

by the Secretary that consists of approximately 22 acres and is located at 18296 Elgin Avenue, Dos Palos, California, to be used as a farm school for the education and training of students and beginning farmers regarding farming. Any such conveyance shall be final with no future liability accruing to the Secretary of Agriculture.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the transferee shall pay to the Secretary an amount equal to the fair market value of the parcel conveyed under subsection (a).

(c) ALTERNATIVE TRANSFEREE.—At the request of the Dos Palos Ag Boosters, the Secretary may make the conveyance authorized by subsection (a) to the Dos Palos School District.

(d) DETERMINATION OF FAIR MARKET VALUE AND PROPERTY DESCRIPTION.—The Secretary shall determine the fair market value of the parcel to be conveyed under subsection (a). The exact acreage and legal description of the parcels shall be determined by a survey satisfactory to the Secretary. The cost of any such survey shall be borne by the transferee.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan [Mr. SMITH] and the gentleman from California [Mr. CONDIT] each will control 20 minutes.

The Chair recognizes the gentleman from Michigan [Mr. SMITH].

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

Mr. Speaker, we expect this to be very short, very quick. The bill as introduced by the gentleman from California [Mr. CONDIT] on September 10 is a noncontroversial land sale that has the support of the local community, the Department of Agriculture, the Democrats and the Republicans.

Mr. Speaker, I include the following letter for the RECORD:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 26, 1996.

Hon. PAT ROBERTS,
Chairman, Committee on Agriculture,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: As you requested, the Congressional Budget Office has reviewed H.R. 4041, a bill to authorize the Secretary of Agriculture to convey a parcel of unused agricultural land in Dos Palos, California, to the Dos Palos Ag Boosters for use as a farm school. The bill was introduced in the House of Representatives on September 10, 1996. Based on information provided by the Farm Service Agency (FSA), which owns the land, CBO estimates that enacting H.R. 4041 would have no significant impact on the federal budget. Because the bill could affect direct spending, pay-as-you-go procedures would apply; but any such effect would be negligible.

The bill would direct the Secretary of Agriculture to convey a parcel of about 22 acres of land in Dos Palos, California, to the Dos Palos Ag Boosters. As consideration for the conveyance, the transferee would pay to the Secretary an amount equal to the fair market value of the parcel, as determined by the Secretary. The transferee would also be required to pay the cost of a survey to determine the exact acreage and legal description.

According to the FSA, the land is worth less than \$100,000. The agency acquired the parcel through liquidation and then leased the land out. That lease has since expired. Under new procedures, FSA now is required to sell such land at its appraised value (if possible) upon expiration of a lease, so this land would likely be sold in the near future under current law. CBO estimates that receipts from the sale of this land would not be significantly different under H.R. 4041.

H.R. 4041 contains no private-sector or intergovernmental mandates as defined in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4) and would impose no significant costs on state, local, or tribal governments.

If you wish further details on this estimate, we will be pleased to provide them. The staff contact is Craig Jagger.

Sincerely,

JUNE E. O'NEILL, *Director.*

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

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

Mr. Speaker, I first want to thank Committee Chairman ROBERTS and Subcommittee Chairman ALLARD in addition to Ranking Members DE LA GARZA and JOHNSON for expediting this bill through the committee and to the House floor, for consideration at this time.

This bill is simple and straightforward.

H.R. 4041 gives USDA the authority to sell 22 acres of land in my congressional district to a nonprofit organization or alternatively, to the Dos Palos School District in Dos Palos, CA.

This land will be used to establish a farm school for the education and training of students and beginning farmers regarding farming.

Under the farm school proposal, high school and middle school students will be farming the ground under the advisement of the school Agriculture advisor.

The students will be taught all aspects of modern agriculture practices, including irrigation and conservation methods, integrated pest management, agricultural marketing and administration.

In addition, all proceeds from the farm school will allow students to purchase their own equipment and supplies for use at the site.

Finally, not only would this project benefit beginning farmers, it would also assure that the land remain in an agricultural use.

This legislation has the support of the local school district and the community of Dos Palos, in addition to the USDA at the local, State and Federal levels as a very worthwhile project to help young beginning farmers get started.

I hope that all of the members will join me in supporting H.R. 4041 and I urge the House to approve the bill at this time.

Mr. Speaker, I thank the House for its generosity in allowing us to do this at this time, and I yield back the balance of my time.

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

Mr. Speaker, it is 22 acres of land, it will be sold at market value and any other provisions that the Secretary of Agriculture deems appropriate.

Mr. DE LA GARZA. Mr. Speaker, this bill will give some kids a chance to learn how to farm the old-fashioned way: through hard work and sweat. They will work hard, planting their crops, watering them, guarding them against the many threats faced by all farmers—the weather, disease, insects. And they will feel the satisfaction of bringing in the harvest. This bill will help these students learn to appreciate the hard work that goes into producing our Nation's food, and it may even get a few of them off to a good start as farmers.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. SMITH] that the House suspend the rules and pass the bill, H.R. 4041.

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

A motion to reconsider was laid on the table.

□ 1515

GENERAL LEAVE

Mr. SMITH of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the legislation just considered.

The SPEAKER pro tempore (Mr. NEY). Is there objection to the request of the gentleman from Michigan?

There was no objection.

RESTORATION OF CERTAIN POW/MIA AUTHORITIES APPLICABLE TO THE DEPARTMENT OF DEFENSE

Mr. SPENCE. Mr. Speaker, I move to suspend the rules and pass the bill, H.R. 4000, to amend title 10, United States Code, to restore the provisions of chapter 76 of that title (relating to missing persons) as in effect before the amendments made by the National Defense Authorization Act for Fiscal Year 1997, as amended.

The Clerk read as follows:

H.R. 4000

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

SECTION 1. RESTORATION OF MISSING PERSONS AUTHORITIES APPLICABLE TO DEPARTMENT OF DEFENSE AS IN EFFECT BEFORE ENACTMENT OF NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1997.

