survey of California Manufacturers" (Sacramento: California Department of Commerce, Office of Business Development, December 13, 1989). Two additional surveys are cited in Philip K. Verleger Jr., "Clean Air Regulation and the L.A. Riots," The Wall Street Journal, May 19, 1992, p. A14.

[10] Michael Hazilla and Raymond J. Kopp, "Social Cost of Environmental Quality Regulations: A General Equilibrium Analysis," Journal of Political Economy, Vol. 98, No. 4 (1990), p. 869.

[11] Ibid., p. 867.

[12] The average number of Americans employed in 1990 was between 91.5 million and 117.9 million, depending on which BLS data series one uses. 91.5 million1.18%=1.1 million. 117.9 million1.18%=1.4 million. Of course, the number of jobs eliminated by environmental regulations might be smaller if some of the 1.18 percent reduction in labor supply were simply due to people working fewer hours in existing jobs.

[13] Another such study, with similar results, was done by economists Dale Jorgenson of Harvard University and Peter Wilcoxen of the University of Texas. See Dale W. Jorgenson and Peter J. Wilcoxen, "Environmental Regulation and U.S. Economic Growth," RAND Journal of Economics, Vol. 21, No. 2 (Summer 1990), pp. 314–40.

[14] Thomas D. Hopkins, "Cost of Regulation," Rochester Institute of Technology Public Policy Working Paper (December 1991); Robert W. Hahn and John A. Hird, "The Costs and Benefits of Regulation: Review and Synthesis," Yale Journal on Regulation, Vol. 8, No. 1 (Winter 1991), pp. 233–278. The figures in the text are arrived at by taking Hopkins's estimate of the total cost of regulation as of 1992, substituting Hahn's and Hird's original estimate of the gross cost of economic regulation for the figure Hopkins used (which was a modified version of Hahn's and Hird's estimate), substituting Hopkins's updated but as yet unpublished figure for the federal paperwork burden, and converting the new total from 1988 to 1991 dollars.

[15] Insofar as some types of regulation—environmental regulation in particular—produce benefits as well as costs, one may not simply assume that all of the costs of regulation can be eliminated. However, even where existing regulations may produce benefits that exceed costs, it often appears that the same or even greater benefits could be obtained at a significantly lower cost by using better-designed, more efficient forms of regulation. Consequently, in calculating the foregoing figures, wherever a regulation appeared to produce net benefits, no cost was counted except the difference (if any) between the actual cost imposed by the regulation in question and the lower cost that would be incurred under a more efficient regulatory scheme.

[16] Bord and Laffer, op. cit., p. 19. Bord and Laffer used a very wide range of estimates of the ratio of indirect costs to direct costs because of the inherent uncertainty involved in estimating how much output is not produced. That is why their lower and upper bounds are so far apart.

[17] Based on the ratio of 1991 GDP to average private-sector employment in 1991, the production of an additional $450 billion to $1.1 trillion in annual GDP would mean the creation of an additional 7.2 million to 19.2 million jobs, depending on which figure is used for private-sector employment. However, because much of the additional GDP would have come from increased productivity, rather than increased employment, the actual job growth figures would likely be much smaller. Assuming that half of any increase in annual GDP came from increased employment, the additional jobs that would have been created in the absence of all unnecessary regulatory costs would number between 3.6 million and 9.6 million.

[18] See, e.g., Simon Rottenberg, ed., "The Economics of Legal Minimum Wages" (Washington, D.C.: American Enterprise Institute, 1981).

[19] Some studies note, for example, that while the minimum wage law reduces employment of low-skilled workers, it may increase employment of medium-skilled workers who, to some extent, can be used in lieu of the low-skilled workers whose labor the minimum wage renders too expensive. However, the increase in employment of medium-skilled workers is never enough to fully offset the decrease in employment of low-skilled workers.

[20] Alan Reynolds, "Cruel Costs of the 1991 Minimum Wage," The Wall Street Journal, July 7, 1992, p. A14.

[21] Ibid.

[22] Ibid.

[23] Lowell Gallaway and Richard Vedder, "Why Johnny Can't Work: The Causes of Unemployment," Policy Review, Fall 1992, p. 29.

[24] Gary Anderson and Lowell Gallaway, "Derailing the Small Job Express" (Washington, D.C.: Joint Economic Committee, November 7, 1992), pp. 25–28.

[25] For a discussion of the disparate impact of regulation on small business, and of the importance of this disparity from the standpoint of job creation, see pages 10–12 below.

[26] See, e.g., Richard A. Epstein, "A Common Law for Labor Relations: A Critique of the New Deal Labor Legislation," Yale Law Journal, Vol. 92 (1983), p. 1357; Daniel J. Mitchell, "Government Intervention in Labor Markets: A Property Rights Perspective," Villanova Law Review, Vol. 33, No. 6 (1988), pp. 1043–1057.

[27] See, e.g., John T. Addison and Barry T. Hirsh, "Union Effects on Productivity, Profits, and Growth: Has the Long Run Arrived?" Journal of Labor Economics, Vol. 7 (January 1989), pp. 72–106. In addition, compulsory union dues reduce the net benefits workers receive for working, thereby reducing the supply of labor as well as demand.

[28] See, e.g., Richard B. McKenzie, "The American Job Machine" (New York: Universe Books, 1988), pp. 218–31; Don Bellante and Philip K. Porter, "A Subjectivist Economic Analysis of Government-Mandated Employee Benefits," Harvard Journal of Law land Public Policy, Vol. 13, No. 2 (Spring 1990), pp. 657–687.

[29] Lawrence A. Kudlow, "Small Business Is Big Business," Global Spectator, February 28, 1992, reprinted in Congressional Record, March 10, 1992, p. S3153.

[30] Ibid.

[31] George F. Will, "A refresher course on what ails us," The Providence Journal-Bulletin, September 14, 1992, p. A6.

[32] U.S. Small Business Administration, "The State of Small Business: A Report of the President" (Washington, D.C.: U.S. Government Printing Office, 1989), p. 48.

[33] Kudlow, op. cit.

[34] David L. Birch, Job Creation in America: How Our Smallest Companies Put the Most People to Work (New York: The Free Press, 1987), p. 9.

[35] See, e.g., Ann P. Bartel and Lacy Glenn Thomas, "Direct and Indirect Effects of Regulation: A New Look at OSHA's Impact," Journal of Law and Economics, Vol. 28, No. 1 (April 1985), pp. 1–25; Ann P. Bartel and Lacy Glenn Thomas, "Predation Through Regulation: The Wage and Profit Effects of the Occupational Safety and Health Administration and the Environmental Protection Agency," Journal of Law and Economics, Vol. 30, No. 2 (October 1987), pp. 239–264; B. Peter Pashigian, "The Effects of Regulation on Optimal Plant Size and Factor Shares," Journal of Law and Economics, Vol. 27, No. 1 (April 1984), pp. 1–28; B. Peter Pashigian, "Environmental Regulation: Whose Self Interests Are Being Protected?" Economic Inquiry, Vol. 23, No. 4 (October 1985), pp. 551–584.

[36] Health Insurance Association of America, Source Book of Health Insurance Data 1991 (Washington, D.C.: Health Insurance Association of America, 1991), p. 27 (Table 2.5).

