

The Economic Development Administration's role in disaster recovery is to provide assistance to communities to achieve long-term economic recovery through the strategic investment of local resources. In the last 3 years, at least 13 States have been victims of natural disasters that EDA has assisted in rebuilding their communities and revitalizing their local economies.

EDA operates the largest Federal program for defense adjustment. The Department of Defense's Office of Economic Adjustment does an excellent job of supporting base reuse and community planning, only EDA can support the implementation of these plans. Over the next few years, communities affected by BRAC will be approaching EDA for critical base reuse funds.

Under EDA's Economic Adjustment Program, communities are provided with unique flexibility to design local strategies that achieve economic change and stability, and multicomponent projects to implement those strategies. This program serves a unique role in the nation's response to post-disaster economic recovery, base closure and defense industry downsizing as well as prolonged, persistent economic deterioration.

The administration's Infrastructure and Development Facilities Program aids economically distressed communities. It assists with construction of projects that improve opportunities for the establishment and expansion of commercial and industrial plants and facilities among other things. Since 1965 when EDA was created, this program has created more than 1.5 million jobs across the country.

I urge my colleagues opposition to amendments threatening EDA's funding.

Mr. RAHALL. Mr. Chairman, I rise in strong opposition to any amendment that would terminate and/or cut funding for the Economic Development Administration—the EDA.

Mr. Chairman, this year's recommended funding level for the EDA is but \$328.5 million. This is identical to the funding for fiscal year 1996—reflecting a 20-percent cut in EDA funding since fiscal 1995.

This is surely representative of EDA's fair share of reduced Federal spending we are called upon to make.

One of the most important features of EDA funding is that it provides vital funding to communities that have had, and are still experiencing, base closures and defense downsizing.

If it were not for the EDA, defense conversion funds, set at \$95 million in fiscal year 1997, where bases have been closed and Defense industry jobs lost—communities would not have the money to pick themselves up and dust themselves off—and get back on their feet again.

While West Virginia has had no base closures, and so Defense conversion funds do not assist my constituents, I know that many States depend upon the EDA's Defense conversions for economic development assistance, and I want them to have this \$95 million set aside for that purpose.

EDA funds also go to local development districts and university centers, and to areas that have been devastated by spring floods, and winter blizzards, and earthquakes, and hurricanes and tornadoes.

But such funds are also spent on communities faced with both chronic and sudden economic downturns that result in massive job losses.

Over the past 30 years, EDA has created almost 40,000 economic development projects, generated more than \$2 billion of private sector capital through revolving loan funds, supported more than 7,000 businesses, and leveraged \$3 for every Federal dollar invested. That doesn't sound like golden fleece awards to me.

My colleagues, listen to what is being said around you by Members of this body about how much EDA means to their economically distressed areas, and defeat any amendment to kill or reduce the EDA program, just as you defeated their twins last year.

□ 2045

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. HOSTETTLER].

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

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

The CHAIRMAN. Pursuant to House Resolution 479, further proceedings on the amendment offered by the gentleman from Indiana [Mr. HOSTETTLER] will be postponed.

Mr. ROGERS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. GOSS) having assumed the chair, Mr. GUNDERSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3814) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1997, and for other purposes, had come to no resolution thereon.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 3814, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that during the further consideration of H.R. 3814, in the Committee of the Whole, pursuant to House Resolution 479 and the order of the House of July 17, 1996: First, the remainder of the bill be considered as read; and second no amendment shall be in order except for the following amendments, which shall be considered as read, shall not be subject to amendment or to a demand for a division of the question in the House or in the Committee of the Whole, and shall be debatable for the time specified, and equally divided and controlled by the proponent and a Member opposed:

Amendment No. 10 by Mr. HOSTETTLER for 10 minutes;

An amendment by Mrs. JACKSON-LEE (regarding the National Telecommunications and Information Administration) for 15 minutes;

Amendment No. 11 by Mrs. MINK for 10 minutes;

An amendment by Mr. ROGERS (regarding NOAA) for 10 minutes;

An amendment by Mr. ENGEL (regarding public broadcasting grants) for 10 minutes;

Amendment No. 20 by Mr. BROWN of California for 20 minutes;

An amendment by Mr. ALLARD (regarding the Technology Administration) for 10 minutes;

An amendment by Mr. GOSS (regarding EDA) for 10 minutes;

An amendment by Mr. PORTER (regarding Asia Broadcasting) for 20 minutes;

An amendment by Mr. OBEY (regarding ABM Treaty) for 15 minutes;

Amendment No. 19 by Mr. TRAFICANT for 5 minutes;

Amendment No. 28 by Mr. GUTKNECHT for 20 minutes;

An amendment by Mr. DEUTSCH (regarding COPS) for 10 minutes;

An amendment by Mr. ENSIGN (regarding sexually explicit material in prisons) for 10 minutes;

Amendment No. 5 by Mr. FRANK of Massachusetts for 20 minutes;

Amendment No. 6 by Mr. FRANK of Massachusetts for 20 minutes;

Amendment No. 16 by Mr. GANSKE for 20 minutes;

Amendment No. 17 by Mr. GEKAS for 10 minutes;

Amendment No. 33 by Mrs. NORTON for 20 minutes;

An amendment by Mrs. FOWLER (regarding COPS) for 10 minutes;

An amendment by Mr. COLLINS of Georgia (regarding Federal Prison Industries) for 15 minutes;

An amendment by Mr. HUTCHINSON (regarding deaths in prisons) for 10 minutes; and

An amendment by Mr. MILLER of Florida for 10 minutes.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2391

Mr. SOLOMON. Mr. Speaker, my name was inadvertently placed on H.R. 2391 as a cosponsor. I ask unanimous consent to remove my name as a cosponsor of H.R. 2391.

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

There was no objection.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

The SPEAKER pro tempore. Pursuant to House Resolution 479 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3814.

□ 2049

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole

House on the State of the Union for the further consideration of the bill (H.R. 3814) making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1997, and for other purposes, with Mr. GUNDERSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When of the Committee of the Whole rose earlier today, a demand for the recorded vote on the amendment offered by the gentleman from Indiana [Mr. HOSTETTLER] had been postponed and the bill had been read through page 49, line 2.

SEQUENTIAL VOTES POSTPONED IN THE COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 479, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 38 offered by the gentleman from Colorado [Mrs. SCHROEDER]; an amendment offered by the gentleman from Virginia [Mr. SCOTT]; and amendment No. 9 offered by the gentleman from Indiana [Mr. HOSTETTLER].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MRS. SCHROEDER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado [Mrs. SCHROEDER], on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 159, noes 265, not voting 9, as follows:

[Roll No. 343]

AYES—159

Abercrombie	de la Garza	Hall (OH)
Ackerman	DeFazio	Harman
Andrews	DeLauro	Hastings (FL)
Baldacci	Dellums	Hefner
Barrett (WI)	Deutsch	Hilliard
Becerra	Dixon	Hinchev
Beilenson	Doggett	Hoyer
Bentsen	Durbin	Jackson (IL)
Berman	Edwards	Jackson-Lee
Bevill	Engel	(TX)
Bishop	Eshoo	Jacobs
Blumenauer	Evans	Jefferson
Bonior	Farr	Johnson (SD)
Borski	Fattah	Johnson, E. B.
Brown (CA)	Fields (LA)	Johnston
Brown (FL)	Filner	Kanjorski
Brown (OH)	Flake	Kaptur
Bryant (TX)	Foglietta	Kennedy (MA)
Cardin	Ford	Kennedy (RI)
Clay	Fox	Kennelly
Clayton	Frank (MA)	Kildee
Clement	Franks (CT)	Klecza
Clyburn	Frost	LaFalce
Coleman	Furse	Lantos
Collins (MI)	Gejdenson	Levin
Conyers	Gephardt	Lewis (GA)
Costello	Gibbons	Lofgren
Coyne	Gonzalez	Lowe
Cummings	Green (TX)	Luther
Danner	Gutierrez	Maloney

Markey	Pallone
Martinez	Pastor
McCarthy	Payne (NJ)
McDermott	Payne (VA)
McKinney	Pelosi
McNulty	Peterson (FL)
Meehan	Pomeroy
Meek	Radanovich
Menendez	Rangel
Millender-	Reed
McDonald	Richardson
Miller (CA)	Rivers
Minge	Rose
Mink	Roybal-Allard
Moakley	Rush
Moran	Sabo
Morella	Sanders
Nadler	Sawyer
Neal	Schroeder
Oberstar	Schumer
Obey	Scott
Olver	Serrano
Ortiz	Shays
Owens	Skaggs

NOES—265

Allard	Dunn
Archer	Ehlers
Armey	English
Bachus	Ensign
Baessler	Everett
Baker (CA)	Ewing
Baker (LA)	Fawell
Ballenger	Fields (TX)
Barcia	Flanagan
Barr	Foley
Barrett (NE)	Forbes
Bartlett	Fowler
Barton	Franks (NJ)
Bass	Frelinghuysen
Bateman	Frisa
Bereuter	Funderburk
Bilbray	Galleghy
Bilirakis	Ganske
Bliley	Gekas
Blute	Geren
Boehlert	Gilchrest
Boehner	Gillmor
Bonilla	Gilman
Bono	Goodlatte
Boucher	Goodling
Brewster	Gordon
Browder	Goss
Brownback	Graham
Bryant (TN)	Greene (UT)
Bunn	Greenwood
Bunning	Gunderson
Burr	Gutknecht
Burton	Hall (TX)
Buyer	Hamilton
Callahan	Hancock
Calvert	Hansen
Camp	Hastert
Campbell	Hastings (WA)
Canady	Hayes
Castle	Hayworth
Chabot	Hefley
Chambliss	Heineman
Chapman	Hergert
Chenoweth	Hillery
Christensen	Hobson
Chrysler	Hoekstra
Clinger	Hoke
Coble	Holden
Coburn	Horn
Collins (GA)	Hostettler
Combest	Houghton
Condit	Hunter
Cooley	Hutchinson
Cox	Hyde
Cramer	Inglis
Crane	Istook
Crapo	Johnson (CT)
Creameans	Johnson, Sam
Cubin	Jones
Cunningham	Kasich
Davis	Kelly
Deal	Kim
DeLay	King
Diaz-Balart	Kingston
Dickens	Klink
Dicks	Klug
Dingell	Knollenberg
Dooley	Kolbe
Doolittle	LaHood
Dornan	Largent
Doyle	Latham
Dreier	LaTourette
Duncan	Laughlin

Slaughter	Shaw
Stark	Shuster
Stokes	Sisisky
Studds	Skeen
Stupak	Skelton
Tejeda	Smith (MI)
Thompson	Smith (NJ)
Thurman	Smith (TX)
Torkildsen	Smith (WA)
Torres	Solomon
Torricelli	Souder
Towns	Spence
Velazquez	Stearns
Vento	Stenholm
Volkmer	Stockman
Ward	Stump
Waters	
Watt (NC)	
Waxman	
Woolsey	
Wynn	
Yates	
Zimmer	

Talent	Tanner
Tate	Tauzin
Taylor (MS)	Taylor (NC)
Thomas	Thornberry
Thornnton	Tiahrt
Traficant	Upton
Visclosky	Vucanovich
Walker	Walsh

NOT VOTING—9

Collins (IL)	Lewis (CA)	McDade
Ehrlich	Lincoln	Spratt
Fazio	Matsui	Young (FL)

□ 2108

Messrs. KIM, WISE, and RAHALL changed their vote from “aye” to “no.”