(a) APPLICABILITY TO DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES AND CONTRACTOR EMPLOYEES.—(1) Section 1501 of title 10, United States Code, is amended—

(A) by striking out subsection (c) and inserting in lieu thereof the following:

“(c) COVERED PERSONS.—Section 1502 of this title applies in the case of the following persons:“(1) Any member of the armed forces on active duty who becomes involuntarily absent as a result of a hostile action, or under circumstances

suggesting that the involuntary absence is a result of a hostile action, and whose status is undetermined or who is unaccounted for.

"(2) Any civilian employee of the Department of Defense, and any employee of a contractor of the Department of Defense, who serves with or accompanies the armed forces in the field under orders who becomes involuntarily absent as a result of a hostile action, or under circumstances suggesting that the involuntary absence is a result of a hostile action, and whose status is undetermined or who is unaccounted for.;" and

(B) by adding at the end the following new subsection:

"(f) SECRETARY CONCERNED.—In this chapter, the term 'Secretary concerned' includes, in the case of a civilian employee of the Department of Defense or contractor of the Department of Defense, the Secretary of the military department or head of the element of the Department of Defense employing the employee or contracting with the contractor, as the case may be."

(2) Section 1503(c) of such title is amended—

(A) in paragraph (1), by striking out "one military officer" and inserting in lieu thereof "one individual described in paragraph (2)";

(B) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(C) by inserting after paragraph (1) the following new paragraph (2):

"(2) An individual referred to in paragraph (1) is the following:

"(A) A military officer, in the case of an inquiry with respect to a member of the armed forces.

"(B) A civilian, in the case of an inquiry with respect to a civilian employee of the Department of Defense or of a contractor of the Department of Defense."

(3) Section 1504(d) of such title is amended—

(A) in paragraph (1), by striking out "who are" and all that follows in that paragraph and inserting in lieu thereof "as follows:

"(A) In the case of a board that will inquire into the whereabouts and status of one or more members of the armed forces (and no civilians described in subparagraph (B)), the board shall be composed of officers having the grade of major or lieutenant commander or above.

"(B) In the case of a board that will inquire into the whereabouts and status of one or more civilian employees of the Department of Defense or contractors of the Department of Defense (and no members of the armed forces), the board shall be composed of—

"(i) not less than three employees of the Department of Defense whose rate of annual pay is equal to or greater than the rate of annual pay payable for grade GS-13 of the General Schedule under section 5332 of title 5; and

"(ii) such members of the armed forces as the Secretary considers advisable.

"(C) In the case of a board that will inquire into the whereabouts and status of both one or more members of the armed forces and one or more civilians described in subparagraph (B)—

"(i) the board shall include at least one officer described in subparagraph (A) and at least one employee of the Department of Defense described in subparagraph (B)(i); and

"(ii) the ratio of such officers to such employees on the board shall be roughly proportional to the ratio of the number of members of the armed forces who are subjects of the board's inquiry to the number of civilians who are subjects of the board's inquiry.;" and

(B) in paragraph (4), by striking out "section 1503(c)(3)" and inserting in lieu thereof "section 1503(c)(4)".

(4) Paragraph (1) of section 1513 of such title is amended to read as follows:

"(1) The term 'missing person' means—

"(A) a member of the armed forces on active duty who is in a missing status; or

"(B) a civilian employee of the Department of Defense or an employee of a contractor of the Department of Defense who serves with or ac-

companies the armed forces in the field under orders and who is in a missing status."

(b) REPORT ON PRELIMINARY ASSESSMENT OF STATUS.—(1) Section 1502 of such title is amended—

(A) in subsection (a)(2)—

(i) by striking out "10 days" and inserting in lieu thereof "48 hours"; and

(ii) by striking out "Secretary concerned" and inserting in lieu thereof "theater component commander with jurisdiction over the missing person";

(B) in subsection (a), as amended by subparagraph (A)—

(i) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(ii) by inserting "(1)" after "COMMANDER.—"; and

(iii) by adding at the end the following new paragraph:

"(2) However, if the commander determines that operational conditions resulting from hostile action or combat constitute an emergency that prevents timely reporting under paragraph (1)(B), the initial report should be made as soon as possible, but in no case later than ten days after the date on which the commander receives such information under paragraph (1)."

(C) by redesignating subsection (b) as subsection (c);

(D) by inserting after subsection (a), as amended by subparagraphs (A) and (B), the following new subsection (b):

"(b) TRANSMISSION THROUGH THEATER COMPONENT COMMANDER.—Upon reviewing a report under subsection (a) recommending that a person be placed in a missing status, the theater component commander shall ensure that all necessary actions are being taken, and all appropriate assets are being used, to resolve the status of the missing person. Not later than 14 days after receiving the report, the theater component commander shall forward the report to the Secretary of Defense or the Secretary concerned in accordance with procedures prescribed under section 1501(b) of this title. The theater component commander shall include with such report a certification that all necessary actions are being taken, and all appropriate assets are being used, to resolve the status of the missing person.;" and

(E) in subsection (c), as redesignated by subparagraph (C), by adding at the end the following new sentence: "The theater component commander through whom the report with respect to the missing person is transmitted under subsection (b) shall ensure that all pertinent information relating to the whereabouts and status of the missing person that results from the preliminary assessment or from actions taken to locate the person is properly safeguarded to avoid loss, damage, or modification."

(2) Section 1503(a) of such title is amended by striking out "section 1502(a)" and inserting in lieu thereof "section 1502(b)".

(3) Section 1504 of such title is amended by striking out "section 1502(a)(2)" in subsections (a), (b), and (e)(1) and inserting in lieu thereof "section 1502(a)".

(4) Section 1513 of such title is amended by adding at the end the following new paragraph:

"(8) The term 'theater component commander' means, with respect to any of the combatant commands, an officer of any of the armed forces who (A) is commander of all forces of that armed force assigned to that combatant command, and (B) is directly subordinate to the commander of the combatant command."

(c) FREQUENCY OF SUBSEQUENT REVIEWS.—Subsection (b) of section 1505 of such title is amended to read as follows:

"(b) FREQUENCY OF SUBSEQUENT REVIEWS.—

(1) In the case of a missing person who was last known to be alive or who was last suspected of being alive, the Secretary shall appoint a board to conduct an inquiry with respect to a person under this subsection—

"(A) on or about three years after the date of the initial report of the disappearance of the person under section 1502(a) of this title; and

"(B) not later than every three years thereafter.