[37] E.O. Schonstedt, letter to the editors, The Washington Times, February 16, 1992, p. B5.

[38] Anderson and Gallaway, op cit., pp. 21–24.

[39] Ibid., p. 24.

[40] E.g., Timothy E. Wirth, "Easy Being Green * * * Lighten Up, Loggers—Environmentalism Actually Creates Jobs," The Washington Post, October 4, 1992, p. C3; Michael Silverstein, "Bush's Polluter Protectionism Isn't Pro-Business," The Wall Street Journal, May 28, 1992, p. A21; Curtis Moore, "Bush's Non-

sense on Jobs and the Environment," The New York Times, September 25, 1992, p. A33.

[41] See Frederic Bastiat, "What Is Seen and What Is Not Seen," in Frederic Bastiat, Selected Essays on Political Economy, trans. Seymour Cain, ed. George B. de Huszar (Irvington-on-Hudson, New York: Foundation for Economic Education, 1964); Henry Hazlitt, Economics in One Lesson (Westport, Connecticut: Arlington House, 1979).

[42] Nancy A. Bord, "Addressing Employment Effects in the Regulatory Review Process," draft final report prepared for the National Commission for Employment Policy, September 9, 1992, p. 33.

[43] An analogous point applies in the area of taxation: Because different taxes often interact with each other in important ways, no individual tax can properly be evaluated in isolation. In fact, strictly speaking, taxes and regulations can only be analyzed in conjunction with each other. Each specific tax must be analyzed in light of every other tax and every regulation, and each specific regulation must be analyzed in light of every other regulation and every tax. See generally John R. Hicks, Value and Capital, 2nd ed. (Oxford: Oxford University Press, 1946); Arnold C. Harberger, Taxation and Welfare (Chicago: University of Chicago Press, 1974).

[44] See William G. Laffer III, "How to Reform America's Banking System," Heritage Foundation Backgrounder No. 810, February 26, 1991; Victor A. Canto, "The Credit Crunch" (La Jolla, California: A.B. Laffer, V.A. Canto & Associates, April 20, 1990); Victor A. Canto, "The Credit Crunch Revisited" (La Jolla, California: A.B. Laffer, V.A. Canto & Associates, November 16, 1990); William C. Dunkelberg and William J. Dennis, Jr., "The Small Business Credit Crunch" (Washington, D.C.: NFIB Foundation, December 1992); Paul Craig Roberts, "Economic Dominoes," National Review, November 30, 1992, pp. 37-42. As predicted by Canto and confirmed by Dunkelberg and Dennis, the credit crunch has mainly affected medium-sized businesses and larger small businesses (that is, those small businesses with at least 40 employees).

□ 1700

THE 50TH ANNIVERSARY OF MARIANAS CAMPAIGN OF WORLD WAR II

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

Mr. UNDERWOOD. Madam Speaker, next year, 1994, marks the 50th anniversary of the Marianas campaign of World War II. This event is especially significant to the people of Guam who have the distinction of being the only American territory occupied during World War II. After more than 2½ years of occupation, the people of Guam emerged from a dark chapter of their history to find their world, their lives, and their island forever transformed by the war experience and the post-World War II years. The sense that Guam suffered, as no other American civilian community did, is basic to understanding the Guam of today. Anyone who understands the war experience understands why freedom and democracy are so vital to the people of Guam.

It is difficult to describe the period from December 10, 1941, to July 21, 1944. Clearly, one has to recount the courage of the defenders of Guam, the Guam Insular Force Guard and the Guam Militia, in defending the island against overwhelming odds.

One also has to tell about the heroics of the American liberators in the battles on Guam, Saipan, and Tinian. Somehow, in retelling the exploits of the Marine, Army, Navy and Coast Guard units who participated in the Marianas campaign to liberate these islands, the word "courage" seems woefully inadequate. The battle for Guam was so intense, that three Medals of Honor were awarded for gallantry.

In the intervening 32 months between the invasion of Guam by the Japanese and the liberation of Guam by the Americans, Guam became a prized jewel of the Japanese Empire, because Guam was the only civilian community living under the Stars and Stripes that was captured. For this distinction, the people of Guam paid the price to their occupiers.

Madam Speaker, this is the aspect of the story of the occupation of Guam that I want you, and the rest of America, to know about. It is probably the least known fact of these war years. It is the story of the resistance of the people of Guam and their absolute loyalty to America during these trying years.

America must know that our people were brutalized for helping six American sailors evade capture by the Japanese. One by one, each was hunted down and killed. It came down to one American sailor, and the people of Guam, against the occupiers. This lone sailor for 2½ years evaded capture because of the assistance of the Chamorros, the native people of Guam. He became an unwitting symbol of defiance and hope; defiance against a ruthless occupation, and hope that America would not abandon Guam, and her people. The Japanese understood what was at stake, but they failed to capture this last sailor, and more importantly, they failed to break the spirit of the Chamorros on Guam. For this act of defiance and hope, many Chamorros were beaten and some were beheaded by the Japanese.

America must be told about the forced labor to build Japanese defenses. The runway of the present naval air station in Agana, Guam, was built on the backs of the Chamorro people as a Japanese airfield. Our mothers and fathers, who labored under the hot sun at gunpoint, can never look at that runway again without remembering those who painstakingly built it by hand, one stone at a time.

America must learn about the forced marches to unfamiliar places on Guam, like Miamai, Malojloj, and Manengon. Old women, young children, the weakest and the most vulnerable, lost their lives in the brutal march, marked by a trail of blood and tears. It was said that the lucky ones got to die. Some of those lucky ones got to die in caves in Malesso, where they were herded and then exterminated by hand grenades. And, miraculously, some lived, as if God himself ordained that witnesses shall live to bear testimony to these atrocities.

Madam Speaker, America must be reminded that there were concentration camps on my island, and that our people were imprisoned in these camps under wretched conditions. The occupiers feared that our people were surely going to aid the American forces.

America must know. Must be told. Must learn. Must be reminded. America must never forget what we on Guam carry in our hearts. America must fully understand what we have experienced. The sacrifice was for all Americans, given by the American citizens of Guam.

For us, the sorrow of the occupation is a distant memory now, but the sacrifice of our people is etched in the burden that many families carry. I personally know what those sacrifices mean and how heavy that burden can be—my own parents lost two children during the occupation.

Madam Speaker, as a testimony to the memory of the occupation of Guam, on the eve of the 50th anniversary commemoration in 1994, I am introducing H.R. 1944. This bill will help us all to remember; we must never forget. It will authorize a monument to the people of Guam. Just as there is now a monument to the American Forces, and a monument to the Japanese soldiers, and even a monument to the American war dogs, yes, Madam Speaker, the Federal Government maintains a cemetery and memorial to dogs which died on Guam during World War II. There will finally, 50 years later, be a monument to the people who endured the acts of violence that the occupation wrought.

This bill will authorize visitors centers at the War in the Pacific National Historical Park on Guam and the American Memorial Park on Saipan, so that the story of World War II in the Pacific will be preserved for future generations. Our children, and their children, must learn about the lessons of war and the changes that the war brought to our islands.

The War in the Pacific National Historical Park is unfinished. It commemorates a war on Guam that is incomplete without the central theme inherent in the experience of the people of Guam. The legacy of the war is not about a rusty tank; it is about the heroism of the Marines and soldiers who fought the war. Likewise it is not about a village that was destroyed; it is about the villagers who were massacred.