Mr. PAYNE of New Jersey and Mr. SCHUMER changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SCOTT

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia [Mr. SCOTT], on which further proceedings were postponed and on which the noes prevailed by a voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were ayes 99, noes 326, not voting 8, as follows:

[Roll No. 344]

AYES—99

Abercrombie	Fox	Ortiz
Barrett (WI)	Frank (MA)	Owens
Becerra	Gibbons	Pastor
Beilenson	Gonzalez	Payne (NJ)
Bishop	Green (TX)	Payne (VA)
Bonior	Gutierrez	Pelosi
Brown (CA)	Hastings (FL)	Quinn
Brown (FL)	Hilliard	Rangel
Brown (OH)	Hinchev	Rose
Bryant (TX)	Jackson (IL)	Roybal-Allard
Clay	Jackson-Lee	Rush
	(TX)	Sabo
Clayton	Jefferson	Sanders
Clyburn	Johnson, E. B.	Schroeder
Coleman	Kennedy (RI)	Scott
Collins (MI)	Kildee	Serrano
Conyers	Klink	Shays
Coyne	LaFalce	Sisisky
Cummings	Lantos	Slaughter
de la Garza	LaTourette	Stark
DeFazio	Lewis (GA)	Stokes
Dellums	Lofgren	Studds
Dingell	Markey	Tejeda
Dixon	Martinez	Thompson
Doyle	McDermott	Torres
Eshoo	McKinney	Towns
Evans	McNulty	Vento
Farr	Meehan	Waters
Fattah	Meek	Watt (NC)
Fields (LA)	Millender-	Williams
Filner	McDonald	Woolsey
Flake	Mink	Wynn
Foglietta	Moran	Yates
Ford	Olver	

NOES—326

Ackerman  
Allard  
Andrews  
Archer  
Army  
Bachus  
Baesler  
Baker (CA)  
Baker (LA)  
Baldacci  
Ballenger  
Barcia  
Barr  
Barrett (NE)  
Bartlett  
Barton  
Bass  
Bateman  
Bentsen  
Bereuter  
Berman  
Bevill  
Billray  
Billirakis  
Bliley  
Blumenauer  
Blute  
Boehlert  
Boehner  
Bonilla  
Bono  
Borski  
Boucher  
Brewster  
Browder  
Brownback  
Bryant (TN)  
Bunn  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Cardin  
Castle  
Chabot  
Chambliss  
Chapman  
Chenoweth  
Christensen  
Chrysler  
Clement  
Clinger  
Coble  
Coburn  
Collins (GA)  
Combest  
Condit  
Cooley  
Costello  
Cox  
Cramer  
Crane  
Crapo  
Cremeans  
Cubin  
Cunningham  
Danner  
Davis  
Deal  
DeLauro  
DeLay  
Deutsch  
Diaz-Balart  
Dickey  
Dicks  
Doggett  
Dooley  
Doolittle  
Dornan  
Dreier  
Duncan  
Dunn  
Durbin  
Edwards  
Ehlers  
Ehrlich  
English  
Ensign  
Everett  
Ewing  
Fawell  
Fields (TX)  
Flanagan

Foley  
Forbes  
Fowler  
Franks (CT)  
Franks (NJ)  
Frelinghuysen  
Frisa  
Frost  
Funderburk  
Furse  
Gallegly  
Ganske  
Gejdenson  
Gekas  
Gephardt  
Geren  
Gilchrist  
Gillmor  
Gordon  
Goss  
Graham  
Greene (UT)  
Greenwood  
Gunderson  
Gutknecht  
Hall (OH)  
Hall (TX)  
Hamilton  
Hancock  
Hansen  
Harman  
Hastert  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hefner  
Heineman  
Herger  
Hilleary  
Hobson  
Hoekstra  
Hoke  
Holden  
Horn  
Hostettler  
Houghton  
Hoyer  
Hunter  
Hutchinson  
Hyde  
Ingليس  
Istook  
Jacobs  
Johnson (CT)  
Johnson (SD)  
Johnson, Sam  
Johnston  
Jones  
Kanjorski  
Kaptur  
Kasich  
Kelly  
Kennedy (MA)  
Kennelly  
Kim  
King  
Kingston  
Klecicka  
Klug  
Knollenberg  
Kolbe  
LaHood  
Largent  
Latham  
Laughlin  
Lazio  
Leach  
Levin  
Lewis (KY)  
Lightfoot  
Linder  
Lipinski  
Livingston  
LoBiondo  
Longley  
Lowey  
Lucas  
Luther  
Maloney  
Manton  
Manzullo  
Martini  
Mascara  
McCarthy  
McCollum

McCrery  
McHale  
McHugh  
McInnis  
McIntosh  
McKeon  
Menendez  
Metcalf  
Meyers  
Mica  
Miller (CA)  
Miller (FL)  
Minge  
Moakley  
Molinari  
Mollohan  
Montgomery  
Moorhead  
Morella  
Murtha  
Myers  
Myrick  
Nadler  
Neal  
Nethercutt  
Neumann  
Ney  
Norwood  
Nussle  
Oberstar  
Obey  
Orton  
Oxley  
Packard  
Pallone  
Parker  
Paxon  
Peterson (FL)  
Peterson (MN)  
Petri  
Pickett  
Pombo  
Pomeroy  
Porter  
Portman  
Poshard  
Pryce  
Quillen  
Radanovich  
Rahall  
Ramstad  
Reed  
Regula  
Richardson  
Riggs  
Rivers  
Roberts  
Roemer  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Roth  
Roukema  
Royce  
Salmon  
Sanford  
Sawyer  
Saxton  
Scarborough  
Schaefer  
Schiff  
Schumer  
Seastrand  
Sensenbrenner  
Shadegg  
Shaw  
Shuster  
Skaggs  
Skeen  
Skelton  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Solomon  
Souder  
Spence  
Spratt  
Stearns  
Stenholm  
Stockman  
Stump  
Stupak  
Talent  
Tanner  
Tate  
Tauzin  
Taylor (MS)

Taylor (NC)  
Thomas  
Thornberry  
Thornton  
Thurman  
Tiahrt  
Torkildsen  
Torrice  
Traficant  
Upton  
Velazquez

Visclosky  
Volkmer  
Vucanovich  
Walker  
Walsh  
Wamp  
Ward  
Watts (OK)  
Waxman  
Weldon (FL)  
Weldon (PA)

Weller  
White  
Whitfield  
Wicker  
Wilson  
Wise  
Wolf  
Young (AK)  
Zeliff  
Zimmer

Bateman  
Becerra  
Beilenson  
Bentsen  
Berman  
Bevill  
Bilbray  
Bishop  
Blumenauer  
Blute  
Boehlert  
Bonilla  
Bonior  
Bono  
Borski  
Boucher  
Brewster  
Browder  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Bryant (TN)  
Bryant (TX)  
Bunn  
Burr  
Buyer  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Cardin  
Castle  
Chambliss  
Chapman  
Clay  
Clayton  
Clement  
Clinger  
Clyburn  
Coburn  
Coleman  
Collins (GA)  
Collins (MI)  
Condit  
Conyers  
Costello  
Coyne  
Cramer  
Cremeans  
Cummings  
Cunningham  
Danner  
Davis  
de la Garza  
Deal  
DeFazio  
DeLauro  
DeLay  
Dellums  
Deutsch  
Diaz-Balart  
Dickey  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doyle  
Duncan  
Durbin  
Edwards  
Ehlers  
Engel  
English  
Eshoo  
Evans  
Everett  
Ewing  
Farr  
Fattah  
Fields (LA)  
Filner  
Flake  
Flanagan  
Foglietta  
Forbes  
Ford  
Fowler  
Fox  
Frank (MA)  
Franks (CT)  
Franks (NJ)  
Frelinghuysen  
Frisa  
Frost  
Funderburk  
Furse  
Gallegly

Ganske  
Gejdenson  
Gekas  
Gephardt  
Geren  
Gibbons  
Gilchrist  
Gillmor  
Gilman  
Gonzalez  
Goodlatte  
Goodling  
Gordon  
Graham  
Green (TX)  
Greenwood  
Gunderson  
Gutierrez  
Hall (OH)  
Hall (TX)  
Hamilton  
Hansen  
Harman  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hefner  
Heineman  
Herger  
Hilleary  
Hilliard  
Hinchev  
Hobson  
Holden  
Horn  
Houghton  
Hoyer  
Hyde  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jacobs  
Jefferson  
Johnson (CT)  
Johnson (SD)  
Johnson, E. B.  
Johnston  
Jones  
Kanjorski  
Kaptur  
Kelly  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
King  
Kingston  
Klecicka  
Klink  
Knollenberg  
LaFalce  
LaHood  
Lantos  
Latham  
LaTourette  
Laughlin  
Lazio  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Lightfoot  
Linder  
Lipinski  
Livingston  
LoBiondo  
Lofgren  
Longley  
Lowey  
Lucas  
Luther  
Maloney  
Manton  
Markey  
Martinez  
Martini  
Mascara  
McCarthy  
McCrery  
McDermott  
McHale  
McHugh  
McKinney  
McNulty  
Meehan  
Meek  
Menendez  
Meyers

Millender-  
McDonald  
Miller (CA)  
Minge  
Mink  
Moakley  
Molinari  
Mollohan  
Montgomery  
Moran  
Morella  
Murtha  
Myers  
Nadler  
Neal  
Ney  
Norwood  
Nussle  
Oberstar  
Obey  
Oliver  
Ortiz  
Orton  
Owens  
Oxley  
Packard  
Pallone  
Parker  
Pastor  
Payne (NJ)  
Payne (VA)  
Pelosi  
Peterson (FL)  
Peterson (MN)  
Pickett  
Pomeroy  
Portman  
Poshard  
Quillen  
Quinn  
Rahall  
Rangel  
Reed  
Regula  
Richardson  
Riggs  
Rivers  
Roberts  
Roemer  
Rogers  
Ros-Lehtinen  
Rose  
Roth  
Roukema  
Roybal-Allard  
Rush  
Sabo  
Sanders  
Sawyer  
Schiff  
Schroeder  
Schumer  
Scott  
Serrano  
Shaw  
Shays  
Shuster  
Sisisky  
Skaggs  
Skeen  
Skelton  
Slaughter  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Spence  
Spratt  
Stark  
Stenholm  
Stokes  
Studds  
Stupak  
Talent  
Tanner  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Tejeda  
Thomas  
Thompson  
Thornton  
Thurman  
Torkildsen  
Torres  
Torrice  
Towns  
Traficant  
Upton  
Velazquez

NOT VOTING—8

Collins (IL)  
Fazio  
Gilman

Lewis (CA)  
Lincoln  
Matsui

McDade  
Young (FL)

□ 2116

Messrs. NADLER, MILLER of California, and BALDACCI changed their vote from "aye" to "no."