"(2) In addition to appointment of boards under paragraph (1), the Secretary shall appoint a board to conduct an inquiry with respect to a missing person under this subsection upon receipt of information that could result in a change of status of the missing person. When the Secretary appoints a board under this paragraph, the time for subsequent appointments of a board under paragraph (1)(B) shall be determined from the date of the receipt of such information.

"(3) The Secretary is not required to appoint a board under paragraph (1) with respect to the disappearance of any person—

"(A) more than 30 years after the initial report of the disappearance of the missing person required by section 1502(a) of this title; or

"(B) if, before the end of such 30-year period, the missing person is accounted for."

(d) PENALTIES FOR WRONGFUL WITHHOLDING OF INFORMATION.—Section 1506 of such title is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

"(e) WRONGFUL WITHHOLDING.—Except as provided in subsections (a) through (d), any person who knowingly and willfully withholds from the personnel file of a missing person any information relating to the disappearance or whereabouts and status of a missing person shall be fined as provided in title 18 or imprisoned not more than one year, or both."

(e) INFORMATION TO ACCOMPANY RECOMMENDATION OF STATUS OF DEATH.—Section 1507(b) of such title is amended adding at the end the following new paragraphs:

"(3) A description of the location of the body, if recovered.

"(4) If the body has been recovered and is not identifiable through visual means, a certification by a practitioner of an appropriate forensic science that the body recovered is that of the missing person."

(f) SCOPE OF PREENACTMENT REVIEW.—(1) Section 1509 of such title is amended—

(A) by redesignating subsection (c) as subsection (d); and

(B) by inserting after subsection (b) the following new subsection (c):

"(c) SPECIAL RULE FOR PERSONS CLASSIFIED AS 'KIA/BNR'.—In the case of a person described in subsection (b) who was classified as 'killed in action/body not recovered', the case of that person may be reviewed under this section only if the new information referred to in subsection (a) is compelling."

(2)(A) The heading of such section is amended by inserting "special interest" after "Preenactment".

(B) The item relating to such section in the table of sections at the beginning of chapter 76 of such title is amended by inserting "special interest" after "Preenactment".

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect immediately after the enactment of the National Defense Authorization Act for Fiscal Year 1997.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina [Mr. SPENCE] and the gentleman from Virginia [Mr. PICKETT] each will control 20 minutes.

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

GENERAL LEAVE

Mr. SPENCE. Mr. SPENCE Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 4000, a bill to restore a number of important authorities to chapter 76 of title 10, United States Code that were originally included when it was first passed.

I was disappointed when the original version of the Missing Persons Act was amended this year. I believed we had the right answer in 1995 and I believe that H.R. 4000 will again set the record straight.

Mr. Speaker, all Members should note that the Military Personnel Subcommittee conducted nine hearings on POW/MIA matters over the last 2 years. Additionally, the full Committee on National Security was unanimous in its support of H.R. 4000 when it reported the bill to the House with a 45-to-0 vote.

Mr. Speaker, the case in support of H.R. 4000 is overwhelming. I urge the House to send a message with this vote—the record must be corrected and H.R. 4000 must be included in the law of the land.

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

Mr. DORNAN. Mr. Speaker, we are talking about dead heroes here, and missing men who may be alive. I would hope the Chamber would be as quiet as a church, and that includes our wonderful guides in the gallery, who are carrying on a narration. I know you are a great historian. Please do not do it. Let that great group listen to this.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. NEY). The gentleman from California [Mr. DORNAN] will refrain from referring to individuals in the gallery. But the gentleman is correct, the gentleman speaking on this bill deserves to be heard. The subject is of a serious nature that deserves respect.

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

Mr. Speaker, I rise in support of H.R. 4000 and urge its adoption.

Under Chairman DORNAN's leadership, the Subcommittee on Military Personnel conducted a series of hearings in the 104th Congress on U.S. prisoner of war and missing in action issues. The chairman is to be commended for his diligent work in this effort. It is important that we follow up immediately on all data and reports concerning the fate of United States Korean war and Vietnam war POW's-MIA's, and develop a comprehensive policy for dealing with this issue. It is clear from the hearings held so far that the U.S. Government has not exerted the kind of focused and consistent effort that could be expected to fully account for those men.

The unknown extent of the reported involvement of the Soviet Union, China, and other nations in the exploitation, torture and experimentation on United States prisoners of war from Korea and Vietnam fully justify the ad-

ditional investigative work that will be required. It is also becoming increasingly apparent that a full accounting of our prisoners and missing in action cannot be achieved until the United States has gained the full cooperation of these other nations.

As I told witnesses who appeared before the Military Personnel Subcommittee earlier this month, their testimony was compelling. Having listened to and questioned the witnesses at each one of the POW-MIA hearings over the last 2 years, I am convinced that the missing persons section of title 10, United States Code, as enacted just 5 months ago, is a necessary element to achieving full accounting for U.S. POW's and MIA's. It is past time that the U.S. Government put this issue to rest by adopting and implementing an honorable and responsible program.

Therefore, Mr. Speaker, I urge my colleagues to vote in favor of H.R. 4000. This will reinstate the POW-MIA provisions deleted from Public Law 104-106 when the fiscal year 1997 Defense authorization bill was signed into law. These provisions are necessary if our Nation is to have a thorough and comprehensive statutory framework for effectively dealing with the POW-MIA issue.

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

Mr. SPENCE. Mr. Speaker, I yield 6 minutes to the gentleman from California [Mr. DORNAN], the chairman of the Subcommittee on Military Personnel of the Committee on National Security.

Mr. DORNAN. Mr. Speaker, I would like to immediately defer, as I discussed with the gentleman from New York [Mr. GILMAN], who is one of the cosponsors of the original language that was worked out over two decades, and he and I discussed this, to a Member of this House who spent 7 years in Communist captivity in Hanoi.

Only the words medieval barbarity, inquisition, or Nazi or Japanese warlord prison camps, can conjure up the image of what was done to this Member of Congress and 10 other men who stood up to the Communist brutality in Hanoi, and were isolated for almost 4 years from everyone else and from one another in a slimy little hole in downtown Hanoi that they, with fighter pilot bravado, called Alcatraz.

