

housing authority to become a co-grantee for administrative purposes. This provision will provide accountability through the housing authority and preclude fraudulent and abusive practices recently highlighted by hearings of the Committee on Government Operations.

#### PORTABILITY AND ADMINISTRATIVE FEES

Restores portability to the voucher program and solves some of the administrative problems associated with portability by directing the Secretary of HUD to take steps to ensure that the local housing authority that provides the services for a family receives all or part of the administrative fee. To prevent "waiting list shopping", the legislative enables a local housing authority to require that a family that receives assistance live in that jurisdiction for twelve months after the initial receipt of assistance.

#### SHOPPING INCENTIVE FOR ASSISTED FAMILIES

This provision allows for shopping incentives for assisted families under Choice-Based housing that rewards the market-rate selection or rental units that fall below the payment standard for that community. In cases where savings occur, the government will reward the tenant, while reducing the budget deficit by providing a savings account in the tenant's name for 50% of the savings incurred by selecting a quality but below rental market unit. The remaining 50% will be returned to the federal government for deficit reduction. The tenant may withdraw the money annually at the end of each year's lease agreement.

#### PROHIBITIONS ON OCCUPANCY FOR PUBLIC AND ASSISTED HOUSING FOR CRIMINAL OR ILLEGAL DRUG/ALCOHOL ABUSE AND SCREENING, GRIEVANCE AND EVICTION REFORMS

This legislation incorporates S. 1494—The Housing Opportunity Program Extension Act of 1996, enacted as Pub. L. 104-120 and extends tenant screening reforms to owners of assisted housing, i.e. non-public housing, including rural multifamily housing developments receiving assistance under the Housing Act of 1949. The owners of assisted housing and housing authorities may deny assistance to potential residents who have been convicted of criminal activity during the preceding three years prior to application for assistance. S. 1494/Pub. L. 104-120 provided flexibility to housing authorities to (i) designate certain developments elderly or disabled only; (ii) evict residents who threaten the safety of elderly and disabled residents in such designated housing; and (iii) expedite grievance and eviction procedures for drug-related and other criminal activity "on or off" the premises.

In addition to conforming language to S. 1494/Pub. L. 104-120, this provision provides access of criminal records, under strict confidentiality protections and penalties for misuse, for assisted housing screening. [Pub. L. 104-120 covered only public housing, while this provision extends those screening provisions to most federally-assisted housing.]

#### CDBG ENTITLEMENT COMMUNITY DESIGNATION

This provision grandfathered communities designated CDBG entitlement communities, based on a population of a least 50,000 residents, for at least one year after 1989. [Some communities were eligible in 1990 and upon the findings of the 1990 census implemented in 1992-93, lost their eligibility status, notwithstanding their eligibility status in 1990.]

#### CDBG DISASTER RELIEF FOR LOS ANGELES

This provision extends, through 1998, the authority of the Los Angeles entitlement community to use no more than 25% of CDBG funds for public services during the reconstruction of some low and very-low in-

come neighborhoods after the 1992 civil disturbance. [Congress had previously extended the public service cap from 15% to 24% for Los Angeles during the 1992 Housing Bill in response to the Los Angeles crisis.]

#### HOMELESS AND SURPLUS PROPERTY COMMUNITY PARTICIPATION AND SELF-HELP HOUSING

This provision will amend Sec. 203 of the Federal Property Administrative Services Act by providing communities an opportunity to participate in the disposition of significant surplus property. Upon local review and collaboration, the GSA could transfer significant surplus property to homeless or non-profit low-income housing providers that undertake self-help housing. This provision will encourage homeownership and housing through significant participation (sweet-equity) by the potential residents. Title VI of the McKinney Act is not repealed and surplus property not considered "significant" or approved by the local government will be processed through the current McKinney surplus property requirements.

#### RURAL COMMUNITIES AND MILITARY INSTALLATIONS

This provision designates Altus, Oklahoma as a rural community, through the year 2000, for purposes of eligibility of the Rural Housing Service programs, such as single and multifamily development. [The 20,000 population threshold was slightly exceeded because of a decennial census count that incorporated the population of a nearby military installation.]

#### PORTSMOUTH VA REVITALIZATION PLAN

Requires HUD to implement a revitalization plan for the City of Portsmouth, Virginia.

#### INCOME ELIGIBILITY STANDARDS FOR HOME AND CDBG PROGRAMS

Clarifies eligibility for HOME and CDBG programs so that all families earning up to 80% of area median income are eligible.