Mr. BROWN of Ohio changed his vote from "no" to "aye."

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HOSTETTTLER  
The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana [Mr. HOSTETTTLER], on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 99, noes 328, not voting 6, as follows:

[Roll No. 345]

AYES—99

Allard  
Army  
Bachus  
Baker (CA)  
Ballenger  
Barr  
Barrett (NE)  
Bereuter  
Bilirakis  
Bliley  
Boehner  
Brownback  
Bunning  
Burton  
Chabot  
Chenoweth  
Christensen  
Chrysler  
Coble  
Combest  
Cooley  
Cox  
Crane  
Crapo  
Cubin  
Doolittle  
Dornan  
Dreier  
Dunn  
Durbin  
Edwards  
Ehlers  
Ehrlich  
Ensign  
Fawell  
Fields (TX)

Foley  
Goss  
Greene (UT)  
Gutknecht  
Hancock  
Hastert  
Hayworth  
Hefley  
Hoekstra  
Hoke  
Hostettler  
Hunter  
Hutchinson  
Ingليس  
Istook  
Johnson, Sam  
Kasich  
Kim  
Klug  
Kolbe  
Largent  
Leach  
Manzullo  
McCollum  
McInnis  
McIntosh  
McKeon  
Metcalf  
Mica  
Miller (FL)  
Moorhead  
Myrick  
Nethercutt

Neumann  
Paxon  
Petri  
Pombo  
Porter  
Pryce  
Radanovich  
Ramstad  
Rohrabacher  
Royce  
Salmon  
Sanford  
Saxton  
Scarborough  
Schaefer  
Souder  
Stearns  
Stockman  
Stump  
Tate  
Thornberry  
Tiahrt  
Walker  
Weller  
White  
Wolf  
Zeliff  
Zimmer

NOES—328

Abercrombie  
Ackerman  
Andrews  
Archer

Baesler  
Baker (LA)  
Baldacci  
Barcia

Barrett (WI)  
Bartlett  
Barton  
Bass

Vento	Watt (NC)	Wilson
Viscolsky	Watts (OK)	Wise
Volkmer	Waxman	Woolsey
Vucanovich	Weldon (FL)	Wynn
Walsh	Weldon (PA)	Yates
Wamp	Whitfield	Young (AK)
Ward	Wicker	
Waters	Williams	

## NOT VOTING—6

Collins (IL)	Lincoln	McDade
Fazio	Matsui	Young (FL)

□ 2124

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. ROGERS. Mr. Chairman, I move to strike the last word. Mr. Chairman, let me make an announcement. There will be no more recorded votes tonight. However, we will be proceeding with several amendments and then roll the votes until tomorrow, and we are asking the authors and speakers who would like to be heard on these six amendments to stay around tonight and let us work. Then we will roll the votes until tomorrow, should any votes be required.

The following amendments will be taken up tonight, and we are asking all speakers and authors to remain on hand; the amendment to be offered by the gentleman from Florida [Mr. GOSS], the EDA amendment to be offered by the gentlewoman from Hawaii [Mrs. MINK]; the amendment to be offered by the gentleman from New York [Mr. ENGEL]; the amendment to be offered by the gentleman from Florida [Mr. MILLER]; the amendment to be offered by the gentleman from Illinois [Mr. PORTER]; and the amendment to be offered by the gentleman from Ohio [Mr. TRAFICANT].

Those amendments will be offered tonight. Any votes will be rolled until tomorrow.

The CHAIRMAN. Pursuant to the order of the House of today, the bill is considered as read.

The text of the remainder of the bill is as follows:

## SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, \$20,000,000: *Provided*, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, as amended, title II of the Trade Act of 1974, as amended, and the Community Emergency Drought Relief Act of 1977.

## MINORITY BUSINESS DEVELOPMENT AGENCY

## MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, \$29,000,000: *Provided*, That of the total amount provided, \$3,000,000 shall be available for obligation and expenditure only for projects jointly developed, implemented and administered with the Small Business Administration.

## ECONOMIC AND INFORMATION INFRASTRUCTURE

## ECONOMIC AND STATISTICAL ANALYSIS

## SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis pro-

grams of the Department of Commerce, \$45,900,000, to remain available until September 30, 1998.

ECONOMICS AND STATISTICS ADMINISTRATION  
REVOLVING FUND

The Secretary of Commerce is authorized to disseminate economic and statistical data products as authorized by sections 1, 2, and 4 of Public Law 91-412 (15 U.S.C. 1525-1527) and, notwithstanding section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912), charge fees necessary to recover the full costs incurred in their production. Notwithstanding 31 U.S.C. 3302, receipts received from these data dissemination activities shall be credited to this account, to be available for carrying out these purposes without further appropriation.

## BUREAU OF THE CENSUS

## SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, \$133,617,000.

## PERIODIC CENSUSES AND PROGRAMS

For expenses necessary to collect and publish statistics for periodic censuses and programs provided for by law, \$205,100,000, to remain available until expended.

## NATIONAL TELECOMMUNICATIONS AND

## INFORMATION ADMINISTRATION

## SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration, \$15,000,000 to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of the NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC BROADCASTING FACILITIES, PLANNING  
AND CONSTRUCTION

For grants authorized by section 392 of the Communications Act of 1934, as amended, \$10,250,000, to remain available until expended as authorized by section 391 of the Act, as amended: *Provided*, That not to exceed \$1,500,000 shall be available for program administration as authorized by section 391 of the Act: *Provided further*, That notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

## INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, as amended, \$21,490,000, to remain available until expended as authorized by section 391 of the Act, as amended: *Provided*, That not to exceed \$3,000,000 shall be available for program administration and other support activities as authorized by section 391: *Provided further*, That of the funds appropriated herein, not to exceed 5 percent may be available for telecommunications research activities for projects related directly to the development of a national information infrastructure: *Provided further*, That notwithstanding the

requirements of section 392(a) and 392(c) of the Act, these funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety, or other social services.

## PATENT AND TRADEMARK OFFICE

## SALARIES AND EXPENSES

For necessary expenses of the Patent and Trademark Office provided for by law, including defense of suits instituted against the Commissioner of Patents and Trademarks, \$100,000,000, to remain available until expended: *Provided*, That the funds made available under this heading are to be derived from deposits in the Patent and Trademark Office Fee Surcharge Fund as authorized by law: *Provided further*, That the amounts made available under the Fund shall not exceed amounts deposited; and such fees as shall be collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, shall remain available until expended.

## SCIENCE AND TECHNOLOGY

NATIONAL INSTITUTE OF STANDARDS AND  
TECHNOLOGYSCIENTIFIC AND TECHNICAL RESEARCH AND  
SERVICES

For necessary expenses of the National Institute of Standards and Technology, \$268,000,000, to remain available until expended, of which not to exceed \$1,625,000 may be transferred to the "Working Capital Fund".

## INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership of the National Institute of Standards and Technology, \$89,900,000, to remain available until expended, of which not to exceed \$300,000 may be transferred to the "Working Capital Fund".

In addition, for necessary expenses of the Advanced Technology Program of the National Institute of Standards and Technology, \$110,500,000, to remain available until expended, of which not to exceed \$500,000 may be transferred to the "Working Capital Fund": *Provided*, That none of the funds made available under this heading may be used for the purposes of carrying out additional program competitions under the Advanced Technology Program: *Provided further*, That any unobligated balances available from carryover of prior year appropriations under the Advanced Technology Program may be used only for the purposes of providing continuation grants.

NATIONAL OCEANIC AND ATMOSPHERIC  
ADMINISTRATION

## OPERATIONS, RESEARCH, AND FACILITIES

## (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including acquisition, maintenance, operation, and hire of aircraft; not to exceed 200 commissioned officers on the active list as of April 1, 1997, and no commissioned officers on the active list as of September 30, 1997; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and alteration, modernization, and relocation of facilities as authorized by 33 U.S.C. 883i; \$1,738,200,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 but consistent with other existing law, fees shall be assessed, collected, and credited to this appropriation as offsetting collections to be available until expended, to recover the costs of administering aeronautical charting programs: *Provided further*, That

the sum herein appropriated from the general fund shall be reduced as such additional fees are received during fiscal year 1997, so as to result in a final general fund appropriation estimated at not more than \$1,735,200,000: *Provided further*, That any such additional fees received in excess of \$3,000,000 in fiscal year 1997 shall not be available for obligation until October 1, 1997: *Provided further*, That fees and donations received by the National Ocean Service for the management of the national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: *Provided further*, That in addition, \$66,000,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries": *Provided further*, That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed \$2,000,000: *Provided further*, That of the \$1,837,176,000 provided for in direct obligations under this heading (of which \$1,735,200,000 is appropriated from the general fund, \$71,276,000 is provided by transfer, and \$30,700,000 is derived from unobligated balances and deobligations from prior years), \$180,975,000 shall be for the National Ocean Service, \$292,907,000 shall be for the National Marine Fisheries Service, \$231,826,000 shall be for Oceanic and Atmospheric Research, \$633,010,000 shall be for the National Weather Service, \$431,582,000 shall be for the National Environmental Satellite, Data, and Information Service, \$66,876,000 shall be for Program Support.

#### COASTAL ZONE MANAGEMENT FUND

Of amounts collected pursuant to section 308 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a), not to exceed \$7,800,000, for purposes set forth in sections 308(b)(2)(A), 308(b)(2)(B)(v), and 315(e) of such Act.

#### CONSTRUCTION

For repair and modification of, and additions to, existing facilities and construction of new facilities, and for facility planning and design and land acquisition not otherwise provided for the National Oceanic and Atmospheric Administration, \$36,000,000, to remain available until expended.