Mr. SAM JOHNSON of Texas. Mr. Speaker, will the gentleman yield?

Mr. DORNAN. I yield to the gentleman from Texas.

Mr. SAM JOHNSON of Texas. Mr. Speaker, we have been uncovering all kinds of information in the committee of the gentleman from California [Mr. DORNAN], as well as on the United States-Russia Commission on POWs/MIAs, of which I am a member, about prisoners being taken to Russia during World War II, the cold war, Korea, and Vietnam. We have yet to resolve that. I think our families are owed that.

Members will recall last year we included in the defense authorization bill

language which clarified and strengthened the policies and procedures regarding missing service personnel. It was praised by both military and veterans groups. As a matter of fact, it was also praised by the families, who were still alive, of missing members. They are vitally concerned and support this, as we know.

Those who support the repeal of these provisions, some of them on the other side, claim it puts undue pressure on our field commanders. Do Members want to know, is it undue pressure to ask a commander to report a missing person in 48 hours? I do not think so.

They also claim it is too burdensome to require division or theater commander staffs to handle search and rescue calls. Come on, is it too much to answer our families when they are asking about their missing guys? As a 29-year Air Force veteran who has fought in 2 wars, I want to say this thinking, besides being totally illogical, is potentially devastating to all American military families.

One of the most basic standards we live by in this U.S. military is the promise that if while performing your duty you are found missing or taken prisoner, that everything possible will be done to try to find you or free you. This bond of trust was made stronger by the missing person language that was signed into law last year. If we continue to revoke that language now, are we not revoking our promise to our military to take care of our troops who fight to keep this country free?

Mr. Speaker, I ask Members to please understand what I am saying. Before going into combat, the service member does not know if they are going to be fully backed up by our Government if they get into trouble. It is a matter of morale. We should not even be debating this issue, in my view. I think we should support our valiant military and support this bill. I thank the gentleman for bringing this to the front.

Mr. DORNAN. Mr. Speaker, as much as anyone, I am proud to serve with the gentleman from Texas, Mr. SAM JOHNSON.

Mr. SPENCE. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. GILMAN], chairman of our Committee on International Relations.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I want to commend the chairman of the committee, the gentleman from South Carolina [Mr. SPENCE], for bringing this measure to the floor. I want to commend, too, the gentleman from New York [Mr. SOLOMON], for his dedicated work to this issue, and the chairman of the subcommittee, the gentleman from California [Mr. DORNAN], for his devotion to the cause of our MIA's and POW's.

Mr. Speaker, I rise in strong support of H.R. 4000, the POW/MIA Restoration Act. Last year, this body secured a victory for U.S. service personnel, their

families, and the families of POW/MIA's by the passage of H.R. 945, the Missing Service Personnel Act.

H.R. 945 received unanimous support in the House as part of the Department of Defense Authorization Act of 1996.

Unable to prevent the passage of H.R. 945, the opponents of the legislation waited to attach a Senate amendment to the 1997 defense authorization conference report which essentially gutted the Missing Service Personnel Act.

H.R. 4000 restores the provisions stricken from the Missing Service Personnel Act by the Senate amendment.

The first provision to be restored requires that military commanders report and initiate searches for missing service personnel within 48 hours, rather than 10 days as proposed by the Senate amendment. While current regulations require local commanders to report any individual missing more than 24 hours, the missing often fall through the cracks, especially during military operations.

The second provision covers civilian employees of the Defense Department who are in the field under orders to assist our military. They deserve the same protections afforded our men and women in uniform.

The third provision to be restored provides if a body were recovered and could not be identified by visual means, that a certification by a credible forensic authority must be made. There have been too many recent cases where misidentification of remains has caused undue trauma for families.

Finally, H.R. 4000 restores the provision which requires criminal penalties for Government officials who knowingly and willfully withhold information related to the disappearance, whereabouts and status of a missing person.

Prompt and proper notification of any new information is essential to the successful investigation of any POW/MIA case. This cannot be achieved if individual bureaucrats deliberately seek to derail the process.

The opponents of the Missing Service Personnel Act have to this day never offered any credible reasons for their opposition to the legislation. Rather than create more redtape I believe these provisions will help streamline the bureaucracy and improve the investigation process.

Moreover, the Missing Service Personnel Act has not been public law long enough to be adequately evaluated. To repeal provisions of a law after 5 months does not make sense, especially when that law has not yet had a chance to be tested.

Accordingly, I urge my colleagues today to join me in supporting H.R. 4000, the POW/MIA Restoration Act.

Mr. Speaker, I thank the gentleman for yielding time to me, and I commend him for his staunch support of this measure.

Mr. SPENCE. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLO-

MON], chairman of the Committee on Rules.

(Mr. SOLOMON asked and was given permission to revise and extend his remarks.)

Mr. SOLOMON. Mr. Speaker, as former chairman of the Task Force on POW-MIA's, and a member of that task force, I just want to thank all of the Members for bringing this vital piece of legislation to the floor. It ought to be made part of the omnibus appropriation bill that is coming to this floor so it becomes a law, without any question about it.

□ 1530

Mr. SPENCE. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. PACKARD].

(Mr. PACKARD asked and was given permission to revise and extend his remarks.)

Mr. PACKARD. Mr. Speaker, I wish to speak this afternoon to the civilian MIA's and POW's. There are far more qualified men in this body to speak about the military MIA's and prisoners of war. I was a young man of 10 years old and I was the 10th child of 17 children when my father went to Wake Island to help build a military air base. He was a civilian. He, of course, was taken prisoner shortly after the war broke out. Wake Island was bombed the same day that Pearl Harbor was bombed and every day thereafter until it fell to the Japanese. He served the entire war years in a prison camp. It was almost 2 years before my mother and his children found out whether he was alive or not. If we did not have the Government to follow and to look after and be able to report to the families of any prisoner of war, whether it be a military or a civilian prisoner of war, the families have no place to turn to. They are left without information. They have no resources or no source to get information about their family member who might be held in a prison camp.