If you visit the War in the Pacific National Park on Guam and you do not get a sense of the human toll that the war extracted, then it must not be finished. If you do not see the names of people, such as Father Jesus Baza Duenas, Edward Camacho Duenas, or Jose Leon Guerrero Cruz, who were beheaded, or Alfred Flores and Francisco Borja Won Pat, who were executed by firing squads, then you have not expe-

rienced the war. If you do not hear the names spoken of those who suffered, like Beatrice Perez Emsley who was a victim of a Japanese sword, nearly decapitated and buried alive, but by the grace of God is still alive today; or Jose Oficido Cruz, Joaquin Cruz, and Juan Lizama, who survived the massacre at a cave in Fena, then it is not finished. If instead you see a picnic ground, then the War in the Pacific Park has failed in its essential purpose.

As we look to the 50th anniversary of the Marianas campaign, we must look at our responsibility to our children. We must judge our success or failure in preserving for all generations the horrors and the triumphs of the war in the Pacific. As caretakers of a legacy written in the bloodied sands of the invasion beaches of Guam, and etched in the memory of the Chamorro people who survived the occupation, it is our duty to do now what needs to be done before time destroys the memory.

You must help us to remember the legacy of the war in our islands, and we will help you to understand the pain of that experience.

Madam Speaker, I urge all Members of this body to support H.R. 1944.

□ 1710

THE TICKING TIME BOMB IN OUR CITIES

The SPEAKER pro tempore (Ms. MCKINNEY). Under a previous order of the House, the gentlewoman from California [Ms. WATERS] is recognized for 60 minutes.

Ms. WATERS. Madam Speaker, 1 year ago today Los Angeles erupted in flames. One year after the uprising I want to continue to share with my colleagues a few of my thoughts on America's urban policy.

Since my election to this House, Madam Speaker, I have attempted to create a dialog in Congress about poverty and despair. Last year, I spent countless hours defining the roots of our urban crisis. I talked about endemic unemployment and underemployment in our inner cities. I spoke of how companies were closing up shop and moving abroad taking good American jobs with them. I described the damage done by 12 years of outright abandonment of our cities by Ronald Reagan and George Bush. I talked about how banks had redlined our communities, how the criminal justice system had failed us, and how racism was—alas—alive and well.

I could take this opportunity to analyze the response in the past year to the uprising in Los Angeles in the wake of the first Rodney King trial. Really, though, what would be the point? As yet, we have seen no significant changes. The Federal response has been wholly inadequate.

Remember the prophetic Kerner Commission report of 25 years ago, analyzing the causes of the 1967 urban unrest? I believe you could rip off the cover, substitute "African-American" for "Negro" and 90 percent of it would still ring true. Twenty-five years ago, the report said—and I quote—"* * * this Nation will deserve neither safety nor progress unless it can demonstrate the wisdom and the will to undertake decisive action against the root causes" of disturbances in our cities.

We desperately need an urban policy. We need to take inventory of all the resources we have—in the Department of Housing and Urban Development, in Labor, in Education, and other agencies. We need to separate out what works and what does not.

We have to identify the root causes of our urban crises—economic, social, cultural, and political. We have to invest in our cities and their people and in approaches that will expand opportunities in urban areas. No great nation allows its cities to deteriorate. None of our competitor nations permit the sheer level of destitution and hopelessness that is found in America's cities.

I believe the administration is on the right track in its commitment to revitalize our cities, to take a fresh look at existing programs, and to invest in our human resources.

I think the defeat of the stimulus package in the other body was tragic. It cost Los Angeles $130 million. That works out to $39 million for summer jobs, $12 million for a revolving loan fund for inner-city small businesses, $26 million in transit moneys, $49 million for community development block grants, and millions more in immunization and highway construction funds.

My hope is that a new stimulus package will emerge to meet some of our cities' most pressing needs.

I have introduced an urban agenda designed to address some of our urban ills.

My "Urban Youth and Young Adult Empowerment Initiative" would target the hardcore 17- to 30-year-old males in our cities who are unskilled and without jobs.

Let me describe one of these young men for you. This young man lives from girlfriend to mother to grandmother. You won't find him on the school rolls. The census taker never caught up with him. If he's driving, it's without a license. If he's bunking in public housing, you won't find his name on the lease. Yes, more often than not he has a record, misdemeanors if he is lucky, felonies more likely.

These young men have given up on themselves and given up on us. But if we know what's good for him—and for us—we'd better start paying attention. It won't be easy, but we have to begin to bring him into the mainstream.

My legislation would establish recreational programs to give these young people some alternatives to gangs. It would provide one-stop counseling on teen pregnancy and substance abuse, provide child care and health care services.

It would apply job-training moneys to programs targeting this hardcore group, giving them small stipends while providing job training, basic life skills, and discipline. Then we could put these young folks to work rehabitating their own neighborhoods—offering them a sense of personal accomplishment and helping the community.

They can also be prepared for jobs in the private sector when we turn this economy around. Side by side with youth programs, we have to ensure that inner-city business people and home buyers and nonprofit development corporations have a greater access to capital. I am sponsoring the Community Reinvestment Reform Act, which is designed to strengthen existing regulations against redlining and encourage greater lending in the inner city. I am working with the administration on establishing a network of community development banks and already have introduced legislation to enact such a program, drawing on existing financial institutions where possible and setting up new mechanisms where necessary.

Madam Speaker, in the days just prior to the recent verdict in the Rodney King civil rights trial, I was walking the streets of my district urging folks to chill—to be calm—that our problems may continue. However, we must continue to work for justice regardless of the outcome of the trial. In this letter that I distributed to 350,000 households I urged:

> We must let the world know we are not going anywhere. This is our city and community. We have got to make it right. We've got to build, not burn. We've got to live, not die * * *. Every day brings a new opportunity, a new possibility.

Madam Speaker, thanks to the efforts of many and thanks to a just verdict, we did not see another uprising in Los Angeles. We should not fool ourselves, however, into thinking that the Rodney King verdict changed much of anything on the ground in Los Angeles—or in any other city. If we don't act immediately to address these root causes, what will I and others be able to say to folks 6 months or 1 year from now if there's no real progress on dealing with the root causes.

In conclusion, I notice there are some who say we can't afford not to help Russia with aid. After all, they still possess nuclear weapons. That's all well and good, but let me remind you, charity begins at home and that there's a ticking time bomb in our cities as well. It exists because of the hopelessness and despair felt by a significant portion of our citizenry. We ignore it at our own peril.

PERSONAL EXPLANATION

Mr. BECERRA. Mr. Speaker, I will be absent from House session on congressional business. I have been asked to be part of the delegation traveling to Delano, CA, to attend the funeral services of Caesar Chavez.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Mr. GEPHARDT), for today, on account of official business.

Mr. ORTIZ (at the request of Mr. GEPHARDT), for today, on account of official business.

Ms. ROYBAL-ALLARD (at the request of Mr. GEPHARDT), for today, on account of official business.

Mr. KENNEDY (at the request of Mr. GEPHARDT), for today, on account of official business.

Mr. BERMAN (at the request of Mr. GEPHARDT), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

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

Mr. ISTOOK, for 5 minutes, on May 5.