#### FLEET MODERNIZATION, SHIPBUILDING AND CONVERSION

For expenses necessary for the repair, acquisition, leasing, or conversion of vessels, including related equipment to maintain and modernize the existing fleet and to continue planning the modernization of the fleet, for the National Oceanic and Atmospheric Administration, \$6,000,000, to remain available until expended.

#### FISHING VESSEL AND GEAR DAMAGE COMPENSATION FUND

For carrying out the provisions of section 3 of Public Law 95-376, not to exceed \$200,000, to be derived from receipts collected pursuant to subsections (b) and (f) of section 10 of the Fishermen's Protective Act of 1967 (22 U.S.C. 1980), to remain available until expended.

#### FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95-372, not to exceed \$1,000,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

#### FOREIGN FISHING OBSERVER FUND

For expenses necessary to carry out the provisions of the Atlantic Tunas Convention Act of 1975, as amended (Public Law 96-339), the Magnuson Fishery Conservation and Management Act of 1976, as amended (Public Law 100-627), and the American Fisheries Promotion Act (Public Law 96-561), to be de-

rived from the fees imposed under the foreign fishery observer program authorized by these Acts, not to exceed \$196,000, to remain available until expended.

#### FISHING VESSEL OBLIGATIONS GUARANTEES

For the cost of guaranteed loans, \$250,000, as authorized by the Merchant Marine Act of 1936, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That none of the funds made available under this heading may be used to guarantee loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

#### TECHNOLOGY ADMINISTRATION

##### UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF TECHNOLOGY POLICY

##### SALARIES AND EXPENSES

For necessary expenses for the Under Secretary for Technology/Office of Technology Policy, \$5,000,000.

##### GENERAL ADMINISTRATION

##### SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of Commerce provided for by law, including not to exceed \$3,000 for official entertainment, \$27,400,000.

##### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App. 1-11 as amended by Public Law 100-504), \$19,445,000.

##### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

##### OPERATIONS, RESEARCH, AND FACILITIES (RESCISSION)

Of the unobligated balances available under this heading, \$10,000,000 are rescinded.

##### GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary that such payments are in the public interest.

SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902).

SEC. 203. None of the funds made available by this Act may be used to support the hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve.

SEC. 204. None of the funds provided in this or any previous Act, or hereinafter made available to the Department of Commerce, shall be available to reimburse the Unemployment Trust Fund or any other fund or account of the Treasury to pay for any expenses paid before October 1, 1992, as authorized by section 8501 of title 5, United States Code, for services performed after April 20, 1990, by individuals appointed to temporary positions within the Bureau of the Census for purposes relating to the 1990 decennial census of population.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 206. (a) Should legislation be enacted to dismantle or reorganize the Department of Commerce, the Secretary of Commerce, no later than 90 days thereafter, shall submit to the Committees on Appropriations of the House and the Senate a plan for transferring funds provided in this Act to the appropriate successor organizations: *Provided*, That the plan shall include a proposal for transferring or rescinding funds appropriated herein for agencies or programs terminated under such legislation: *Provided further*, That such plan shall be transmitted in accordance with section 605 of this Act.

(b) The Secretary of Commerce or the appropriate head of any successor organization(s) may use any available funds to carry out legislation dismantling or reorganizing the Department of Commerce to cover the costs of actions relating to the abolishment, reorganization, or transfer of functions and any related personnel action, including voluntary separation incentives if authorized by such legislation: *Provided*, That the authority to transfer funds between appropriations accounts that may be necessary to carry out this section is provided in addition to authorities included under section 205 of this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 207. Any costs incurred by a Department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title shall be absorbed within the total budgetary resources available to such Department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 208. None of the funds appropriated under this Act or any other Act may be used to develop new fishery management plans, amendments, or regulations which create new individual fishing quota, individual transferable quota, or new individual transferable effort allocation programs, or to implement any such plans, amendments, or regulations approved by a Regional Fishery Management Council or the Secretary of Commerce after January 4, 1995, until offsetting fees to pay for the cost of administering such plans, amendments, or regulations are expressly authorized under the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.). This restriction shall not apply in any way to any such programs approved by the Secretary of Commerce prior to January 4, 1995.

SEC. 209. The Secretary may award contracts for hydrographic, geodetic, and photogrammetric surveying and mapping services in accordance with title IX of the Federal

Property and Administrative Services Act of 1949 (40 U.S.C. 541 et seq.).

SEC. 210. There is hereby established the Bureau of the Census Working Capital Fund, which shall be available without fiscal year limitation, for expenses and equipment necessary for the maintenance and operation of such services and projects as the Director of the Census Bureau determines may be performed more advantageously when centralized: *Provided*, That such central services shall, to the fullest extent practicable, be used to make unnecessary the maintenance of separate like services in the divisions and offices of the Bureau: *Provided further*, That a separate schedule of expenditures and reimbursements, and a statement of the current assets and liabilities of the Working Capital Fund as of the close of the last completed fiscal year, shall be prepared each year: *Provided further*, That notwithstanding 31 U.S.C. 3302, the Working Capital Fund may be credited with advances and reimbursements from applicable appropriations of the Bureau and from funds of other agencies or entities for services furnished pursuant to law: *Provided further*, That any inventories, equipment, and other assets pertaining to the services to be provided by such funds, either on hand or on order, less the related liabilities or unpaid obligations, and any appropriations made hereafter for the purpose of providing capital, shall be used to capitalize the Working Capital Fund: *Provided further*, That the Working Capital Fund shall provide for centralized services at rates which will return in full all expenses of operation, including depreciation of fund plant and equipment, amortization of automated data processing software and hardware systems, and an amount necessary to maintain a reasonable operating reserve as determined by the Director.

This title may be cited as the "Department of Commerce and Related Agencies Appropriations Act, 1997".

### TITLE III—THE JUDICIARY

#### SUPREME COURT OF THE UNITED STATES

##### SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed \$10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed \$10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve; \$27,157,000.

##### CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (40 U.S.C. 13a-13b), \$2,490,000, of which \$260,000 shall remain available until expended.

#### UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

##### SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, \$15,013,000.

#### UNITED STATES COURT OF INTERNATIONAL TRADE

##### SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services as authorized by 5 U.S.C. 3109, and necessary expenses of the court, as authorized by law, \$11,114,000.

#### COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

##### SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, \$2,550,956,000 (including the purchase of firearms and ammunition); of which not to exceed \$13,454,000 shall remain available until expended for space alteration projects; of which not to exceed \$10,000,000 shall remain available until expended for furniture and furnishings related to new space alteration and construction projects; and of which \$500,000 is to remain available until expended for acquisition of books, periodicals, and newspapers, and all other legal reference materials, including subscriptions.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$2,390,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

##### VIOLENT CRIME REDUCTION PROGRAMS

For activities of the Federal Judiciary as authorized by law, \$30,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, as authorized by section 190001(a) of Public Law 103-322.

##### DEFENDER SERVICES

For the operation of Federal Public Defender and Community Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964, as amended; the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act (18 U.S.C. 3006A(e)); the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences; and the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d); \$297,000,000, to remain available until expended as authorized by 18 U.S.C. 3006A(i).

##### FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)); \$66,000,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

##### COURT SECURITY

For necessary expenses, not otherwise provided for, incident to the procurement, installation, and maintenance of security

equipment and protective services for the United States Courts in courtrooms and adjacent areas, including building ingress-egress control, inspection of packages, directed security patrols, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100-702); \$125,000,000, to be expended directly or transferred to the United States Marshals Service which shall be responsible for administering elements of the Judicial Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

#### ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

##### SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, \$48,500,000, of which not to exceed \$7,500 is authorized for official reception and representation expenses.

##### FEDERAL JUDICIAL CENTER

##### SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90-219, \$17,495,000; of which \$1,800,000 shall remain available through September 30, 1998, to provide education and training to Federal court personnel; and of which not to exceed \$1,000 is authorized for official reception and representation expenses.

##### JUDICIAL RETIREMENT FUNDS

##### PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), \$21,000,000, to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), \$7,300,000, and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), \$1,900,000.

##### UNITED STATES SENTENCING COMMISSION

##### SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, \$8,300,000, of which not to exceed \$1,000 is authorized for official reception and representation expenses.

##### GENERAL PROVISIONS—THE JUDICIARY

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Appropriations made in this title shall be available for salaries and expenses of the Special Court established under the Regional Rail Reorganization Act of 1973, Public Law 93-236.

SEC. 303. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except "Courts of Appeals, District Courts, and other Judicial Services, Defender Services" and "Courts of Appeals, District Courts, and other Judicial Services, Fees of Jurors and Commissioners", shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 304. Notwithstanding any other provision of law, the salaries and expenses appropriation for district courts, courts of appeals, and other judicial services shall be

available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed \$10,000 and shall be administered by the Director of the Administrative Office of the United States Courts in his capacity as Secretary of the Judicial Conference.

SEC. 305. Section 612(l) of title 28, United States Code, shall be amended as follows: strike "1997", and insert in lieu thereof "1998".

This title may be cited as "The Judiciary Appropriations Act, 1997".

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCIES

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS  
DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including expenses authorized by the State Department Basic Authorities Act of 1956, as amended; representation to certain international organizations in which the United States participates pursuant to treaties, ratified pursuant to the advice and consent of the Senate, or specific Acts of Congress; acquisition by exchange or purchase of passenger motor vehicles as authorized by 31 U.S.C. 1343, 40 U.S.C. 481(c) and 22 U.S.C. 2674; and for expenses of general administration; \$1,705,000,000: *Provided*, That notwithstanding section 140(a)(5), and the second sentence of section 140(a)(3), of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236), not to exceed \$150,000,000 of fees may be collected during fiscal year 1997 under the authority of section 140(a)(1) of that Act: *Provided further*, That all fees collected under the preceding proviso shall be deposited in fiscal year 1997 as an offsetting collection to appropriations made under this heading to recover the costs of providing consular services and shall remain available until expended: *Provided further*, That in fiscal year 1998, a system shall be in place that allocates to each department and agency the full cost of its presence outside of the United States.

Of the funds provided under this heading, \$24,856,000 shall be available only for the Diplomatic Telecommunications Service for operation of existing base services and not to exceed \$17,230,000 shall be available only for the enhancement of the Diplomatic Telecommunications Service and shall remain available until expended. Of the latter amount, \$2,500,000 shall not be made available until expiration of the 15 day period beginning on the date when the Secretary of State and the Director of the Diplomatic Telecommunications Service submit the pilot program report required by section 507 of Public Law 103-317.