Mr. Speaker, I strongly urge that this bill be passed and signed into law. It will require the Government to keep track of and to report to the families of military prisoners of war but it will also make the same requirement for the civilians who might be involved in Government contracting and thus the Government has a responsibility to report to the families and keep them posted. Had we had that information, we would have certainly not gone through the anguish, the bitterness, and the difficulty that we did.

It was a pleasure, of course, to see my father come home, but we should have known long before he did. Two years is too long to know whether your father is alive or not.

I urge the Members to pass this and then urge the President to sign it.

Mr. SPENCE. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. TALENT], a very valuable member of our committee.

Mr. TALENT. Mr. Speaker, I thank my chairman for yielding me this time

and I want to congratulate him for his work on this and the gentleman from Virginia [Mr. PICKETT] for his work as well and the leadership of the House for bringing this bill to the floor so quickly.

Like many of the people who have spoken on this, I want to relate my remarks from a personal standpoint. I do not have a personal connection, but a lot of my constituents do. When I got elected to Congress in 1992 they came and talked to me about the issue. I decided to study it some. After I studied it, it did not take all that long, I reached the conclusion that indeed we had left hundreds and hundreds of men behind in Vietnam and probably in Korea as well, and I reached that conclusion, Mr. Speaker, to my shame.

Well, in the years that have passed since then, I along with many of the other Members here have tried to get out what we believe is the truth about these men and to take whatever steps we can to recover them or at least to recover their bodies. It has been difficult to do and I am not naive enough to believe that it is going to be any easier in the future. But earlier this year we did something that I thought was very significant. We established a series of safeguards to try and make sure that at least it did not happen again. We put that in the defense authorization bill which the President eventually signed, and I was very proud of those changes and very sorry when many of them were taken out in the bill which recently passed the House and Senate and which the President signed. I know that my chairman and others from the House fought the deletion of those provisions at that time and I respect their work very much. I did not see why we needed to have 10 days for commanders in the field to decide whether a person was missing. I did not see why we did not need to require forensic, standard forensic certification before finding that a bone or a tooth was sufficient to identify a missing serviceman, and I did not see why we should not have periodic reviews of cases so that families could have current understandings of what had happened to their loved ones. We are remedying it now with this bill. I think it is an attempt, after the fact, but an attempt after the fact to keep faith with those we did leave behind.

Mr. Speaker, if there is one thing we can do for them, it is to try to make sure it does not happen again.

Mr. SPENCE. Mr. Speaker, I yield 30 seconds to the gentleman from North Carolina [Mr. JONES].

Mr. JONES. Mr. Speaker, Red McDaniel, a returned Vietnam POW told Congress: "We were prepared to be captured; we were prepared to die for our country. But we were never prepared to be abandoned!"

I thank BOB DORNAN for his leadership, and for introducing the POW/MIA Protection Act.

I ask that my colleagues support this bill to show those still missing and

otherwise unaccounted that we still care,—that we don't consider them ghosts, and that they have not been forgotten by an ungrateful nation!

Mr. SPENCE. Mr. Speaker, I yield 30 seconds to the gentleman from Georgia [Mr. CHAMBLISS].

Mr. CHAMBLISS. Mr. Speaker, I welcome this opportunity to rise in support for H.R. 4000. Under the leadership of my chairman on the Personnel Subcommittee, BOB DORNAN, this Congress has done more for the recovery of American servicemen than any Congress before.

I am proud to support this legislation that sends a clear message to the administration that it must drop the rhetoric and adopt the resolve to recover missing Americans in Asia.

I would also like to commend the hard work of the families and friends of our missing Americans like Ms. Joanne Shirley of Georgia who serves as the chairman of the board of the National League of POW/MIA Families. Her hard work, and the work of countless others like her, ensures that we remain committed to the promise printed on the POW flag that hangs in front of my office—"You are not forgotten."

Mr. SPENCE. Mr. Speaker, I yield 30 seconds to the gentleman from Oklahoma [Mr. WATTS].

Mr. WATTS of Oklahoma. Mr. Speaker, I thank Chairman SPENCE and I thank Chairman DORNAN for offering this legislation.

Mr. Speaker, I want to express my strong support for H.R. 4000 and America's forgotten heroes, our POW's and MIA's. Recent hearings before the Military Personnel Subcommittee that revealed that more than 900 American fighting men were left behind in Korea by our Government, and on whom the most inhumane experimentation was done, is proof of the necessity to enact this legislation. I strongly urge my colleagues to support this important legislation if for no other reason than regard for those who await the fate of their loved ones, the families.

Mr. SPENCE. Mr. Speaker, I yield the balance of my time to the gentleman from California [Mr. DORNAN], the chairman of our Military Personnel Subcommittee and the author of this legislation.

The SPEAKER pro tempore (Mr. NEY). The gentleman from California is recognized for 5 minutes.

Mr. DORNAN. Mr. Speaker, I want to correct two things. I am proud that I was the quarterback, with the help of the gentleman from Virginia [Mr. PICKETT], to get the legislation, written by veterans and sponsored in the Senate by the Republican presidential candidate, a World War II veteran, 100 percent disabled and an inspiration in a bipartisan way, to all the country that you can still serve when your body has been torn apart in combat, and serve well.

On this side of the aisle, it was the gentleman from New York, Mr. GILMAN, fighting for it and backed up by

others, and I was proud to be one of them; on the Senate side, FRANK LAUTENBERG, Democrat of New Jersey; all of them fighting together; on our side, naval captain reserve, retired, the gentleman from South Carolina, Mr. SPENCE, and everybody on our side and everybody on the other side eventually. It was a unanimous vote in the full committee, 40 to 0. The six or seven that were not there all made it a point to come to me and say, "I would have voted with you if I had been there." More original cosponsors, 262, than any bill introduced in 20 years. And people came to me, like the gentleman from Vermont, BERNIE SANDERS, the Independent, and 30 other Democrats came to me.

Mr. Speaker, it is amazing to me that we are here on suspension when one U.S. Senator, for reasons that are still mysterious, can blackball this tonight, or tomorrow.

