

District in extending to Roger Tilles the highest accolades of appreciation and admiration.

# INTRODUCTION OF H.R. 3379

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1996

Mr. CONDIT. Mr. Speaker, along with our colleagues, LAMAR SMITH, JIMMY HAYES, SCOTT KLUG, WILLIAM LIPINSKI, and RALPH HALL, I am today introducing legislation to require the President of the United States to submit a balanced budget plan to the Congress and to forbid the consideration in the House of Representatives of any budget resolution that does not provide for a balanced budget. These changes would take effect at the beginning of the 105th Congress.

Under the terms of the bill, the President must submit to Congress a detailed plan to balance the Federal budget in 6 years or less. In the event the President's budget plan is not in balance, as determined by the Congressional Budget Office [CBO] after review, it would be returned to the White House. In addition, the legislation provides that the only concurrent budget resolution in order in the House is one that provides for a balanced budget and this provision is enforced by a nonwaivable point of order. During a declared war or national emergency, these requirements could be suspended.

This measure does not interfere with the ability of the President or the Congress to set spending priorities. Under current law, title 31, Presidents are required to meet several requirements in their budget submission, and this bill only adds to these requirements. And the Budget Committee would remain free to determine spending priorities and to instruct the authorizing committees to reduce spending.

The last budget surplus occurred in fiscal year 1969, and you have to go back to fiscal years 1956 and 1957 to find 2 consecutive years of budget surplus. According to the Office of Management and Budget [OMB], President Clinton's fiscal 1997 produces balance in the year 2002. The CBO, however, found that the President's claim of budget balance is based on contingent proposals, including sunseting tax relief, triggering new taxes and Medicare cuts, and unspecified reductions in discretionary spending of 15 percent in 2002. Absent these contingencies, the fiscal 1997 budget results in a \$80 billion deficit.

In the last few years, Presidents have submitted budget plans to the Congress that rested on rosy economic assumptions and restrained spending through the generous use of budget gimmickry, and successive Congresses were all too willing to go along with these practices. The President's fiscal 1997 budget is proof that the use of blue smoke and mirrors continues unabated. President Clinton does deserve credit for agreeing to balance the budget and to work with the leadership of Congress to achieve that goal.

The American people in every opinion poll strongly support a balanced budget, and most of our colleagues now support balancing the budget. If we cannot balance the budget this year, it must be done next year.

The legislation that I am introducing today will facilitate the work of the Congress and the

President. This legislation has been endorsed by the National Taxpayers Union, Citizens Against Government Waste, Americans for Tax Reform, the U.S. Chamber of Commerce, and the National Federation of Independent Business.

I urge you and our colleagues, Mr. Speaker, to join me in supporting this needed bill. The text of the legislation follows.

H.R. 3379

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

## SECTION 1. PRESIDENT'S BUDGET.

Section 1105(a) of title 31, United States Code, is amended by adding at the end the following new paragraph:

"(32) A detailed plan to achieve a balanced Federal budget by the close of the sixth fiscal year beginning after the current fiscal year."

## SEC. 2. CONGRESSIONAL TREATMENT OF BUDGET SUBMISSIONS.

Upon the submission by the President of a budget for the United States Government to the Congress pursuant to section 1105(a) of title 31, United States Code, the Director of the Congressional Budget Office shall determine and certify whether the balanced budget plan submitted pursuant to section 1105(a)(32) of that title does achieve a balanced budget. The Director shall inform the Clerk of the House of Representatives and the Secretary of the Senate of the results of the certification. If the budget is certified as not being in balance pursuant to such plan, the Clerk and the Secretary shall return the budget submission to the President.

## SEC. 3. POINT OF ORDER.

(a) The Rules of the House of Representatives are amended by adding at the end the following new rule.

### "RULE LIII

#### "BALANCED BUDGET ENFORCEMENT

"1. It shall not be in order in the House to consider any concurrent resolution on the budget unless it provides for a balanced budget for the United States Government."

"2. The House may waive the provisions of clause 1 if a declaration of war is in effect or if the United States faces an imminent and serious military threat to national security and is so declared by a joint resolution (adopted by a majority of the whole number of each House) which becomes law."

(b) The second sentence of clause 4(b) of rule XI of the Rules of the House of Representatives is amended by inserting before the period at the end the following: "; nor shall it report any rule of order waiving clause 1 of rule LIII".

## NEW JERSEY RECOGNIZES LOYAL HEART AWARD DAY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1996

Mr. PALLONE. Mr. Speaker, today I have the distinct honor of recognizing the activities of caregivers throughout the State of New Jersey. Sunday, May 5 marks the third annual "Loyal Heart Award Celebration." In my home State of New Jersey, Governor Whitman has designated May 5 as "Loyal Heart Award Day."