In addition, not to exceed \$700,000 in registration fees collected pursuant to section 38 of the Arms Export Control Act, as amended, may be used in accordance with section 45 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2717); and in addition not to exceed \$1,223,000 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act (Public Law 90-553), as amended; and in addition, as authorized by section 5 of such Act, \$450,000, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section; and in addition not to exceed \$15,000 which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities in accordance with section 46 of the State of Department Basic Authorities Act of 1956 (22 U.S.C. 2718(a)).

Notwithstanding section 402 of this Act, not to exceed 20 percent of the amounts made available in this Act in the appropriation accounts "Diplomatic and Consular Programs" and "Salaries and Expenses" under the heading "Administration of Foreign Affairs" may be transferred between such appropriation accounts: *Provided*, That any transfer pursuant to this sentence shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of State and the Foreign Service, provided for by law, including expenses authorized by section 9 of the Act of August 31, 1964, as amended (31 U.S.C. 3721), and the State Department Basic Authorities Act of 1956, as amended, \$352,300,000.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, \$16,400,000, to remain available until expended, as authorized in Public Law 103-236: *Provided*, That section 135(e) of Public Law 103-236 shall not apply to funds appropriated under this heading.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App.), \$27,495,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980, as amended (Public Law 96-465), as it relates to post inspections: *Provided*, That notwithstanding any other provision of law, (1) the Office of Inspector General of the United States Information Agency is hereby merged with the Office of Inspector General of the Department of State; (2) the functions exercised and assigned to the Office of Inspector General of the United States Information Agency before the effective date of this Act (including all related functions) are transferred to the Office of Inspector General of the Department of State; and (3) the Inspector General of the Department of State shall also serve as the Inspector General of the United States Information Agency.

REPRESENTATION ALLOWANCES

For representation allowances as authorized by section 905 of the Foreign Service Act of 1980, as amended (22 U.S.C. 4085), \$4,490,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services in accordance with the provisions of section 214 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4314) and 3 U.S.C. 208, \$8,332,000, to remain available until September 30, 1998.

SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926, as amended (22 U.S.C. 292-300), and the Diplomatic Security Construction Program as authorized by title IV of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4851), \$370,000,000, to remain available until expended as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)): *Provided*, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture and furnishings and generators for other departments and agencies.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service pursuant to the requirement of 31 U.S.C. 3526(e), \$5,800,000, to remain available until expended as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)), of which not to exceed \$1,000,000 may be transferred to and merged with the Repatriation Loans Program Account, subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$593,000, as authorized by section 4 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2671): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974. In addition, for administrative expenses necessary to carry out the direct loan program, \$663,000 which may be transferred to and merged with the Salaries and Expenses account under Administration of Foreign Affairs.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act, Public Law 96-8 (93 Stat. 14), \$15,001,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized by law, \$126,491,000.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, \$875,000,000: *Provided*, That any payment of arrearages shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: *Provided further*, That 20 percent of the funds appropriated in this paragraph for the assessed contribution of the United States to the United Nations shall be withheld from obligation and expenditure until a certification is made under section 401(b) of Public Law 103-236 for fiscal year 1997: *Provided further*, That certification under section 401(b) of Public Law 103-236 for fiscal year 1997 may only be made if the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and International Relations of the House of Representatives are notified of the steps taken, and anticipated, to meet the requirements of section 401(b) of Public Law 103-236 at least 15 days in advance of the proposed certification: *Provided further*, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings: *Provided further*, That of the funds appropriated in this paragraph, \$80,000,000 may be made available only on a quarterly basis and only after the Secretary of State certifies on a quarterly basis that the United Nations has taken no action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget and cause the United Nations to exceed its no growth budget for the

biennium 1996-1997 adopted in December, 1995: *Provided further*, That notwithstanding section 402 of this Act, not to exceed \$10,000,000 may be transferred from the funds made available under this heading to the "International Conferences and Contingencies" account for assessed contributions to new or provisional international organizations: *Provided further*, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

#### CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, \$332,400,000, of which \$50,000,000 is for payment of arrearages accumulated in 1995, and which shall be available only upon certification by the Secretary of State that at least two of the following have been achieved: (1) savings of at least \$100,000,000 will be achieved in the biennial expenses of the following United Nations divisions and activities—the United Nations Conference on Trade and Development, the Regional Economic Commissions, the Department of Public Information, and the Department of Conference Services, travel and overtime; (2) the number of professional and general service staff employed by the United Nations Secretariat at the conclusion of the 1996-1997 biennium will be at least ten percent below the number of such positions on January 1, 1996; and (3) the United Nations has adopted a budget outline for the 1998-1999 biennium that is below \$2,608,000,000; as part of a five-year program to achieve major cost-saving reforms in the United Nations and specialized agencies: *Provided*, That none of the funds made available under this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least fifteen days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency, as far in advance as is practicable), (1) the Committees on Appropriations of the House of Representatives and the Senate and other appropriate Committees of the Congress are notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; and (2) a reprogramming of funds pursuant to section 605 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: *Provided further*, That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers.

#### INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

##### INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including

not to exceed \$6,000 for representation; as follows:

##### SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, \$18,490,000.

##### CONSTRUCTION

For detailed plan preparation and construction of authorized projects, \$6,463,000, to remain available until expended, as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)).

##### AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103-182; \$5,490,000, of which not to exceed \$9,000 shall be available for representation expenses incurred by the International Joint Commission.

##### INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, \$10,450,000: *Provided*, That the United States' share of such expenses may be advanced to the respective commissions, pursuant to 31 U.S.C. 3324.

##### OTHER

##### PAYMENT TO THE ASIA FOUNDATION

For a grant to the Asia Foundation, as authorized by section 501 of Public Law 101-246, \$8,000,000, to remain available until expended, as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)).

##### RELATED AGENCIES

##### ARMS CONTROL AND DISARMAMENT AGENCY

##### ARMS CONTROL AND DISARMAMENT ACTIVITIES

For necessary expenses not otherwise provided, for arms control, nonproliferation, and disarmament activities, \$38,495,000, of which not to exceed \$50,000 shall be for official reception and representation expenses as authorized by the Act of September 26, 1961, as amended (22 U.S.C. 2551 et seq.).

##### UNITED STATES INFORMATION AGENCY

##### SALARIES AND EXPENSES

For expenses, not otherwise provided for, necessary to enable the United States Information Agency, as authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), the United States Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1431 et seq.), and Reorganization Plan No. 2 of 1977 (91 Stat. 1636), to carry out international communication, educational and cultural activities; and to carry out related activities authorized by law, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed \$700,000 of this appropriation), as authorized by section 801 of such Act of 1948 (22 U.S.C. 1471), and entertainment, including official receptions, within the United States, not to exceed \$25,000 as authorized by section 804(3) of such Act of 1948 (22 U.S.C. 1474(3)); \$439,300,000: *Provided*, That not to exceed \$1,400,000 may be used for representation abroad as authorized by section 302 of such Act of 1948 (22 U.S.C. 1452) and section 905 of the Foreign Service Act of 1980 (22 U.S.C. 4085): *Provided further*, That not to exceed \$7,615,000, to remain available until expended, may be credited to this appropriation from fees or other payments re-

ceived from or in connection with English teaching, library, motion pictures, student advising and counseling, and publication programs as authorized by section 810 of such Act of 1948 (22 U.S.C. 1475e): *Provided further*, That not to exceed \$1,100,000 to remain available until expended may be used to carry out projects involving security construction and related improvements for agency facilities not physically located together with Department of State facilities abroad.

##### TECHNOLOGY FUND

For expenses necessary to enable the United States Information Agency to provide for the procurement of information technology improvements, as authorized by the United States Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1431 et seq.), the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91 Stat. 1636), \$5,050,000, to remain available until expended.

##### EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91 Stat. 1636), \$185,000,000, to remain available until expended as authorized by section 105 of such Act of 1961 (22 U.S.C. 2455).

##### EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204-5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 1997, to remain available until expended: *Provided*, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A-110 (Uniform Administrative Requirements) and A-122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

##### ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 1997, to remain available until expended.

##### INTERNATIONAL BROADCASTING OPERATIONS

For expenses necessary to enable the United States Information Agency, as authorized by the United States Information and Educational Exchange Act of 1948, as amended, the United States International Broadcasting Act of 1994, as amended, the Radio Broadcasting to Cuba Act, as amended, and Reorganization Plan No. 2 of 1977, to carry out international communication activities, including the purchase, installation, rent, construction, or improvement of facilities and equipment for radio transmission and reception to Cuba; \$335,700,000, of which not to exceed \$16,000 may be used for official receptions within the United States as authorized by section 804(3) of such Act of 1948 (22 U.S.C. 1474(3)), not to exceed \$35,000 may be used for representation abroad as authorized by section 302 of such Act of 1948 (22 U.S.C. 1452) and section 905 of the Foreign Service Act of 1980 (22 U.S.C. 4085), and not to exceed \$39,000



may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, not to exceed \$250,000 from fees as authorized by section 810 of such Act of 1948 (22 U.S.C. 1475e), to remain available until expended for carrying out authorized purposes; and in addition, notwithstanding any other provision of law, not to exceed \$1,000,000 in monies received (including receipts from advertising, if any) by or for the use of the United States Information Agency from or in connection with broadcasting resources owned by or on behalf of the Agency, to be available until expended for carrying out authorized purposes.

#### RADIO CONSTRUCTION

For the purchase, rent, construction, and improvement of facilities for radio transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized by section 801 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1471), \$39,000,000, to remain available until expended, as authorized by section 704(a) of such Act of 1948 (22 U.S.C. 1477b(a)).

#### NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the United States Information Agency to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, \$30,000,000, to remain available until expended.

#### GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCIES

SEC. 401. Funds appropriated under this title shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of 5 U.S.C.; for services as authorized by 5 U.S.C. 3109; and hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the United States Information Agency in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided further*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. Funds hereafter appropriated or otherwise made available under this Act or any other Act may be expended for compensation of the United States Commissioner of the International Boundary Commission, United States and Canada, only for actual hours worked by such Commissioner.

SEC. 404. Funds appropriated by this Act for the United States Information Agency, the Arms Control and Disarmament Agency, and the Department of State may be obligated and expended notwithstanding section 701 of the United States Information and Educational Exchange Act of 1948 and section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, section 53 of the Arms Control and Disarmament Act, and section 15 of the State Department Basic Authorities Act of 1956.