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

Mr. ENGEL, for 5 minutes, today.

Mr. HOAGLAND, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

Mr. STARK, for 5 minutes, today.

Ms. WATERS, for 60 minutes, today.

(The following Member (at the request of Ms. WATERS) to revise and extend her remarks and include extraneous material:)

Ms. MCKINNEY, for 60 minutes, on June 17.

EXTENSIONS OF REMARKS

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

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

Mr. DIAZ-BALART.

Mr. GINGRICH.

Mr. CRANE in two instances.

Mr. TORKILDSEN.

Mr. CALVERT.

Mr. LEVY.

Mr. SENSENBRENNER.

Mr. SMITH of New Jersey in three instances.

Ms. SNOWE.

Mrs. JOHNSON of Connecticut.

Ms. MOLINARI.

Mr. BEREUTER.

Mrs. MEYERS of Kansas.

Mr. UPTON.

Mr. SOLOMON.

Mr. HERGER.

Mr. GOODLATTE.

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

Mr. BARCIA in two instances.

Mr. NADLER.

Mr. SWETT.

Mrs. LOWEY in two instances.

Ms. SLAUGHTER in two instances.

Mr. BECERRA.

Mr. CLAY.

Mrs. COLLINS of Illinois.

Mr. NEAL of Massachusetts in two instances.

Mr. BILBRAY.

Mr. KENNEDY.

Mr. SARPALIUS.

Mr. LAROCCO in two instances.

Mr. JOHNSON of South Dakota.

Mr. STARK in three instances.

Mr. REED.

Mr. TRAFICANT in two instances.

Mr. EVANS.

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

Mrs. MINK.

(The following Member (at the request of Mrs. CLAYTON) and to include extraneous matter:)

Mr. ROEMER.

ADJOURNMENT

Ms. WATERS. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until Monday, May 3, 1993, at 12 noon.

OATH OF OFFICE OF MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

> "I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 103d Congress, pursuant to the provisions of 2 U.S.C. 25:

Hon. Bennie G. Thompson, Second District Mississippi.

EXECUTIVE COMMUNICATIONS, ETC.

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

1137. A letter from the Chairman, Defense Base Closure and Realignment commission, transmitting the Commission's review and recommendations for base closures and realignments, pursuant to Public Law 101-510, section 2903(d)(3) (104 Stat. 1812); to the Committee on Armed Services.

1138. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation entitled "Military Construction Authorization Act for Fiscal Year 1994"; to the Committee on Armed Services.

1139. A letter from the Secretary of Health and Human Services, transmitting a high risk study on child abuse and neglect, pursuant to 42 U.S.C. 5105 note; to the Committee on Education and Labor.

1140. A letter from the Secretary of Health and Human Services, transmitting the annual report, fiscal year 1991, describing the activities and accomplishments of programs for persons with developmental disabilities, pursuant to 42 U.S.C. 6006(c); to the Committee on Energy and Commerce.

1141. A letter from the Chairman, Federal Housing Finance Board, transmitting a report of activities under the Freedom of Information Act for calendar year 1992, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

1142. A letter from the Minerals and Management Service, Department of the Interior, transmitting the Annual Report to Congress—Fiscal Year 1990 entitled "Outer Continental Shelf Lease Sales: Evaluation of bidding results and Competition"; to the Committee on Natural Resources.

1143. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the report on the administration of the Foreign Agents Registration Act covering the calendar years 1988, 1989, 1990, and 1991, pursuant to 22 U.S.C. 621; to the Committee on the Judiciary.

1144. A letter from the Director, Administrative Office of the U.S. Courts, transmitting the annual report on applications for court orders made to Federal and State courts to permit the interception of wire, oral, or electronic communications during calendar year 1992, pursuant to 18 U.S.C. 2519(3); to the Committee on the Judiciary.

1145. A letter from the Secretary of the Army, transmitting the second annual report of the Louisiana Coastal Wetlands Conservation and Restoration Task Force, pursuant to Public Law 101-646, section 303(a) (104 Stat. 4779); to the Committee on Merchant Marine and Fisheries.

1146. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation entitled "The Mickey Leland Hunger Prevention Act"; jointly, to the Committees on Agriculture and Ways and Means.

1147. A communication from the President of the United States, transmitting a report entitled "Progress Toward Regional Nonproliferation in South Asia," pursuant to 22 U.S.C. 2376(c); jointly, to the Committees on Appropriations and Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MINETA: Committee on Public Works and Transportation. H. Con. Res. 71. Resolution authorizing the use of the Capital grounds for the 12th annual National Peace Officers' Memorial Service (Rept. 103–67). Referred to the House Calendar.

Mr. MINETA: Committee on Public Works and Transportation. H. Con. Res. 81. Resolution authorizing the 1993 Special Olympics Torch Relay to be run through the Capitol Grounds (Rept. 103–68). Referred to the House Calendar.

Mr. MINETA: Committee on Public Works and Transportation. H. Con. Res. 82. Resolution authorizing the use of the Capitol grounds for the Greater Washington Soap Box Derby (Rept. 103–69). Referred to the House Calendar.

Mr. MINETA: Committee on Public Works and Transportation. H.R. 791. A bill to name the U.S. courthouse in Benton, IL, the "James L. Foreman Courthouse"; with amendments (Rept. 103–70). Referred to the House Calendar.

Mr. MINETA: Committee on Public Works and Transportation. H.R. 1345. A bill to designate the Federal building located at 280 South First Street in San Jose, CA, as the "Robert F. Peckham United States Courthouse and the Federal Building" (Rept. 103–71). Referred to the House Calendar.

Mr. MINETA: Committee on Public Works and Transportation. H.R. 1303. A bill to designate the Federal Building and U.S. Courthouse located at 402 East State Street in Trenton, NJ, as the "Clarkson S. Fisher Federal Building and United States Courthouse" (Rept. 103–72). Referred to the House Calendar.

Mr. MINETA: Committee on Public Works and Transportation. H.R. 1346. A bill to redesignate the Federal building located on St. Croix, VI, as the "Almeric L. Christian Federal Building"; with amendments (Rept. 103–73). Referred to the House Calendar.

Mr. MINETA: Committee on Public Works and Transportation. H.R. 1513. A bill to designate the U.S. courthouse located at 10th and Main Streets in Richmond, VA, as the "Lewis F. Powell, Jr. United States Courthouse" (Rept. 103–74). Referred to the House Calendar.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 578. A bill to provide for recovery of costs of supervision and regulation of investment advisers and their activities, and for other purposes; with an amendment (Rept. 103–75). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 616. A bill to amend the Securities Exchange Act of 1934 to permit members of national securities exchanges to effect certain transactions with respect to accounts for which such members exercise investment discretion (Rept. 103–76). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. DINGELL (for himself, Mr. SWIFT, Ms. SCHENK, Mr. MOORHEAD, Mr. UPTON, Mrs. COLLINS of Illinois, Mr. WYDEN, Mr. ROWLAND, Mr. MANTON, Mr. CARR, Mr. DURBIN, Mr. FOGLIETTA, Mrs. UNSOELD, and Ms. CANTWELL):

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; to the Committee on Energy and Commerce.

By Mr. McMILLAN:

H.R. 1920. A bill to extend until January 1, 1997, the existing suspension of duty on trifluoromethylaniline; to the Committee on Ways and Means.