Let me read a letter, and it is a leadership letter. It is from the gentleman from New York [Mr. GILMAN], chairman of the Committee on International Relations. That is a leader.

The gentleman from New York [Mr. SOLOMON], chairman of the Committee on Rules. That is a leader.

The gentleman from South Carolina [Mr. SPENCE] is a leader.

Mr. PICKETT is a leader.

I am a chairman.

All five chairmen and almost every one of the chairmen of the military subcommittees in both Chambers. Are we not leaders?

We all want the following, but this is from Mr. GILMAN and Mr. SOLOMON:

"As you consider the Omnibus Appropriations Bill for fiscal year 1997, we respectfully request that you please attach H.R. 4000, the POW/MIA Protection Act."

The continuing resolution, the CR, is our last chance to have this legislation enacted into law before the end of the session. One person will not dare filibuster the Senate over a whole CE to run the government and keep 535, minus our Bill Emerson watching us from heaven, to keep 533 other people from going home while he filibusters. But to blackball a suspension vote like this, even a unanimous one, a snap of the fingers, mysteriously, for some people.

The chairmen continue: "As you are well aware," this bill "will restore the provisions that were removed from the Missing Service Personnel Act," at 11:52 at night, without a phone call to me, "by the McCain amendment to the 1997 Defense Authorization Conference Report. It requires no additional funding."

"Under the language in the Defense Authorization Act," which was law from February 10 to this Tuesday, a couple of days ago. And Clinton did not even know this was in the bill when he signed it, or he could have said "I will veto it," and then he would have had a claim on the POW families because he always tried to get to the right of an-

other war combat person, President Bush, on this.

I have to correct one tiny thing that this hero the gentleman from Texas, SAM JOHNSON, said. It is not 48 hours. We negotiated it with the POW who heroically withstood 6 years of deprivation and torture, the gentleman from Florida, PETE PETERSON. It is 10 full days for a CINC. That was the one amendment of this, 10 full days, to paraphrase Mr. JOHNSON. Is that an inconvenience on a combat commander, particularly Marines, who almost have it emblazoned in their brains we do not leave our wounded on the battlefield, let alone desert our missing? I do not think so.

"Missing servicepersons can be declared dead by the Pentagon without credible proof," as of Tuesday. If a body were recovered that was not identifiable by visual means, forensic certification is no longer required, as of Tuesday.

We restore that.

"Criminal penalties were removed for government officials" get these words, "who knowingly and willingly withhold information related to the disappearance, whereabouts, or status of a missing person." What clod would do that? Some criminal person once in every 10 years? But the families want this to prevent people not paying attention to them being included in the process 10, 20, 30, 40 years later.

"H.R. 4000 would restore the original language," the Dole-Gilman language, that has been public law for months, since February 10. 49-0 vote in the full committee.

"We realize that there are numerous difficult choices being made in organizing this Omnibus" CR bill. "However, it is critical that H.R. 4000 be included in the measure to," and this is Chairman GILMAN and Chairman JERRY SOLOMON, an Air Force veteran and a Marine veteran, to reestablish the core of the Missing Service Personnel Act.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. DORNAN. Mr. Speaker, could I ask the gentleman from Virginia [Mr. PICKETT] if I could have any remaining time he has?

Mr. PICKETT. If the gentleman will allow me to yield to the gentleman from Mississippi [Mr. MONTGOMERY] for a unanimous-consent request, then I will yield him time.

Mr. DORNAN. Absolutely.

Mr. PICKETT. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi [Mr. MONTGOMERY].

(Mr. MONTGOMERY asked and was given permission to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Speaker, I rise in support of H.R. 4000. I commend the gentleman from California [Mr. DORNAN], the author of the bill. We have worked together for years on this issue. I thank the gentleman for giving me this opportunity.

Mr. PICKETT. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. DORNAN].

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER pro tempore. Before the gentleman continues, the Chair would remind Members of the House, it is not in order to cast reflections on the Senate or its Members individually or collectively.

The gentleman may proceed.

Mr. DORNAN. Mr. Speaker, before I continue, I was remiss in talking about heroes on both sides of the aisle. General MONTGOMERY has gone to Hanoi itself, has argued eyeball to eyeball in the 1970's starting, chaired a commission, has given so much time as he has to every aspect of military life, all services, and has been properly rewarded by every veterans group in this country. Every enlisted group and every officer group has commended him for his undying support of our men in the Reserves, the Guard, on active duty, and yes, those left by political and diplomatic circumstances behind while others walked across a freedom bridge or got on a freedom bird in Hanoi, those big Air Force C-141's.

□ 1545

I left out the last line of Chairmen GILMAN and SOLOMON. "Our Nation's POWs and missing-in-action and their families deserve no less than this being put on the CR."

I am not casting aspersions on anybody in the other body; I am talking about our leadership here. I am a NEWT GINGRICH fan. I supported him at every point in his career. He is a son of an Army artillery officer, as I am the son of an Army artillery officer. He promised me, he saw no reason this could not go on the CR. Kick into high gear, Mr. Speaker; do it for these families. They are counting on you. Mr. ARMEY, Mr. DELAY, to all the leadership, there is only a handful between JERRY SOLOMON and BEN GILMAN and the Speaker at the top. They all promised me this could be done.

Staff tells me, "We can't put authorizing language on the CR." This does not cost a nickel. This is a point of honor. I deliberately wore my RAF, Royal Air Force, regimental tie today. Can you hear Churchill's words ringing down through history? "Never in the course of human conflict have so many owed so much to so few."

Well, we are the many here, and we owe it to the few left behind to do the right thing here and put it on the CR so it cannot be blackballed in the other distinguished Chamber.

Now, this POW-MIA Act will further ensure that the families are treated with respect by the U.S. Government and are provided with full disclosure of the facts regarding their loved one's fate.

Imagine taking a report of American pilots sent from Korea, not through China, but through Siberia, to the Soviet Union, for air combat tactics, information, and then to reside there as

guinea pigs or God knows what, for any other intelligence or stealing identity schemes by the MVD and then the KGB?

Imagine a report of that thing being given to the Russians, and when former and current KGB people at the time objected to it, it came back here and was stamped "working document." Thank heavens the guy named Ross who did that was fired within a week.