SEC. 405. Any costs incurred by a Department or agency funded under this title resulting from personnel actions taken in re-

sponse to funding reductions included in this title shall be absorbed within the total budgetary resources available to such Department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 406. None of the Funds made available by this Act or any other Act may be made available to support the negotiating activities of the Standing Consultative Commission (SCC) or to implement agreements, amendments, or understandings to the Anti-Ballistic Missile Treaty of 1972 (hereafter referred to as the "ABM Treaty") reached after January 1, 1996 by the Standing Consultative Commission or pursuant to United States-Russian bilateral discussions regarding the establishment of a demarcation between theater missile defense systems and anti-ballistic missile systems for the purposes of the ABM Treaty or multilateralization of the ABM Treaty unless the Commission certifies to the Congress that any amendments, agreements, or understandings reached pursuant to these activities or discussions will be submitted to the Senate for its advice and consent.

This title may be cited as the "Department of State and Related Agencies Appropriations Act, 1997".

#### TITLE V—RELATED AGENCIES DEPARTMENT OF TRANSPORTATION MARITIME ADMINISTRATION

##### OPERATING-DIFFERENTIAL SUBSIDIES (LIQUIDATION OF CONTRACT AUTHORITY)

For the payment of obligations incurred for operating-differential subsidies, as authorized by the Merchant Marine Act, 1936, as amended, \$148,430,000, to remain available until expended.

##### MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$63,000,000, to remain available until expended: *Provided*, That these funds will be available only upon enactment of an authorization for this program.

##### OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, \$62,300,000: *Provided*, That reimbursements may be made to this appropriation from receipts to the "Federal Ship Financing Fund" for administrative expenses in support of that program in addition to any amount heretofore appropriated.

##### MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by the Merchant Marine Act, 1936, \$37,450,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$1,000,000,000.

In addition, for administrative expenses to carry out the guaranteed loan program, not to exceed \$3,450,000, which shall be transferred to and merged with the appropriation for Operations and Training.

##### ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Notwithstanding any other provision of this Act, the Maritime Administration is au-

thorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefor shall be credited to the appropriation charged with the cost thereof: *Provided*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936, or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriation Act, and all receipts which otherwise would be deposited to the credit of said fund shall be covered into the Treasury as miscellaneous receipts.

##### COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

##### SALARIES AND EXPENSES

For expenses for the Commission for the Preservation of America's Heritage Abroad, \$206,000, as authorized by Public Law 99-83, section 1303.

##### COMMISSION ON CIVIL RIGHTS

##### SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, \$8,740,000: *Provided*, That not to exceed \$50,000 may be used to employ consultants: *Provided further*, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the Chairperson who is permitted 125 billable days.

##### COMMISSION ON IMMIGRATION REFORM

##### SALARIES AND EXPENSES

For necessary expenses of the Commission on Immigration Reform pursuant to section 141(f) of the Immigration Act of 1990, \$2,196,000, to remain available until expended.

##### COMMISSION ON SECURITY AND COOPERATION IN EUROPE

##### SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94-304, \$1,090,000, to remain available until expended as authorized by section 3 of Public Law 99-7.

##### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, as amended (29 U.S.C. 206(d) and 621-634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); non-monetary awards to private citizens; not to exceed \$26,500,000, for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991; \$232,740,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed \$2,500 from available funds.

FEDERAL COMMUNICATIONS COMMISSION  
SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901-02; not to exceed \$600,000 for land and structure; not to exceed \$500,000 for improvement and care of grounds and repair to buildings; not to exceed \$4,000 for official reception and representation expenses; purchase (not to exceed sixteen) and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109; \$185,619,000, of which not to exceed \$300,000 shall remain available until September 30, 1998, for research and policy studies: *Provided*, That \$126,400,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, as amended, and shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 1997 so as to result in a final fiscal year 1997 appropriation estimated at \$59,219,000: *Provided further*, That any offsetting collections received in excess of \$126,400,000 in fiscal year 1997 shall remain available until expended, but shall not be available for obligation until October 1, 1997: *Provided further*, That none of the funds appropriated by this Act shall be used to deny or delay action on a license, license transfer or assignment, or license renewal for any religious or religiously affiliated entity on the basis that its recruitment or hiring of full or part time employees for any position at a broadcast facility licensed to such entity is or was limited to persons of a particular religion or having particular religious knowledge, training, or interests: *Provided further*, That the preceding proviso shall not apply with respect to any appeal from a decision of any administrative law judge rendered on September 15, 1995.

FEDERAL MARITIME COMMISSION  
SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act of 1936, as amended (46 App. U.S.C. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-02; \$11,000,000: *Provided*, That not to exceed \$2,000 shall be available for official reception and representation expenses.

FEDERAL TRADE COMMISSION  
SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed \$2,000 for official reception and representation expenses; \$85,930,000: *Provided*, That not to exceed \$300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718, as amended: *Provided further*, That notwithstanding any other provision of law, not to exceed \$58,905,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18(a)) shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the General Fund shall be reduced as such offsetting collections are received during fiscal year 1997, so as to result

in a final fiscal year 1997 appropriation from the General Fund estimated at not more than \$27,025,000, to remain available until expended: *Provided further*, That any fees received in excess of \$58,905,000 in fiscal year 1997 shall remain available until expended, but shall not be available for obligation until October 1, 1997: *Provided further*, That none of the funds made available to the Federal Trade Commission shall be available for obligation for expenses authorized by section 151 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (Public Law 102-242, 105 Stat. 2282-2285).

LEGAL SERVICES CORPORATION  
PAYMENT TO THE LEGAL SERVICES  
CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, \$141,000,000, of which \$134,575,000 is for basic field programs and required independent audits; \$1,125,000 is for the Office of the Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; and \$5,300,000 is for management and administration.

ADMINISTRATIVE PROVISIONS—LEGAL SERVICES  
CORPORATION

SEC. 501. (a) CONTINUATION OF COMPETITIVE SELECTION PROCESS.—None of the funds appropriated in this Act to the Legal Services Corporation may be used to provide financial assistance to any person or entity except through a competitive selection process conducted in accordance with regulations promulgated by the Corporation in accordance with the criteria set forth in subsections (c), (d), and (e) of section 503 of Public Law 104-134 (110 Stat. 1321-130 et seq.).

(b) INAPPLICABILITY OF NONCOMPETITIVE PROCEDURES.—For purposes of the funding provided in this Act, rights under sections 1007(a)(9) and 1011 of the Legal Services Corporation Act (42 U.S.C. 2996f(a)(9) and 42 U.S.C. 2996j) shall not apply.

SEC. 502. (a) CONTINUATION OF REQUIREMENTS AND RESTRICTIONS.—None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of—

(1) sections 501, 502, 505, 506, and 507 of Public Law 104-134 (101 Stat. 1321-127 et seq.), and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions as set forth in such sections, except that all references in such sections to 1995 and 1996 shall be deemed to refer instead to 1996 and 1997, respectively; and

(2) section 504 of Public Law 104-134 (101 Stat. 1321-132 et seq.), and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such section, except that—

(A) subsection (c) of such section 504 shall not apply;

(B) paragraph (3) of section 508(b) of Public Law 104-134 (101 Stat. 1321-147) shall apply with respect to the requirements of subsection (a)(13) of such section 504, except that all references in such section 508(b) to the date of enactment shall be deemed to refer to April 26, 1996; and

(C) subsection (a)(11) of such section 504 shall not be construed to prohibit a recipient from using funds derived from a source other than the Corporation to provide related legal assistance to—

(i) an alien who has been battered or subjected to extreme cruelty in the United States by a spouse or a parent, or by a member of the spouse's or parent's family resid-

ing in the same household as the alien and the spouse or parent consented or acquiesced to such battery or cruelty; or

(ii) an alien whose child has been battered or subjected to extreme cruelty in the United States by a spouse or parent of the alien (without the active participation of the alien in the battery or extreme cruelty), or by a member of the spouse's or parent's family residing in the same household as the alien and the spouse or parent consented or acquiesced to such battery or cruelty, and the alien did not actively participate in such battery or cruelty.

(b) DEFINITIONS.—For purposes of subsection (a)(2)(C):

(1) The term "battered or subjected to extreme cruelty" has the meaning given such term under regulations issued pursuant to subtitle G of the Violence Against Women Act of 1994 (Pub. L. 103-322; 108 Stat. 1953).

(2) The term "related legal assistance" means legal assistance directly related to the prevention of, or obtaining of relief from, the battery or cruelty described in such subsection.

SEC. 503. (a) CONTINUATION OF AUDIT REQUIREMENTS.—The requirements of section 509 of Public Law 104-134 (101 Stat. 1321-146 et seq.), other than subsection (l) of such section, shall apply during fiscal year 1997.

(b) REQUIREMENT OF ANNUAL AUDIT.—An annual audit of each person or entity receiving financial assistance from the Legal Services Corporation under this Act shall be conducted during fiscal year 1997 in accordance with the requirements referred to in subsection (a).

MARINE MAMMAL COMMISSION  
SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92-522, as amended, \$975,000.

NATIONAL BANKRUPTCY REVIEW COMMISSION  
SALARIES AND EXPENSES

For necessary expenses of the National Bankruptcy Review Commission, as authorized by the Bankruptcy Reform Act of 1994, \$500,000.

SECURITIES AND EXCHANGE COMMISSION  
SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed \$3,000 for official reception and representation expenses, \$277,021,000, of which not to exceed \$10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions, and of which not to exceed \$100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including (1) such incidental expenses as meals taken in the course of such attendance, (2) any travel and transportation to or from such meetings, and (3) any other related lodging or subsistence: *Provided*, That immediately upon enactment of this Act, the rate of fees under section 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b))

shall increase from one-fiftieth of one percentum to one-thirty-third of one percentum, and such increase shall be deposited as an offsetting collection to this appropriation, to remain available until expended, to recover costs of services of the securities registration process: *Provided further*, That immediately upon enactment of this Act or September 1, 1996, whichever occurs later, every national securities association shall pay to the Commission a fee at a rate of one-eight-hundredth of one percentum for each \$1,000,000 of the aggregate dollar amount of sales transacted by or through any member of such association otherwise than on a national securities exchange (other than bonds, debentures, and other evidences of indebtedness) subject to prompt last sale reporting pursuant to the rules of the Commission or a registered national securities association, excluding any sales for which a fee is paid under section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee), and such increase shall be deposited as an offsetting collection to this appropriation, to remain available until expended, to recover the costs to the Government of the supervision and regulation of securities markets and securities professionals: *Provided further*, That the fee due from every national securities association shall be paid (1) on or before March 15, 1997, with respect to transactions occurring during the period beginning immediately upon enactment of this Act or September 1, 1996, whichever occurs later, and ending at the close of December 31, 1996; and (2) on or before September 30, 1997, with respect to transactions and sales occurring during the period beginning on January 1, 1997, and ending at the close of August 31, 1997: *Provided further*, That the total amount appropriated for fiscal year 1997 under this heading shall be reduced as all such offsetting fees are deposited to this appropriation so as to result in a final total fiscal year 1997 appropriation from the General Fund estimated at not more than \$83,047,000: *Provided further*, That any such fees collected in excess of \$193,974,000 shall remain available until expended but shall not be available for obligation until October 1, 1997.