The Loyal Heart Award is sponsored by the Middlesex County Chapter of the New Jersey Coalition on Women and Disabilities. The

award was initiated in 1994 by Elayne Hyman Risley to recognize the contributions made by individuals who provide care for persons with disabilities.

Those recognized on Loyal Heart Award Day represent the wide range of caregivers; they are friends, relatives, nurses or assistants to a person with a disability. Those we honor today embody the qualities of faithfulness, dedication, and commitment. Their efforts are tireless and dependable. Ms. Risley, inspired by the quality of care she had received from her daughter Robyn, son Ryan and her assistant, Nancy Namowicz; became determined to establish a formal day of tribute to caregivers. This is truly a grassroots effort; I was contacted first by New Jersey Assemblyman, John Wisniewski.

The role of caregivers is varied and significant. Caregivers may provide personal care or help around the house or furnish transportation which makes possible participation in community programs. This care may be temporary or extend over a lifetime. Whatever assistance the caregiver is providing, it is of great importance to the individual with disabilities. But to express it most succinctly, I will use the words of Ms. Risley: "Through caregivers' efforts, individuals with disabilities are able to reach their fullest potential."

Many of us have a personal connection to individuals with disabilities. Perhaps we are one of million of people in the United States with a disability. Perhaps we are a family member, advocate or one of the very special people, a caregiver, whom we honor today. Individuals with disabilities and their caregivers deserve our acknowledgement, our support, our appreciation and our respect.

In my own district, we are trying to reach out to individuals with disabilities, their families, caregivers and advocates for the purposes of keeping them informed about issues of importance to this exceptional community. I encourage my congressional colleagues to remember that these groups of persons need information so that they can be in the best position to know about issues of significance to individual with disabilities. I also encourage other Members of Congress to join me in support and recognition of the humanitarian efforts of the loyal hearts.

In addition, I have sponsored or cosponsored legislation that I believe is of importance to individuals with disabilities and their families.

Potentially, any of us could become a person with a disability. If I were ever to face that situation, it is my hope that I would be blessed by support and care equal to that provided by one of the selfless individuals we recognize here today.

## PERSONAL EXPLANATION

HON. HELEN CHENOWETH

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1996

Mrs. CHENOWETH. Mr. Speaker, on Wednesday, I was unavoidably detained and missed rollcall vote 144. Had I been here, I would have voted "yes." I ask unanimous consent to have my statement appear in the appropriate place in the RECORD.

# ONE STRIKE YOU'RE OUT FOR ASSISTED HOUSING

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1996

Mr. MORAN. Mr. Speaker, I am pleased to introduce legislation extending the "One Strike You're Out" provisions to screen and evict drug and alcohol abusers in public and tenant-based section 8 housing to all types of low-income, rent-subsidized housing.

For too long, drug dealers and other criminals have plagued low-income housing projects. Despite Federal policies that date back to 1988, a number of legal loopholes have enabled criminals to evade eviction. The new law closes these loopholes and grants housing authorities new powers to screen and evict problem tenants. I was pleased to see that the Housing Opportunity and Extension Act [S. 1494] included my language closing several legal loophole that enabled drug dealers and problem tenants to evade the expedited eviction procedures in public housing.

I have a personal interest in the expedited eviction procedure dating back to my service as mayor of the city of Alexandria. Unfortunately, it took the tragic death of Alexandria police officer Charlie Hill in 1989 before HUD responded with an expedited eviction procedure for public housing residents. I tried to deal with his death in the most constructive way possible and sought a waiver from then Secretary Jack Kemp to expedite the eviction of known drug dealers from public housing.

The police and the community knew who the drug dealers were, but every time they attempted to do something, they were stymied by the legal aid advocates. Fortunately, Alexandria was successful and the city's public housing units are a far different place to live today. The expedited eviction procedure works but it needed to be strengthened further.

The work begun following officer Hill's death, however, is not yet complete. The new law fails to cover residents living in federally-assisted housing. Residents in project-based section 8 and FHA insured multifamily housing have no similar protection today when drug dealers threaten their health and safety. There are approximately 1.4 million public housing units, while there are more than 2.1 million section 8 publicly assisted housing units. Residents of these 2.1 million units deserve equal protection under the law.

With enactment of this legislation, tenants, victimized by drug dealers and others who threaten their safety and well being, will receive equal protection. With enactment of this legislation, drug dealers in project-based section 8 housing will no longer be able to ply their trade outside the project's boundary where they were erroneously exempt from the expedited eviction procedure. And, ignorance of a fellow tenant's illegal drug activity will no longer be exclusive grounds to exempt a lease-holder from the expedited eviction procedure. Ignorance of illegal drug activity should not, by itself, be grounds for exempting a tenant from the expedited eviction procedure.

Too often the actual knowledge standard is an easy way out for the tenant. It also encourages lease holders to avoid knowing what members of their family or other persons under their roof are doing.