Imagine backing off from your own work product because former KGB people out of nothing but embarrassment or maybe ongoing operations say "we reject this U.S. report." And then the families could not get that report? It was suppressed, so that the loved ones of the people involved here could not get the best work effort of our best intelligence sources on what happened to them? It is outrageous.

The gentleman from California [Mr. PACKARD] summed it up beautifully for his dad, Forrest Packard. Because he was 46 he was put to work in the hospital. All his young construction workers were given that old tin pot helmet that my dad wore in World War I, a Springfield 1903 rifle, and told, "Defend Wake Island."

Some of them died as civilians with a gun and helmet. The ones captured along with Forrest Packard, 200 of them were executed. The lucky ones that did not die in Manchuria or other coal mines under the Japanese warloads like RON PACKARD's dad, the older ones were sent off to prison camps in Japan. But the 200 best young kids that stayed, that were hired for \$25 a month, they worked as slave labor for 2 years, still building pill boxes, and then were executed as we bypassed Wake Island. How could any Member of this or the other body say civilians do not count?

"Slang word, cuss word, write them off. They all make \$100,000 a week."

Give me a break. These kids were making nothing for 2 years until they were executed. Restore the requirement not for 40 hours, but as soon as possible, which is reasonable, not later than 10 hours, for the review board to provide a description to the parents and the primary relatives, principally other brothers and sisters and grown-up children who become primary relatives, if evidence comes forward and if they want it. It is not an immediate review of every case cycled over and over. The rest of it is pretty well-known in this House.

I beg my leadership on this last day, I beg you to put it in the CR.

Mr. Speaker, I include for the RECORD the letter referred to.

COMMITTEE ON INTERNATIONAL RELATIONS

SEPTEMBER 27, 1996

To: House Leadership

From: Chairman Benjamin A. Gilman, Committee on International Relations, Chairman Gerald Solomon, Committee on Rules. Re H.R. 4000, the POW/MIA Protection Act.

As you consider the Omnibus Appropriations Bill for FY '97, we respectfully request that you please attach H.R. 4000, the POW/

MIA Protection Act. The continuing resolution is our last chance to have this legislation enacted into law before the end of the session.

As you are well aware, H.R. 4000 will restore the provisions that were removed from the Missing Service Personnel Act of 1996 by the McCain amendment to the 1997 Defense Authorization Conference Report. It requires no additional funding or expenditures.

Under the language in the Defense Authorization Act:

Unit commanders are permitted to wait 10 full days (rather than 48 hours) before reporting that a service person a missing or unaccounted for.

Missing service persons can be declared dead by the Pentagon without credible proof. If a body were recovered that was not identifiable by visual means, forensic certification would no longer be required.

Criminal penalties were removed for government officials who knowingly and willfully withhold information related to the disappearance, whereabouts, or status of a missing person.

H.R. 4000 would restore the original language of the Missing Service Personnel Act. This bill, which at present has over 270 cosponsors, was passed unanimously out of the National Security Committee on September 17, 1996, 49-0!

We realize that there are numerous difficult choices being made in organizing this Omnibus Bill. However, it is critical that H.R. 4000 be included in the measure to reestablish the core of the Missing Service Personnel Act. Our nation's POW/MIA's and their families deserve no less.

Mr. BUYER. Mr. Speaker, when a young man or woman joins our military, they make a commitment to support and defend our Constitution. At that same time, our Government assumes a sacred commitment to care for those personnel throughout their service.

I am appalled by recent revelations, made in Chairman DORNAN's Military Forces and Personnel Subcommittee, that on two occasions, our Government knowingly left live POW's behind at the end of a conflict. This is outrageous and inexcusable.

This legislation restores provisions removed from the law by this year's Defense authorization bill that make it difficult for such a grave breach of confidence to happen again.

I urge my colleagues to support this bill.

Mr. ENSIGN. Mr. Speaker, in regard to roll-call No. 449, I would like to register my remarks in support of H.R. 4000, a bill to restore certain missing persons authorities applicable to the Department of Defense. I was unavoidably detained and was unable to vote on this measure. However, I am a cosponsor and strong supporter of H.R. 4000. It is the responsibility of the Federal Government to account for every U.S. service man and woman sent into combat to protect and defend the United States and its interests. If soldiers are taken as prisoners of war [POW] or are determined to be missing in action [MIA], the Department of Defense must investigate their cases until it has exhausted all hope of locating these individuals. They should not be declared dead merely because of the passage of time. I support H.R. 4000 because it establishes strict guidelines to account for POW's and MIA's and to monitor their status. This legislation will ensure that there are specific procedures for meeting these guidelines. We owe this to missing soldiers and their families. I would have voted "yea" on H.R. 4000.

Mr. SOLOMON. Mr. Speaker, as a young marine in my youth, I was proud to have

served in the U.S. Marine Corps during our Korean war, but never had the opportunity to serve in Korea. I still live by the fundamental lesson I learned from my beloved corps. This lesson is very simple—accomplish your mission and take care of your buddies.

A mission that has always guided me in my congressional career is an unwavering commitment to achieve the fullest possible accounting for those servicemen still missing in action. In accomplishing this mission we all take care of our buddies.

During my service, soldiers, sailors, airmen, and my fellow marines stood up and stopped communism dead in its tracks on the Korean Peninsula, making this country proud. And make no mistake about it—we won that war!

But tragically, all wars have a severe price, and many of my fellow warriors who will remain forever young in my minds were left behind. Remembering that mission—the fullest possible accounting of our buddies—recently in the 104th Congress, the tragic fate of POW's in Korea was revealed. Information has been made public that hundreds of Korean war veterans were indeed left behind.

The Korean war, called the “forgotten war”, still reached out over 40 years later and beckons all of us to never have forgotten warriors.

I pledge that there will be unrelenting pressure from Congress on all individuals and organizations within our Government with any relevant information to come forward. We owe all family members an understanding as to what happened to their loved ones—silence is not an option.

We in Washington, in both political parties and on both ends of Pennsylvania Avenue, the Congress and the President, have a sacred and moral responsibility to resolve uncertainty of all cases of POW's and MIA's. That means not only those from the Korean war, but the unresolved cases from the Vietnam War as well.