#### SMALL BUSINESS ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 103-403, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed \$3,500 for official reception and representation expenses, \$214,419,000, of which \$94,218,000 shall be available for the non-credit programs of the Small Business Administration, including \$3,000,000 which shall only be available for obligation and expenditure for projects jointly developed, implemented and administered with the Minority Business Development Agency of the Department of Commerce: *Provided*, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan servicing activities: *Provided further*, That notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriations.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App. 1-11, as amended by Public Law 100-504), \$8,900,000.

#### BUSINESS LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$2,792,000, and for the cost of guaranteed loans, \$161,876,000,

as authorized by 15 U.S.C. 631 note, of which \$1,216,000, to be available until expended, shall be for the Microloan Guarantee Program, and of which \$40,510,000 shall remain available until September 30, 1998: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That during fiscal year 1997, commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958, as amended, shall not exceed the amount of financings authorized under section 20(n)(2)(B) of the Small Business Act, as amended.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$93,485,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

#### DISASTER LOANS PROGRAM ACCOUNT

For the cost of direct loans authorized by section 7(b) of the Small Business Act, as amended, \$105,432,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct loan program, \$100,578,000, including not to exceed \$500,000 for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan program, and said sums may be transferred to and merged with appropriations for Salaries and Expenses and Office of Inspector General.

#### SURETY BOND GUARANTEES REVOLVING FUND

For additional capital for the "Surety Bond Guarantees Revolving Fund", authorized by the Small Business Investment Act, as amended, \$3,730,000, to remain available without fiscal year limitation as authorized by 15 U.S.C. 631 note.

#### ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

SEC. 504. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

#### TITLE VI—GENERAL PROVISIONS

SEC. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 602. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 605. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 1997, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions, or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 1997, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

SEC. 606. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

SEC. 607. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 608. None of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

SEC. 609. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay for any cost incurred for (1) opening or operating any United States diplomatic or consular post in the Socialist Republic of Vietnam that was not operating on July 11, 1995; (2) expanding any United States diplomatic or consular post in the Socialist Republic of Vietnam that was

operating on July 11, 1995; or (3) increasing the total number of personnel assigned to United States diplomatic or consular posts in the Socialist Republic of Vietnam above the levels existing on July 11, 1995, unless the President certifies within 60 days, based upon all information available to the United States Government that the Government of the Socialist Republic of Vietnam is cooperating in full faith with the United States in the following four areas:

(1) Resolving discrepancy cases, live sightings and field activities,

(2) Recovering and repatriating American remains,

(3) Accelerating efforts to provide documents that will help lead to fullest possible accounting of POW/MIA's.

(4) Providing further assistance in implementing trilateral investigations with Laos.

SEC. 610. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds (1) that the United Nations undertaking is a peacekeeping mission, (2) that such undertaking will involve United States Armed Forces under the command or operational control of a foreign national, and (3) that the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

SEC. 611. None of the funds made available in this Act shall be used to provide the following amenities or personal comforts in the Federal prison system—

(1) in-cell television viewing except for prisoners who are segregated from the general prison population for their own safety;

(2) the viewing of R, X, and NC-17 rated movies, through whatever medium presented;

(3) any instruction (live or through broadcasts) or training equipment for boxing, wrestling, judo, karate, or other martial art, or any bodybuilding or weightlifting equipment of any sort;

(4) possession of in-cell coffee pots, hot plates, or heating elements; or

(5) the use or possession of any electric or electronic musical instrument.

SEC. 612. None of the funds made available in title II for the National Oceanic and Atmospheric Administration under the heading "Fleet Modernization, Shipbuilding and Conversion" may be used to implement sections 603, 604, and 605 of Public Law 102-567.

SEC. 613. None of the funds made available in this Act may be used for "USIA Television Marti Program" under the Television Broadcasting to Cuba Act or any other program of United States Government television broadcasts to Cuba, when it is made known to the Federal official having authority to obligate or expend such funds that such use would be inconsistent with the applicable provisions of the March 1995 Office of Cuba Broadcasting Reinventing Plan of the United States Information Agency.

SEC. 614. Any costs incurred by a Department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such Department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expendi-

ture except in compliance with the procedures set forth in that section.

This Act may be cited as the "Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1997."

The CHAIRMAN. No further amendments shall be in order except the following amendments, which shall be considered read, shall not be subject to amendment or to a demand for division of the question, and shall be debatable for the time specified, equally divided and controlled by the proponent and a Member opposed:

Amendment No. 10 by the gentleman from Indiana [Mr. HOSTETTLER], for 10 minutes.

An amendment by the gentlewoman from Texas [Ms. JACKSON-LEE], regarding the National Telecommunications and Information Administration, for 15 minutes;

Amendment No. 11 by the gentlewoman from Hawaii [Mrs. MINK], for 10 minutes;

An amendment by the gentleman from Kentucky [Mr. ROGERS], regarding NOAA, for 10 minutes;

An amendment by the gentleman from New York [Mr. ENGEL], regarding Public Broadcasting grants, for 10 minutes;

An amendment No. 20 by the gentleman from California [Mr. BROWN], for 20 minutes;

An amendment by the gentleman from Colorado [Mr. ALLARD], regarding the Technology Administration, for 10 minutes;

An amendment by the gentleman from Florida [Mr. GOSS], regarding EDA, for 10 minutes;

An amendment by the gentleman from Illinois [Mr. PORTER], regarding Asia Broadcasting, for 20 minutes;

An amendment by the gentleman from Wisconsin [Mr. OBEY], regarding the ABM Treaty, for 15 minutes;

An amendment No. 19 by the gentleman from Ohio [Mr. TRAFICANT], for 5 minutes;

Amendment No. 28 by the gentleman from Minnesota [Mr. GUTKNECHT], for 20 minutes;

An amendment by the gentleman from Florida [Mr. DEUTSCH], regarding COPS, for 10 minutes;

An amendment by the gentleman from Nevada [Mr. ENSIGN], regarding sexually explicit material in prisons, for 10 minutes;

Amendment No. 5 by the gentleman from Massachusetts [Mr. FRANK], for 20 minutes;

Amendment No. 6 by the gentleman from Massachusetts [Mr. FRANK], for 20 minutes;

Amendment No. 16 by the gentleman from Iowa [Mr. GANSKE], for 20 minutes;

Amendment No. 17 by the gentleman from Pennsylvania [Mr. GEKAS], for 10 minutes;

Amendment No. 33 by the gentlewoman from the District of Columbia [Ms. NORTON], for 20 minutes;

An amendment by the gentlewoman from Florida [Mrs. FOWLER], regarding COPS, for 10 minutes;

An amendment by the gentleman from Georgia [Mr. COLLINS], regarding Federal prison industries, for 15 minutes;

An amendment by the gentleman from Arkansas [Mr. HUTCHINSON], regarding deaths in prisons, for 10 minutes; and

An amendment by the gentleman from Florida [Mr. MILLER], for 10 minutes.

□ 2130

Pursuant to the announcement just made by the gentleman from Kentucky, there are six amendments which will be considered yet this evening.

Does the gentleman from Kentucky intend to suggest one amendment over another or does he wish it simply be subject to recognition by the Chair?

Mr. ROGERS. Mr. Chairman, I would prefer the latter, that we would call them up as we see fit, as they become ready. Let me reiterate, though, that the only six amendments that we plan to bring up tonight are the ones that I read off: The gentleman from Florida [Mr. GOSS], the gentlewoman from Hawaii [Mrs. MINK], the gentleman from Florida [Mr. MILLER], the gentleman from New York [Mr. ENGEL], the gentleman from Illinois [Mr. PORTER], and the gentleman from Ohio [Mr. TRAFICANT]. No votes will be taken tonight. If any votes are required, we will roll them until tomorrow. All other amendments other than these six will be brought up tomorrow, so Members can feel free, if they do not want to participate in these six amendments, to go to their offices or retire.

AMENDMENT OFFERED BY MR. GOSS

Mr. GOSS. Mr. Chairman, I offer an amendment.

Mr. CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GOSS: Page 48, line 7, after the dollar amount, insert the following: "(reduced by \$98,550,000)".

The CHAIRMAN. Pursuant to the order of the House today, the gentleman from Florida [Mr. GOSS] will be recognized for 5 minutes and a Member in opposition will be recognized for 5 minutes.

The Chair recognizes the gentleman from Florida [Mr. GOSS].

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

Mr. Chairman, this amendment cuts 30 percent from the Economic Development Administration assistance programs. This would provide the American taxpayer with \$98.5 million dollars in discretionary savings. Citizens Against Government Waste has endorsed this amendment.

As we work to balance the budget, I think it is imperative that we prioritize our limited resources. When considering further funding for any program or agency, we must ask ourselves some very basic questions. Is this a Federal responsibility? Does it

work? Can we afford it? As noted during debate on the Hostettler amendment, I contend the EDA failed on all three counts.

The EDA's programs do not provide a good return on investment. An April 1996 GAO report could not find a single study that showed a causal relationship between Federal economic development assistance and a community's economic growth, not a single instance in a GAO April 1996 report.

The EDA's programs are too costly and too slow to do much good. An analysis of the Emergency Jobs Act of 1983 revealed that only 84 previously unemployed people received jobs under the program at a cost of \$307,000 per job, which is frankly about 7 times the cost of a job created in the private sector, and indefensible.

Inspector General reports demonstrate the volume of EDA grants and programs. Through an EDA grant in New York, the Federal Government helped to construct an Olympic hockey rink that the team never used, created no new jobs and was so replete with sweetheart deals and corruption that the county executive was convicted in Federal court on three felony counts. All of this for a cost of \$10.2 million of the taxpayers dollars.

While EDA's impact has been dubious at best, funding in this bill has been maintained at last year's level. My amendment is simple. I seek a responsible cut for EDA to ensure that we target our resources on what are truly vital and effective programs while phasing out the low-priority ones.

EDA boosters have claimed money is needed to offset job losses caused by base closures. Under my amendment, more than enough money would remain for this purpose. I understand that less than one-tenth of their money has gone for that purpose. There have been claims that money is needed for natural disasters. Again, more than enough money would remain for this function under my amendment.

The House voted last year to eliminate EDA as part of our congressional budget resolution. The agency has gone without authorization since 1982. Let me repeat that. This has not been authorized since 1982. Over 100 Members have cosponsored legislation to eliminate the Commerce Department and EDA as well, of course.