By Mr. ARMEY (for himself, Mr. SHAYS, Mr. ROHRABACHER, Mr. MURPHY, Mrs. SCHROEDER, Mr. DORNAN, Mr. TAYLOR of Mississippi, Mr. COX, Mr. ZIMMER, Mr. TAYLOR of North Carolina, Mr. FAWELL, and Mr. GOSS):

H.R. 1921. A bill to amend the Agricultural Trade Act of 1978 to repeal the market promotion program of the Department of Agriculture; to the Committee on Agriculture.

By Mr. BILIRAKIS (for himself, Mr. SAM JOHNSON, and Mr. EVERETT):

H.R. 1922. A bill to modify the provision of law which provides a permanent appropriation for the compensation of Members of Congress, and for other purposes; jointly, to the Committees on Appropriations and Rules.

By Mr. CLEMENT (for himself, Mr. BISHOP, Mrs. CLAYTON, Mr. CLYBURN, Mrs. COLLINS of Illinois, Mr. CONYERS, Mr. COOPER, Mr. DELLUMS, Mr. FLAKE, Mr. FORD of Tennessee, Mr. GORDON, Mr. HASTINGS, Mr. HILLIARD, Mr. JEFFERSON, Mr. LEWIS of Georgia, Mrs. LLOYD, Ms. MEEK, Mr. MFUME, Ms. NORTON, Mr. PAYNE of New Jersey, Mr. QUILLEN, Mr. RANGEL, Mr. REYNOLDS, Mr. RUSH, Mr. SUNDQUIST, Mr. TOWNS, Mr. TUCKER, Mr. WATT, Mr. WHEAT, and Mr. WYNN):

H.R. 1923. A bill to authorize appropriations for the restoration of historic buildings in the Fisk University historic district; to the Committee on Natural Resources.

By Mrs. COLLINS of Illinois:

H.R. 1924. A bill to amend the Solid Waste Disposal Act to allow petitions to be submitted to prevent certain waste facilities from being constructed in environmentally disadvantaged communities; to the Committee on Energy and Commerce.

By Miss COLLINS of Michigan (for herself, Mr. PAYNE of New Jersey, Mr. SERRANO, Mr. FILNER, Ms. MEEK, and Mr. TUCKER):

H.R. 1925. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to require the Administrator of the Agency for Toxic Substances and Disease Registry to collect and maintain information on the race, age, gender, ethnic origin, income level, and educational level of persons living in communities adjacent to toxic substance contamination; to the Committee on Energy and Commerce.

By Mr. CONYERS:

H.R. 1926. A bill to amend the National Narcotics Leadership Act of 1988 to extend and authorize appropriations for the Office of National Drug Control Policy; to the Committee on Government Operations.

H.R. 1927. A bill to transfer all functions of the Bureau of Alcohol, Tobacco, and Firearms relating to the regulation of firearms from the Department of the Treasury to the Federal Bureau of Investigation; jointly, to the Committees on Ways and Means and the Judiciary.

By Mr. COX:

H.R. 1928. A bill to amend the Internal Revenue Code of 1986 to repeal the luxury tax on beer, enacted in the Omnibus Budget Reconciliation Act of 1990, which doubled previous excise levels; to the Committee on Ways and Means.

By Mr. GOODLATTE (for himself and Ms. SHEPHERD):

H.R. 1929. A bill to amend the Internal Revenue Code of 1986 with respect to treatment of certain equipment under the heavy truck tax; to the Committee on Ways and Means.

By Mr. KENNEDY (for himself, Mr. BROWN of California, Mr. SANDERS, Mr. KOPETSKI, Ms. BYRNE, Mr. EVANS, Mr. SERRANO, Mr. HINCHEY, Ms. PELOSI, Mr. HOCHBRUECKNER, Mr. MARKEY, Mr. PAYNE of New Jersey, Mr. WHEAT, Miss COLLINS of Michigan, Mr. OWENS, Mr. DEFAZIO, Mr. WISE, Mr. TRAFICANT, Mrs. UNSOELD, Mr. BLACKWELL, Mr. LAFALCE, Mr. CLAY, Mrs. MORELLA, and Mr. MORAN):

H.R. 1930. A bill to authorize a national program to reduce the threat to human health posed by exposure to contaminants in the air indoors; jointly, to the Committees on Energy and Commerce, Science, Space, and Technology, and Education and Labor.

By Mr. KOPETSKI (for himself, Mr. GRANDY, Mr. HOAGLAND, and Mr. HERGER):

H.R. 1931. A bill to amend the Internal Revenue Code of 1986 to allow farmers' cooperatives to elect to include gains or losses from certain dispositions in the determination of net earnings, and for other purposes; to the Committee on Ways and Means.

By Mr. LEVY:

H.R. 1932. A bill to extend the suspension of duty on certain small toys, toy jewelry, and novelty goods, and for other purposes; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia (for himself, Mr. SAWYER, Mr. QUINN, Mr. CRAMER, Mr. GENE GREEN, Mr. HILLIARD, Mr. OWENS, Ms. PELOSI, Mr. BARCIA, Mr. CLAY, Mr. SERRANO, Mr. MCDERMOTT, Mr. HALL of Ohio, Mr. MAZZOLI, Mr. DIXON, Mr. CONYERS, Mr. KILDEE, Mrs. KENNELLY, Mr. TOWNS, Mrs. CLAYTON, Mr. SHAYS, Mr. BLACKWELL, Mr. RANGEL, Mr. HASTINGS, Mr. FILNER, Miss COLLINS of Michigan, Mr. TUCKER, Mr. FOGLIETTA, Mr. VALENTINE, Mr. FROST, Mr. WHEAT, Mr. FORD of Tennessee, Mr. JEFFERSON, Mr. REYNOLDS, Mr. WYNN, Mrs. COLLINS of Illinois, Mr. DELLUMS, Mr. PAYNE of New Jersey, Ms. MCKINNEY, Mr. STOKES, Mr. BONIOR, Mr. WATT, Mr. RUSH, Mr. FLAKE, Ms. MEEK, Mr. SCOTT, Mr. BISHOP, Ms. EDDIE BERNICE JOHNSON, and Mr. CLYBURN):

H.R. 1933. A bill to authorize appropriations for the Martin Luther King, Jr., Federal Holiday Commission, extend such Commission, establish a National Service Day to promote community service, and for other purposes; jointly to the Committees on Post Office and Civil Service and Education and Labor.

By Mr. LIPINSKI (for himself, Mr. STUDDS, Mr. FIELDS of Texas, and Mr. BATEMAN):

H.R. 1934. A bill to authorize appropriations for fiscal year 1994 for the Federal Maritime Commission, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MCDERMOTT (for himself, Mr. EMERSON, Mr. MFUME, Mrs. MORELLA, and Ms. MCKINNEY):

H.R. 1935. A bill to provide for increased U.S. assistance to improve the health of women and children in developing countries; to the Committee on Foreign Affairs.

By Mrs. MEYERS of Kansas (for herself, Mr. TALENT, Mr. ZELIFF, Mr. TUCKER, Mr. KLINK, Mr. RAMSTAD, Mr. MACHTLEY, Mr. BAKER of Louisiana, Mr. DICKEY, Mr. COLLINS of Georgia, and Mr. SKELTON):

H.R. 1936. A bill to make supplemental appropriations for fiscal year 1993 for the general business guaranteed loans program of the Small Business Administration; to the Committee on Appropriations.