Mr. Speaker, this legislation is good public policy. It's good for the tenants, it's good for the neighbors and it's good for the managers and owners.

It is also important that as we shift from Government-run public housing to community-based vouchers and assistance, we need to provide communities with the tools to enforce the laws and foster good responsible neighbors.

This legislation helps bring us closer to this goal.

## HOUSE CONCURRENT RESOLUTION 165 HONORS THE POLISH CONSTITUTION OF 1791 AND PROMOTES DEMOCRACY IN EAST-CENTRAL EUROPE

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1996

Mr. GUTIERREZ. Mr. Speaker, I rise today to honor the 205th anniversary of Poland's first Constitution on May 3. The Polish Constitution of 1791 was the first liberal Constitution in Europe, narrowly preceded by our own Constitution in 1787.

I would also like to announce my cosponsorship of the House Concurrent Resolution 165, to honor the Polish Constitution of 1791 and to promote democracy in East-Central Europe.

Throughout our Nation's history, the sons and daughters of Poland have immigrated to our shores. In fact, a native son of Poland, Thaddeus Kosciuszko, fought alongside General Washington during the Revolutionary War. Upon returning to Poland, after his heroic efforts for American liberty, Mr. Kosciuszko helped draft the Polish Constitution. The American concept of constitutional democracy was thus born in Europe in 1791.

However, just as American independence had threatened the colonial establishment and balance of power, Poland's early democratic experiment threatened the autocratic regimes of its neighbors, imperial Russia and the Hapsburg Austro-Hungarian Empire. Two years after Poland embarked on its bold path the Russian and Austrian armies conquered Poland and ended constitutional rule.

Today, 205 years after it began, the democratic experiment in Poland has been restored. A free Poland has experienced its first real open elections in several generations and the positive economic successes it has achieved are unparalleled in its history.

Poland is looking to cement its economic and political achievements by joining the North Atlantic Treaty Organization [NATO] and the European Community. Poland's efforts to exercise civilian control over its military and its cooperation with the NATO alliance through the Partnership for Peace and in Bosnia are important steps toward greater military and economic integration with the rest of Europe and the United States.

Today, I salute and congratulate Polish people around the world, including the thousands of Polish-Americans in the Fourth Congressional District of Illinois and in the Chicago area, as we commemorate the adoption of the first Polish Constitution. I also urge my colleagues and the people of the United States to

recognize Poland's rebirth as a free and independent nation in the spirit and legacy of the Polish Constitution of 1791.

## SMUGGLING BANNED CHLOROFLUOROCARBONS IN THE UNITED STATES

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1996

Mr. DIAZ-BALART. Mr. Speaker, I rise today to address smuggling activities occurring in the United States by Indian chemical manufacturing companies. A report, published in the Washington Times earlier last month cites India as the source of a multimillion-dollar ring, which is smuggling banned chlorofluorocarbons, or CFC's into the United States.

According to this report, tons of banned CFC's are being smuggled into the United States by Indian manufacturers with government patronage, generating huge profits in illegal sales.

CFC importation has become a serious problem. The Customs Service says that it is now the No. 2 problem behind illegal drugs. Until it was banned under the Montreal Protocol, CFC-12, or freon gas, was widely used to run refrigerators and car air conditioners. According to the article, Customs recently broke up an operation that was smuggling \$52 million worth of CFC-12. The newspaper said that a substantial portion of CFC-12 in U.S. commerce has been smuggled. Much of it appears to have been produced by Mafatlal, an Indian chemical company. The report goes on to say that one Indian CFC smuggling operation involved 2,750 tons of gas. In this article, the newspaper reports that by labeling the CFC-12 for transshipment to a third country or identifying it as another gas, "the smugglers can avoid the ban by delivering CFC-12 to unscrupulous distributors, auto chains, and others and make a fat profit."

In this light, it becomes more important than ever for the United States to stop providing assistance to the Indian Government. I urge my colleagues to pass H.R. 1425, which will end American development aid to India until human rights are respected, and House Concurrent Resolution 32, which calls for self-determination for Khalistan, the independent Sikh country declared on October 7, 1987. Both bills should be passed as soon as possible. We must make it clear to the Indian regime that smuggling, genocide, and repression are not acceptable.

I am entering into the RECORD a press release issued by the Council of Khalistan, the government in exile of Khalistan, which deals with this scandal.

[News release from the Council of Khalistan]

INDIA SMUGGLES BANNED CFCs TO U.S.

WASHINGTON, DC, April 23.—The Associated Press reported recently that chlorofluorocarbons, or CFC gas, which is banned in the United States, is being heavily smuggled from India. CFC gas was widely used in car air conditioners, but environmentalists contend that the gas is harming Earth's ozone layer. Under terms of the 1987 Montreal Protocol, industrial nations agreed to phase out CFCs. CFCs have been banned in the United States since January 1. According