#### PROJECT IN NEW BRUNSWICK, NEW JERSEY

Allows Pennrose Properties, a low-income housing developer, to use low-income housing tax credits allocated in 1991 for use in rehabilitating a 98-unit project for the elderly. The reservation of these tax credits would otherwise lapse.

#### DEFINITION OF ADULT

Modifies the restrictions on divulging the criminal records of those convicted of crimes who are not adults to make also available the criminal records of minors who are tried and convicted as adults.

#### PROHIBITION OF FEDERAL INDEMNIFICATION OF INTELLECTUAL PROPERTY RIGHT INFRINGEMENT

Prohibit local housing authorities from using federal funds to indemnify contractors from judgments of infringement of intellectual property rights.

#### CONVERSION OF A LIMITED NUMBER OF PROJECT-BASED UNITS

Permits property owners to convert a portion of project-based units, upon vacancy, to market rate provided units are above the fair market rent for an area and the amount of contract subsidy saved is transferred to a local housing authority for use as choice-based certificates.

#### WAGE REQUIREMENTS

Narrows one of the exceptions to certain prevailing wage requirements that must be followed by a local housing authority.

#### CHOICE-BASED SCREENING AND EVICTION PROCEDURES

In connection with drug and other criminal activity, provides greater screening and eviction authority for most federally assisted housing, including section 8 project based.

#### HOPE VI PLANNING GRANTS

Provides a preference for previously awarded HOPE VI planning grants that were not funded by HUD.

#### GOLD CLAUSE CONTRACT

Clarifies interpretation of gold clause contract provision to terminate unintended consequences of 1977 law, including unfair treatment to leaseholders. The amendment ensures that the old gold clauses apply only when such a clause is the explicit intention of both parties to the contract.

#### ROCKLAND COUNTY, NY, CEILING LIMITS

Removes Rockland County from the metropolitan statistical area of New York for the establishment of any ceilings or limits based on income under the Act.

#### GENERAL LEAVE

Mr. LAZIO of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2406.

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

There was no objection.

#### APPOINTMENT OF CONFEREES ON H.R. 1296, PROVIDING FOR ADMINISTRATION OF CERTAIN PRESIDIO PROPERTIES

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1296) to provide for the administration of certain Presidio properties at minimal cost to the Federal taxpayer, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

Mr. MILLER of California. Mr. Speaker, reserving the right to object, and I do not intend to object, but I would like to take a moment to engage the gentleman from Alaska [Mr. YOUNG], the chairman of the committee, in a colloquy.

My concern, and I think the concern of others, is that recognizing that in both the House and Senate there has been strong bipartisan support for the underlying bill of the Presidio, but as is sometimes true to their nature, the Senate has added some 34 unrelated titles to the bill, some of which have not had hearings in our committee. That traditionally has opened the door for others who seek to have the same courtesy extended to them to add bills when we are in conference.

Mr. Speaker, my concern is that hopefully there will be some ground rules to the controversy of those items that might be added. I think most of the items currently in either the Senate or in the House bill are essentially noncontroversial. My concern is that as people start to see that this bill has a chance to leave the Congress and go to the President, more and more people will want to jump in the boat here, and

we will start taking on water, and all of a sudden we will find out this boat cannot handle it.

Mr. YOUNG of Alaska. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Speaker, I will say that I have been one that knows just about how much hay a team of mules can pull. I am not going to say that we are not going to add a little bit to what the mules are pulling now.

Mr. MILLER of California. Mr. Speaker, that is the gentleman's prerogative.

Mr. YOUNG of Alaska. I want to suggest respectfully that whatever happens, the gentleman will be in on the conference. It is my intention to see that the Presidio bill becomes a reality, but I cannot say that we will not add a few more straws to this wagonload that I hope the gentleman might see the wisdom of accepting, and where we disagree, I am confident that with the Senate side, we may not reach that point where they will be added, but I cannot say what will and will not be added to this wagonload, and it is a wagonload.

Most of those parts of hay have already been voted on in this House. There are a couple on the Senate side that were not, but have great interest to House Members on this side, and we have been reviewing each one of those that have been added. There may be a couple of others that we would like to solve a problem with on this side which I am sure the gentleman will support. Some he may not be too happy with.

□ 1830

But we are going to talk about that.