By Mr. NADLER (for himself, Ms. MALONEY, and Mr. LEVY):

H.R. 1937. A bill to amend the Internal Revenue Code of 1986 to provide for adjustments in the individual income tax rates to reflect regional differences in the cost-of-living; to the Committee on Ways and Means.

By Mr. NEAL of Massachusetts (for himself, Mr. MOAKLEY, Mr. OLVER, Mr. STUDDS, Mr. FRANK of Massachusetts, Mr. MARKEY, Mrs. JOHNSON of Connecticut, Mr. HANCOCK, Mr. SUNDQUIST, Mr. MATSUI, Mr. CRANE, and Mr. WILSON):

H.R. 1938. A bill to amend the Internal Revenue Code of 1986 to repeal the special $15,000,000 limitation on the amount of a tax-exempt bond issue which may be used to provide an output facility; to the Committee on Ways and Means.

By Mr. PAYNE of Virginia (for himself, Mr. LEWIS of Georgia, Mr. GOODLATTE, Mr. PENNY, and Mrs. CLAYTON):

H.R. 1939. A bill to amend the Emergency Food Assistance Act of 1983 to make funds available for the processing, packaging, and transportation of grower-donated commodities by private nonprofit organizations; to the Committee on Agriculture.

By Mr. RAMSTAD:

H.R. 1940. A bill to extend until January 1, 1997, the previously existing suspension of duty on cyclosporine; to the Committee on Ways and Means.

H.R. 1941. A bill to suspend temporarily the duty on photoreceptors and assemblies containing photoreceptors; to the Committee on Ways and Means.

By Mr. RANGEL:

H.R. 1942. A bill to provide for a program established by a nongovernmental organization under which Haitian Americans would help the people of Haiti recover from the destruction caused by the coup of December 1991; to the Committee on Foreign Affairs.

H.R. 1943. A bill to lift the trade embargo on Cuba, and for other purposes; jointly, to the Committees on Foreign Affairs, Energy and Commerce, and Post Office and Civil Service.

By Mr. UNDERWOOD (for himself, Mr. DE LUGO, Mr. FALEOMAVAEGA, Mr. ABERCROMBIE, Mr. GILMAN, Mr. MURPHY, Mr. MONTGOMERY, Mr. KENNEDY, Mrs. MINK, Mr. RICHARDSON, and Mr. ROMERO-BARCELÓ):

H.R. 1944. A bill to provide for additional development at War in the Pacific National Historical Park, and for other purposes; to the Committee on Natural Resources.

By Mr. ROEMER:

H.R. 1945. A bill to provide for return of excess amounts from official allowances of Members of the House of Representatives to the Treasury for deficit reduction; to the Committee on House Administration.

By Mr. SMITH of Michigan (for himself, Mr. DINGELL, Mr. BARCIA, Mr. BONIOR, Mr. CAMP, Mr. CARR, Miss COLLINS of Michigan, Mr. FORD of Michigan, Mr. HENRY, Mr. HOEKSTRA, Mr. KILDEE, Mr. KNOLLENBERG, Mr. LEVIN, Mr. STUPAK, and Mr. UPTON):

H.R. 1946. A bill to declare the Federal Center in Battle Creek, MI, to be excess Federal property and to transfer control of the center from the Administrator of General Services to the Secretary of Defense; jointly, to the Committees on Armed Services, Public Works and Transportation, and Government Operations.

By Ms. SNOWE:

H.R. 1947. A bill to amend the Internal Revenue Code of 1986 to make the dependent care credit refundable, and for other purposes; to the Committee on Ways and Means.

By Mr. STARK (for himself, Mr. EVANS, Mr. DICKS, and Mr. BERMAN):

H.R. 1948. A bill to reduce the threat from nuclear facilities located in the former Soviet Union; jointly, to the Committees on Foreign Affairs and Armed Services.

By Mr. WELDON (for himself and Mr. ANDREWS of New Jersey):

H.R. 1949. A bill to amend the Internal Revenue Code of 1986 to provide a capital gain exclusion for investments in qualified businesses with employee stock ownership programs within Federal enterprise zones; to the Committee on Ways and Means.

By Mr. WOLF (for himself, Mr. ALLARD, Mr. ARMEY, Mr. KINGSTON, and Mr. LEVY):

H.R. 1950. A bill to provide assistance to families, enhance economic growth and opportunity, and advance education reform; jointly, to the Committees on Ways and Means, Education and Labor, and the Judiciary.

By Ms. NORTON (by request):

H.R. 1951. A bill to amend the District of Columbia Stadium Act of 1957 to authorize construction, maintenance, and operation of a new stadium in the District of Columbia, and for other purposes; jointly, to the Committees on the District of Columbia and Natural Resources.

By Mr. KREIDLER (for himself, Mr. MONTGOMERY, Mr. SLATTERY, Mr. CLEMENT, Mr. SPENCE, Mr. DICKS, Mrs. UNSOELD, Mr. MINETA, Mr. BATEMAN, Mr. LANCASTER, Mr. SUNDQUIST, Mr. WOLF, Mr. DE LA GARZA, Mr. PICKETT, Mr. VALENTINE, Mr. PETERSON of Florida, Mr. GINGRICH, Mr. WHITTEN, Mr. BACCHUS of Florida, Mr. POSHARD, Mr. MARTINEZ, Mr. SANDERS, Mr. BLILEY, Mr. WILSON, Mr. BONIOR, Mr. SARPALIUS, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. BILBRAY, Mr. BROWN of California, Mr. CRAMER, Mr. DE LUGO, Mr. DELLUMS, Mr. DIXON Mr. FAZIO, Mr. FROST, Mr. GALLEGLY, Mr. PETE GEREN, Mr. GILMAN, Mr. HUTTO, Mr. INHOFE, Mr. KASICH, Mr. KILDEE, Mr. KOPETSKI, Mr. LAROCCO, Mr. LEVIN, Mr. LEWIS of California, Mr. LIGHTFOOT, Mr. MCCLOSKEY, Mr. MCCRERY, Mr. MCDADE, Mr. MCNULTY, Mr. MURPHY, Mr. NEAL of North Carolina, Ms. NORTON, Mr. PARKER, Mr. QUILLEN, Mr. RAVENEL, Mr. ROBERTS, Mr. SISISKY, Mr. SKEEN, Ms. SNOWE, Mr. STOKES, Mr. SYNAR, Mr. TANNER, Mr. TOWNS, Mr. TRAFICANT, Mr. WALSH, and Mr. YOUNG of Alaska):

H.J. Res. 188. Joint resolution designating November 22, 1993, as "National Military Families Recognition Day"; to the Committee on Post Office and Civil Service.

By Mr. LEWIS of Georgia (for himself, Mr. VENTO, Mr. SAWYER, Mr. COPPERSMITH, and Mr. SHAYS):

H.J. Res. 189. Joint resolution designating the week beginning February 6, 1994, as "Lincoln Legacy Week"; to the Committee on Post Office and Civil Service.