Perhaps more than any war, Vietnam continues to illustrate the complexity of the POW/MIA issue. In 1973, 591 Americans were released by the North Vietnamese. And as of this date, the National League of Families of American Prisoners and Missing in Southeast Asia report that “2,140 Americans are still missing and unaccounted for from the Vietnam war.”

Therefore, the fundamental lesson I learned from my experiences as an advocate in supporting POW/MIA's and their loved ones is to have unrelenting vigilance in always passing the strongest possible legislation. All Members of both parties are well aware, H.R. 4000 will restore the provisions that were removed from the Missing Service Personnel Act of 1996 by the McCain amendment to the 1997 Defense authorization conference report. It requires no additional funding or expenditures.

Under the language in the Defense Authorization Act:

Unit commanders are permitted to wait 10 full days before reporting that a service person is missing or unaccounted for.

Missing service persons can be declared dead by the Pentagon without credible proof. If a body were recovered that was not identifiable by visual means, forensic certification would no longer be required.

Criminal penalties were removed for Government officials who knowingly and willingly withhold information related to the disappearance, whereabouts, or status of a missing person.

H.R. 4000 would restore the original language of the Missing Service Personnel Act. The bill, which at present has over 270 co-sponsors, was passed unanimously out of the National Security Committee on September 17, 1996.

It is critical that H.R. 4000 be passed and included in the omnibus appropriations bill for fiscal year 1997. Our Nation's POW/MIA's and their families deserve no less.

Mr. EVERETT. Mr. Speaker, I rise in strong support of H.R. 4000, legislation to restore a number of key provisions relating to the Department of Defense missing persons policy that were modified or deleted in the fiscal year 1997 Defense Authorization Act—H.R. 3230—as the request of the Clinton Administration and the Senate. I was pleased to be an original cosponsor of this measure which was unanimously reported out of the National Security Committee 45 to 0.

Among the provisions included in H.R. 4000, this bill will reestablish the 48-hour time period that a field commander must report a missing person, restores the requirement that the theater commander must assess the adequacy of actions taken to resolve the missing person's status, restores the requirement that the status of persons last known to be alive be reviewed every 3 years for 30 years, and restores criminal penalties for the knowing and willful withholding of information from a missing person's file.

The restoration of these provisions are significant in that the United States must never again leave behind American prisoners of war or those declared “missing in action” without exhausting every means available to determine the fate of all U.S. servicemen.

One of the most important commitments this government can make to those patriots who are willing to fight and die for our freedom, is to ensure that the United States will never abandon them in the hardships of war. Equally important is to instill this commitment with the families of our uniformed personnel. They both must have full confidence that their support from the United States will always be strong, and never fade. This legislation certainly helps us keep this commitment and I urge its adoption.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from South Carolina [Mr. SPENCE] that the House suspend the rules and pass the bill, H.R. 4000, as amended.

The question was taken.

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

The yeas and nays were ordered.

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

ANNOUNCEMENT OF LEGISLATION TO BE CONSIDERED UNDER SUSPENSION OF THE RULES TODAY

Mr. GOODLING. Mr. Speaker, pursuant to House Resolution 525, the following suspension is expected to be considered today, September 27: H.R. 4139.

OLDER AMERICANS ACT INDIAN TECHNICAL AMENDMENTS

Mr. GOODLING. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1972) to amend the Older Americans Act of 1965, and for other purposes, as amended.

The Clerk read as follows:

S. 1972

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

SECTION 1. TABLE OF CONTENTS.

Sec. 1. Table of contents.

TITLE I—OLDER AMERICANS ACT OF 1965

Sec. 101. Indian employment; definition of Indian reservation.

Sec. 102. Population statistics development.

Sec. 103. Reporting requirements.

Sec. 104. Expenditure of funds for nutrition services.

Sec. 105. Coordination of services.

TITLE II—EXTENSION OF PROGRAMS; MUSEUMS AND LIBRARIES

Subtitle A—Extension of Programs

Sec. 201. Extension of National Literacy Act of 1991.

Sec. 202. Adult Education Act amendments.

Sec. 203. Extension of Carl D. Perkins Vocational and Applied Technology Education Act.

Subtitle B—Museums and Libraries

Sec. 211. Museum and library services.

Sec. 212. National Commission on Libraries and Information Science.

Sec. 213. Transfer of functions from Institute of Museum Services.

Sec. 214. Service of individuals serving on date of enactment.

Sec. 215. Consideration.

Sec. 216. Transition and transfer of funds.

TITLE III—HIGHER EDUCATION

Subtitle A—Debt Reduction

Sec. 301. Unsubsidized student loans.

Sec. 302. Study of loan fees.

Subtitle B—Financial Responsibility Standards

Sec. 311. Extension of public comment period.

TITLE I—OLDER AMERICANS ACT OF 1965

SEC. 101. INDIAN EMPLOYMENT; DEFINITION OF INDIAN RESERVATION.

Section 502(b)(1)(B) of the Older Americans Act of 1965 (42 U.S.C. 3056(b)(1)(B)) is amended to read as follows:

“(B)(i) will provide employment for eligible individuals in the community in which such individuals reside, or in nearby communities; or

“(ii) if such project is carried out by a tribal organization that enters into an agreement under this subsection or receives assistance from a State that enters into such an agreement, will provide employment for such individuals who are Indians residing on or near an Indian reservation, as the term is defined in section 2601(2) of the Energy Policy Act of 1992 (25 U.S.C. 3501(2));”.

SEC. 102. POPULATION STATISTICS DEVELOPMENT.

Section 614(b) of the Older Americans Act of 1965 (42 U.S.C. 3057e(b)) is amended by striking “certification” and inserting “approval”.

SEC. 103. REPORTING REQUIREMENTS.

Section 614(c) of the Older Americans Act of 1965 (42 U.S.C. 3057e(c)) is amended—

(1) by inserting “(1)” after “(c)”; and

(2) by adding at the end the following new paragraph:

“(2) The Assistant Secretary shall provide waivers and exemptions of the reporting requirements of subsection (a)(3) for applicants