Mr. MILLER of California. Mr. Speaker, I thank the gentleman for his comments, and I am sure that the threshold will not be whether I am happy or not but we will try to determine another one. As many Members of the Congress are aware of the gentleman's past employment record as a river boat captain, I am sure he will understand that there is some point at which we cannot take on additional baggage without running aground here.

Mr. YOUNG of Alaska. Mr. Speaker, I am well aware of that. As an old river boat captain, I have never been on a sandbar yet. I know how to read the water. I know how fast the current is, and I know where I am going. Just help me out and we will get there together.

Mr. MILLER of California. Mr. Speaker, I am feeling happier already.

Mr. YOUNG of Alaska. Mr. Speaker, I appreciate that.

Mr. MILLER of California. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. BOEHNER). Is there objection to the request of the gentleman from Alaska? The Chair hears none and, without objection, appoints the following conferees: Messrs. YOUNG of Alaska; HAN-

SEN; ALLARD; and HAYWORTH; Mrs. CUBIN; and Messrs. MILLER of California; RICHARDSON; and VENTO.

There was no objection.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 2137. An act to amend the Violent Crime Control and Law Enforcement Act of 1994 to require the release of relevant information to protect the public from sexually violent offenders.

#### POSTPONING FURTHER CONSIDERATION OF H.R. 3286, ADOPTION PROMOTION AND STABILITY ACT OF 1996, AFTER INITIAL DEBATE UNTIL THE FOLLOWING LEGISLATIVE DAY

Mr. HYDE. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 3286, pursuant to House Resolution 428, notwithstanding the order of the previous question, it may be in order immediately after initial debate on the bill as amended for the Chair to postpone further consideration of the bill until the following legislative day, on which consideration may resume at a time designated by the Speaker.

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

There was no objection.

#### REMOVAL OF NAME AS COSPONSOR OF H.R. 2086

Mr. GENE GREEN of Texas. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 2086.

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

There was no objection.

#### COMMONSENSE PRODUCT LIABILITY REFORM ACT OF 1996—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 104-207)

The SPEAKER pro tempore. The unfinished business is the further consideration of the veto message of the President on the bill (H.R. 956) to establish legal standards and procedures for product liability litigation, and for other purposes.

The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

The gentleman from Illinois [Mr. HYDE] is recognized for 1 hour.

Mr. HYDE. Mr. Speaker, for purposes of debate only, I yield 30 minutes to the gentleman from Michigan [Mr. CONYERS], the ranking member of the Committee on the Judiciary.

#### GENERAL LEAVE

Mr. HYDE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 956.

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

There was no objection.

Mr. HYDE. Mr. Speaker, I yield 15 minutes of my time to the gentleman from Virginia [Mr. BLILEY], the chairman of the Committee on Commerce, and I ask unanimous consent that he may be permitted to yield blocks of time to other Members.

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

There was no objection.

Mr. HYDE. Mr. Speaker, I yield myself 10 minutes.

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

Mr. HYDE. Mr. Speaker, one of the least meritorious reasons the President has listed for his veto was that this bill infringed on States' rights. The newly discovered respect for the 10th amendment is heartening but somewhat misplaced. In our mobile society, 80 percent of our manufactured goods are shipped across State lines, and the unpredictability of a patchwork of 50 different sets of laws and liabilities is a major factor prompting this commonsense bipartisan reform.

We do not help the consumer when factoring into insurance premiums the uncertainties of compliance with a myriad of different State laws and unpredictability of punitive damage awards. We only add to the cost of the product and render our industries less competitive with foreign companies.

Plaintiffs collect less than half of every dollar spent on the civil justice system. The rest goes to lawyers and court costs. One study found the cost of this litigation explosion last year alone was \$152 billion, and this is money that could be spent on hiring new workers and investing in new equipment.

Tort reform does not deny valid claimants receiving adequate awards. It merely reduces the arbitrary excesses that harm consumers by discouraging many new products from being marketed, medical devices such as heart valve, pacemakers if they utilize silicon.

The Washington Post, no conservative house organ, says the primary beneficiaries of our current system are a group of wealthy and powerful professionals. Guess who they are speaking about? The arbitrary potential liability that can be imposed through unrestrained punitive damage forces unjustified settlements, increasing insurance costs, and the public, the consumer, loses in the end. Negligence should be actionable and deserving plaintiffs should recover adequate damages, but it is the arbitrary excesses that make our tort system top heavy