By Mr. ROHRABACHER (for himself, Mr. BROWN of California, Mr. MCCURDY, and Mr. MCKEON):

H. Con. Res. 90. Concurrent resolution to amend the Rules of the House of Representatives and the Standing Rules of the Senate to abolish the requirement that appropriations be authorized by laws, and to eliminate unnecessary duplication in the functions of the standing committees of the House and Senate, and for other purposes; to the Committee on Rules.

By Mr. TALENT:

H. Con. Res. 91. Concurrent resolution expressing the sense of the Congress that a commemorative postage stamp should be issued to honor Americans held as prisoners of war or listed as missing in action; to the Committee on Post Office and Civil Service.

By Mr. HOYER:

H. Res. 161. Resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mr. GEKAS:

H. Res. 162. Resolution expressing the sense of the House of Representatives relating to the support of international efforts to bring about democratic reform in the former Yugoslavia through peaceful and equitable means; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

129. The SPEAKER presented a memorial of the Senate of the Commonwealth of Virginia, relative to relocating six Navy commands currently located in Arlington County; to the Committee on Armed Services.

ADDITIONAL SPONSORS

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

H.R. 11: Mr. BORSKI, Mr. VENTO, and Mrs. MINK.

H.R. 101: Mr. STUMP, Mr. CLINGER, and Mr. MYERS of Indiana.

H.R. 109: Mr. RANGEL and Mr. SAXTON.

H.R. 242: Mr. TUCKER.

H.R. 280: Mr. EVANS, Mr. YATES, Mr. CASTLE, and Mr. HINCHEY.

H.R. 324: Mr. GEKAS and Mr. RAVENEL.

H.R. 348: Ms. MOLINARI and Mr. HUTTO.

H.R. 349: Mr. HOLDEN, Mr. BECERRA, Ms. CANTWELL, Mr. EVANS, and Ms. WOOLSEY.

H.R. 396: Mr. FISH.

H.R. 401: Mr. HAYES of Louisiana.

H.R. 521: Mr. WELDON, Mr. LAFALCE, Mr. COSTELLO, Mr. BROWDER, Mr. COLEMAN, Mr. DURBIN, Mr. QUINN, Mr. MCDADE, Mr. SHAYS, Mr. MOLLOHAN, Mr. BOUCHER, Mr. TAYLOR of Mississippi, Mr. MURTHA, Mr. ENGLISH of Oklahoma, Mr. YATES, Ms. BYRNE, Mrs. MINK, Mr. MINETA, and Mr. THOMPSON.

H.R. 630: Ms. MEEK and Ms. EDDIE BERNICE JOHNSON OF TEXAS.

H.R. 635: Ms. MEEK.

H.R. 672: Mr. SWETT, Mr. DIXON, Mr. MCDADE, and Mr. LEVY.

H.R. 715: Mr. JACOBS, Mr. MANN, Mr. BARCIA, Mr. SOLOMON, and Mr. LIPINSKI.

H.R. 727: Mr. TOWNS, Mr. SABO, Mr. APPLEGATE, and Mr. TUCKER.

H.R. 728: Miss COLLINS of Michigan and Ms. WOOLSEY.

H.R. 739: Mr. ROGERS, Mr. BARTON of Texas, and Mr. EVERETT.

H.R. 741: Mr. CANADY and Mr. DORNAN.
H.R. 749: Mr. ROTH, Mr. HYDE, Mr. PASTOR, Mr. SHARP, Mr. MONTGOMERY, and Mr. GEJDENSON.
H.R. 776: Mr. ISTOOK.
H.R. 778: Mr. SKELTON, Mr. TANNER, Mr. RAVENEL, and Mr. SPENCE.
H.R. 794: Mr. GUTIERREZ.
H.R. 799: Mr. COBLE.
H.R. 844: Mr. BOUCHER, Mr. TOWNS, and Ms. MOLINARI.
H.R. 916: Miss COLLINS of Michigan, Ms. KAPTUR, Mr. EVANS, and Mr. BARLOW.
H.R. 963: Mr. LEVIN.
H.R. 987: Mr. MEEHAN and Mr. EVANS.
H.R. 999: Ms. MOLINARI.
H.R. 1012: Mrs. BENTLEY, Mr. BERMAN, and Mr. BACCHUS of Florida.
H.R. 1048: Ms. MOLINARI, and Ms. EDDIE BERNICE JOHNSON OF TEXAS.
H.R. 1120: Mr. INGLIS, Mr. HASTINGS, Mr. LEVY, Mr. MINGE, Mr. PORTER, Mr. WYNN, Mr. McMILLAN, and Mr. RAVENEL.
H.R. 1141: Mr. HASTERT, Mr. SPRATT, Ms. DUNN, Mr. MCDERMOTT, Mr. RAVENEL, and Mr. GOSS.
H.R. 1142: Mr. POSHARD, Mr. EMERSON, and Mr. OBEY.
H.R. 1156: Mr. EMERSON and Mr. DREIER.
H.R. 1237: Mr. COLEMAN and Mr. CLEMENT.
H.R. 1250: Mr. DINGELL, Mr. PARKER, Mr. HUGHES, Mr. PETERSON of Minnesota, and Ms. MOLINARI.
H.R. 1255: Ms. WOOLSEY.
H.R. 1280: Mr. SANDERS, Mr. BERMAN, Mr. STOKES, Mr. ACKERMAN, Ms. EDDIE BERNICE JOHNSON, Mr. DELLUMS, Mr. MEEHAN, Mr. OLVER, Mr. FOGLIETTA, Ms. WOOLSEY, Mr. PASTOR, Mr. HASTINGS, Mr. NADLER, Ms. PELOSI, Mr. VISCLOSKY, Mr. FILNER, Mr. STUPAK, Mr. RANGEL, Mr. LANTOS, Mr. SABO, Ms. MALONEY, Mr. BLACKWELL, Mr. BONIOR, Mr. TORRES, Mr. NEAL of Massachusetts, Mr. MINETA, Mr. BROWN of California, Ms. KAPTUR, Mr. RAHALL, Mr. GONZALEZ, Mr. GUTIERREZ, Mr. FRANK of Massachusetts, Mr. COLEMAN, Mr. MOAKLEY, and Mr. EDWARDS of California.
H.R. 1293: Mr. ROBERTS.
H.R. 1308: Mr. DORNAN, Mr. WHEAT, Mr. ROEMER, Mr. DREIER, Mr. BARTLETT, Mr. TUCKER, Ms. EDDIE BERNICE JOHNSON OF TEXAS, and Mr. OLVER.
H.R. 1312: Mr. DERRICK.
H.R. 1381: Mrs. UNSOELD.
H.R. 1411: Mr. NEAL of North Carolina.
H.R. 1421: Mr. BLACKWELL and Mr. LEWIS of Georgia.
H.R. 1455: Mr. GALLEGLY, Mr. FOGLIETTA, Mr. FINGERHUT, Mr. WILSON, Mr. ACKERMAN, Mr. CLAY, Mr. TOWNS, and Mr. LIPINSKI.
H.R. 1475: Mr. EMERSON, Mr. HOUGHTON, Mr. HANCOCK, Mr. HERGER, and Mr. TUCKER.
H.R. 1504: Mr. SKEEN, Mr. DORNAN, and Mr. EVANS.
H.R. 1505: Mr. BACHUS of Alabama.
H.R. 1523: Mr. JACOBS.
H.R. 1625: Mr. PARKER, Mr. HANCOCK, Mr. ZELIFF, and Mr. BARCIA.
H.R. 1640: Mr. STUDDS.
H.R. 1703: Mr. FILNER and Ms. MALONEY.
H.R. 1718: Mr. TUCKER, Mr. DORNAN, Mr. CLAY, Mr. TOWNS, Mr. SWIFT, Mr. SERRANO, Mr. RUSH, Mr. STOKES, Mr. FROST, and Ms. EDDIE BERNICE JOHNSON OF TEXAS.
H.R. 1744: Mr. FILNER, Mr. TOWNS, Mr. SOLOMON, and Mr. LIPINSKI.
H.R. 1788: Mr. SWETT.
H.R. 1795: Ms. WATERS and Mr. BLACKWELL.
H.R. 1841: Mr. SUNDQUIST.
H.R. 1843: Mr. HASTINGS.
H.R. 1863: Mr. DORNAN, Mr. OXLEY, Mrs. VUCANOVICH, Mr. GREENWOOD, Mr. HALL of Texas, and Mr. KING.
H.R. 1873: Mr. CRAMER, Mr. YATES, Mr. COOPER, Mr. HASTINGS, Mr. MATSUI, Mr. MINETA, Mr. DEUTSCH, Mrs. MINK, Mr. LIPINSKI, Mr. RAVENEL, Mr. FROST, Mr. SCHIFF, Ms. MALONEY, and Mr. COPPERSMITH.
H.R. 1890: Mr. COLEMAN, Ms. ESHOO, Mr. FLAKE, Mr. FROST, Ms. EDDIE BERNICE JOHNSON OF TEXAS, Mr. LIPINSKI, Ms. MOLINARI, Mr. RANGEL, Mr. SABO, Mrs. SCHROEDER, Mr. DORNAN, Mr. SKAGGS, Mr. MFUME, Mr. REED, Ms. LOWEY, Mr. HOBSON, Mr. HYDE, Ms. WATERS, Mr. DERRICK, and Mr. HOYER.
H.J. Res. 38: Mr. GALLO.
H.J. Res. 58: Mr. BALLENGER.
H.J. Res. 67: Mr. THOMAS of Wyoming.
H.J. Res. 111: Mr. STUMP, Mr. SMITH of New Jersey, Mr. BREWSTER, Mr. BARCIA, Mr. PICKLE, Mr. BURTON of Indiana, Mr. EVANS, Mr. HOCHBRUECKNER, Mr. BEVILL, Mr. CALVERT, Mr. WHEAT, Mr. NEAL of North Carolina, and Mr. GORDON.
H.J. Res. 119: Mr. DARDEN, Mr. JACOBS, Mr. PASTOR, and Mrs. UNSOELD.
H.J. Res. 122: Mr. TAUZIN, Mr. EVANS, Mr. CHAPMAN, Ms. SLAUGHTER, Mr. KIM, Mr. APPLEGATE, Mr. RANGEL, Mr. JEFFERSON, Mr. WAXMAN, and Mr. SAXTON.
H.J. Res. 128: Mr. HANCOCK and Mr. KLINK.
H.J. Res. 133: Mr. POSHARD.
H.J. Res. 135: Mr. MCDADE, Ms. MEEK, Mr. LAFALCE, Mr. OWENS, Mr. SMITH of Iowa, Mr. SPENCE, Mr. YOUNG of Alaska, Mr. CARDIN, Mr. SISISKY, Mr. TRAFICANT, Mr. KREIDLER, Ms. PELOSI, Mr. SLATTERY, Ms. VELAZQUEZ, Mr. PAYNE of New Jersey, Mr. KILDEE, Mr. EVANS, Mr. JACOBS, Ms. SLAUGHTER, Mr. ROEMER, Mrs. BENTLY, Mr. ORTIZ, Mrs. UNSOELD, Mr. MANTON, Mr. COLEMAN, Mr. MARKEY, Mr. WELDON, Mr. MCNULTY, Mr. NEAL of North Carolina, Ms. DUNN, Mr. HALL of Ohio, Ms. ROYBAL-ALLARD, Mr. SAXTON, Mr. BACCHUS of Florida, Mr. WILSON, Mrs. MEYERS of Kansas, Mr. MOLLOHAN, Mr. MURTHA, Mr. REGULA, Mr. SMITH of New Jersey, Mr. FALEOMAVAEGA, Mr. DE LA GARZA, Mr. MOORHEAD, Mr. PICKETT, Mr. WALSH, Mr. MYERS of Indiana, Mr. HUGHES, Mr. DINGELL, Mr. QUILLEN, Mr. SKEEN, Mr. GREENWOOD, Mr. SCHUMER, Mr. FAZIO, Mr. HILLIARD, Mr. JEFFERSON, Mr. JOHNSON of South Dakota, Mr. CLEMENT, Mr. MCCOLLUM, Mr. RICHARDSON, Mr. WAXMAN, Mr. SABO, Mr. VENTO, Mr. HASTINGS, Mr. TANNER, Mr. KOPETSKI, Mr. MURPHY, Mr. NEAL of Massachusetts, Mr. RAVENEL, Mr. MOAKLEY, Mr. GEJDENSON, Mr. MONTGOMERY, Mr. BAKER of California, Mr. MATSUI, Mr. SERRANO, Mr. PRICE of North Carolina, Mr. BATEMAN, Mr. BLILEY, Mr. FISH, Mr. REYNOLDS, and Mr. MENENDEZ.
H.J. Res. 140: Ms. NORTON, Mr. ROMERO-BARCELÓ, Mr. TOWNS, Mr. FROST, Mr. SERRANO, Mr. SCOTT, Mr. RANGEL, Mr. FILNER, Mr. PARKER, and Mr. PAYNE of New Jersey.
H.J. Res. 152: Mr. SMITH of New Jersey and Mr. KREIDLER.
H.J. Res. 160: Mr. ROYCE.
H. Con. Res. 66: Mr. DURBIN, Mr. TOWNS, Mr. ROMERO-BARCELÓ, Mr. HASTINGS, Mr. PORTER, Mr. RAMSTAD, Mr. SERRANO, Mr. KOPETSKI, Mr. FALEOMAVAEGA, Mr. LANCASTER, Mr. NEAL of North Carolina, Mr. MCHALE, and Mr. ANDREWS of Maine.
H. Con. Res. 74: Ms. MOLINARI.
H. Con. Res. 76: Mr. MCCLOSKEY, Mr. ROHRABACHER, Mrs. CLAYTON, Ms. MALONEY, Mrs. MEYERS of Kansas, and Mr. BATEMAN.
H. Con. Res. 77: Mr. WELDON, Mr. ZELIFF, Mr. WALSH, and Mr. KYL.
H. Res. 35: Mr. LANTOS, Ms. EDDIE BERNICE JOHNSON, Ms. LOWEY, Mr. WYNN, Mr. MFUME, Mr. BECERRA, Mr. BERMAN, and Mr. TUCKER.
H. Res. 53: Mr. BURTON of Indiana, Mr. ROYCE, Mr. EVERETT, Mrs. LLOYD, Mr. BAKER of California, and Mr. KLUG.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 123: Mr. SCOTT.