Given these facts, I certainly think a 30-percent cut is appropriate and reasonable toward an eventual phaseout. This is a responsible cut consistent with our efforts to balance the budget and streamline wasteful agencies and programs. The EDA needs to be scaled back. I encourage a "yes" vote on my amendment.

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

The CHAIRMAN. Who seeks time in opposition?

Mr. ROGERS. Mr. Chairman, I do.

The CHAIRMAN. The gentleman from Kentucky [Mr. ROGERS] is recognized for 5 minutes.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes of that 5 minutes to the gentleman from West Virginia [Mr. MOLLOHAN], and I ask unanimous consent that he be permitted to control that time.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

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

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

Mr. BOEHLERT. Mr. Chairman, there is a very basic reason why this House by a vote of 328-99 just rejected an amendment to eliminate funding from EDA. Let me point out that this is an increase in support for EDA over last year. Why? Because EDA is an agency who has as its mission preserving existing jobs and creating additional jobs in areas of distress. Let me point out that we are cutting back military installations all over this country to save dollars. EDA has 27 percent of its total budget allocated to help these distressed communities recover from this devastating blow.

Mr. Chairman, the favorite four-letter word of many of us in this Chamber, and it is a word you can use in polite company, that favorite four-letter word is jobs. EDA, the Economic Development Administration, is an agency that has proven year after year that it is working with communities in partnership to help preserve jobs, to help create new jobs, and it very much deserves our support.

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Virginia [Mr. PAYNE].

Mr. PAYNE of Virginia. Mr. Chairman, I rise in strong opposition to this amendment. The Economic Development Administration is extremely effective in helping distressed communities attract industries and jobs.

One stellar example of this effectiveness can be found in my own Congressional District. Henry County, Virginia, used an EDA grant to prepare a site for an industrial park. The EDA grant was matched by \$740,000 in state and local money and attracted private sector investment of \$68 million. As a result, 550 people now work at the site in 6 different businesses. The site would be an empty lot today if not for that initial commitment from the EDA.

Mr. Chairman, my district is not unique. The EDA is targeted, effective and locally-driven. The EDA works in partnership with local leaders and the private sector to foster economic growth for our citizens in distressed areas. Since its inception, the EDA has helped to create and retain nearly 3 million private sector jobs. Clearly, the EDA is an important, cost-effective agency—one that we should support, not cut.

I urge my colleagues to oppose the amendment.

Mr. GOSS. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Colorado [Mr. HEFLEY].

Mr. HEFLEY. Mr. Chairman, I will give you the four-letter word that the EDA stands for, and that is pork. That is pork, my friends. The reason that there is such support for it, there is no other program we fund that gives you the opportunity to take home to your constituents the pork that can show them what a great job you are doing for them than the EDA.

In 1991 the Economic Development Administration received \$209 million. In the years that have followed the EDA has averaged about double that amount. This year the Committee on Appropriations is scaling down the EDA by giving it only \$348 million.

Is this what Congress calls balancing the budget? Is promulgating a wasteful and mismanaged agency like the EDA considered fiscally responsible? Surely this was not what was intended when the EDA was created to assist the most economically distressed communities in the Nation.

By cutting the EDA by 30 percent, it will be forced to focus its attention on the truly needy areas of the country. Okay, so the complete cutout of it was not acceptable to this body, but certainly the 30 percent cut in this climate of trying to balance the budget is reasonable. I encourage Members to support the Goss amendment.

Mr. ROGERS. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. BLUTE].

Mr. BLUTE. Mr. Chairman, last year the House sent a message that we believe in the Economic Development Administration's success in stimulating the economies of cities and towns all across this country. By an overwhelming margin of 310 to 115, the House voted for investing in our economy and creating more jobs and against short-sighted cuts.

Over the years the EDA has helped create or retain more than 2.9 million jobs. In my own State, a minor investment in equipment for a biotechnology incubator has resulted in the creation of more than 20 companies and 2,000 jobs. These jobs pay income taxes to the States as well as the Federal Government, helping to boost revenues and create jobs.

Building on examples like that, the EDA has achieved an outstanding record of leveraging its funds to attract private dollars at a ratio of 3-to-1. In addition, the EDA has managed to keep overhead below 8 percent, guaranteeing that \$12 of every \$13 appropriated is invested in the States. I oppose this amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Chairman, I oppose a one-third cut in the EDA. First of all, you can cut it back so that it is not effective at all, and that is what this amendment would do. This bill is also

less than what the President requested. The EDA has taken already a 13-percent reduction in force in its headquarters staff, for an effective total of a 20-percent reduction already in its employees.

But I would ask, would you deny communities across the country the kind of successful projects, for instance, such as the Putnam County feasibility study to look at the feasibility of building a multimillion-dollar airport or the Randolph County Wood Technology Institute, already listed by one company as a major reason for moving to Randolph County? Or the water system extension in Hardy County that permitted hundreds of new jobs in poultry processing to be created? Or the grant to the Martinsburg Eastern Regional Airport that will create hundreds of jobs in a jet production facility? Would you deny those to future communities that are looking to create jobs? I think not. That is why this cut of this magnitude should not be passed.

Mr. GOSS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we are not denying those jobs. Those are jobs that are worthwhile. They will stand on their own merit and there will be plenty of money in this program under this amendment should it pass and it should.

I have been told that this is about need. Here I am looking at a community where the average per capita income is \$37,500, they got a grant for \$750,000 for a storm sewer system. I think they could afford it themselves.

I am taking a look at a GAO report that says, "In our review of the literature available, we were unavailable to find any study that established a strong causal linkage between a positive economic effect and an agency's economic development assistance."

Here we have got an IG report that says with regard to base closings that "base closures or convert defense technology to civilian applications appeared limited" and a disproportionate share were in a few areas. What we have got is a program that does not work very well. It is time to prioritize it. It is time to understand it. It is time to start phasing it back.

□ 2145

That is all we seek to do. We do not seek to remove any good jobs. We all are for good jobs. I urge support of this amendment.

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

Mr. ROGERS. Mr. Chairman, I urge a "no" vote on this amendment.

Mr. Chairman, I yield the balance of my time to the gentleman from Maryland [Mr. GILCHREST].

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

Mr. Chairman, I would say something about the GAO report. They themselves have concluded that the standards they set for EDA were impossible

to meet because no other Federal agency or department in the Federal Government could meet those standards. Can poor communities, poor families build industrial parks? The answer to that is no. We target these resources not only to closed bases, but we target these resources to defense contractors that have left communities. Almost all the increase in these dollars over the past few years have gone to defense adjustment assistance programs where communities need these monies. We vote to cut defense, we vote to close bases. We as a Federal Government should be a part of the team that helps enhance job creation. I urge a "no" vote on this amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Florida [Mr. GOSS].

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

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

The CHAIRMAN. Pursuant to House Resolution 479, further proceedings on the amendment offered by the gentleman from Florida [Mr. GOSS] will be postponed.

AMENDMENT OFFERED BY MR. PORTER

Mr. ROGERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. PORTER: Page 88, line 6, insert before the period the following: "Provided, That, of the amount provided under this heading, \$9,300,000 may be made available for grants for the operating costs of Radio Free Asia under section 309 of the United States International Broadcasting Act of 1994".

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Illinois [Mr. PORTER] and a Member opposed each will be recognized for 10 minutes.

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

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

Mr. Chairman, for all the time I have been in Congress I have been a very strong supporter of the Voice of America and the surrogate radios. Two years ago, the Congress authorized the creation of Radio Free Asia, Asia Pacific Radio that would broadcast messages of hope and truth and freedom to the repressive societies in China, Burma, the Chinese in Tibet, in Laos, Cambodia, North Korea, and Vietnam.

We funded Radio Free Asia for \$5 million in 1995, in 1996, and we now have agreed to a funding level of up to \$9.3 million in the amendment that I have offered. While there is a great deal of discussion about how Radio Free Asia will be organized and will conduct its business, there has been, I think, great progress made in the selection of Richard Richter as its chair and progress in

pulling together a staff that I think will be very, very worthy of the surrogate radios that we have seen broadcasting in the past.

I would say that this Congress and most particularly this administration has done very little to address the ongoing human rights abuses in that part of the world and that a surrogate radio, Radio Free Asia, Asia Pacific Radio, will go a great deal of the way toward preserving hope for those people who believe in freedom and democracy and human rights and the rule of law in a part of the world where all too often authoritarian regimes prevail. I would commend the adoption of this amendment to the House.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I think the gentleman has offered an excellent amendment. We are in favor of the amendment. I urge its adoption and commend the gentleman for his career-long work on this project.

Mr. SOLOMON. Mr. Chairman, will the gentleman yield?

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

Mr. SOLOMON. Mr. Chairman, let me just say I really commend the gentleman for bringing this here. Mr. Chairman, we all know the great success of surrogate broadcasting to the former Soviet bloc by Radio Liberty and Radio Free Europe. It was so effective, just ask any freedom fighter in that part of the world, and they will say that democracy would not be breaking out all over Europe today if it were not for Radio Free Europe.

We still have these oppressive regimes like the military dictatorship in Burma, the totalitarian Communist regimes in North Korea, Indochina, and Mainland China. Literally billions of people are still oppressed and largely cut off from the outside world. We need this legislation, and my heart goes out to the gentleman for offering this amendment. It is badly needed.

Mr. PORTER. Mr. Chairman, I rise in strong support of this amendment by the gentleman from Illinois [Mr. PORTER] to increase funding for Radio Free Asia for up to \$9.3 million.

Mr. Chairman, we all know the great success of surrogate broadcasting to the former Soviet bloc by Radio Liberty and Radio Free Europe.

There just isn't a freedom fighter in that part of the world who won't tell you how instrumental those radios were in keeping the flame of freedom burning in the hearts of the peoples of those former captive nations.

Unfortunately, we still have captive nations and many of them are in Asia.

From the harsh military dictatorship in Burma to the totalitarian Communist regimes in North Korea, Indochina, and mainland China, literally billions of people are still oppressed and largely cut off from the outside world.

Surrogate broadcasting in the form of Radio Free Asia is the beacon of hope that these people need and that their rulers fear.

That is why Congress created it with bipartisan support in 1994.

With the radio scheduled to come on line in the near future, now is no time to shortchange its funding.

That is why we need the Porter amendment.

Mr. Chairman, we've heard a lot of talk recently about engagement with certain Asian countries.

Well, this is real engagement—direct contact with the broad masses of Asia, without government interference.

It will go a long way toward bringing freedom to that part of the world, and that is why I lend my strong support to this amendment.

Mr. Chairman, I include the following "Dear Colleague" for the RECORD:

HOUSE OF REPRESENTATIVES,  
Washington, DC, July 23, 1996.

THE FRUITS OF ENGAGEMENT, CONT'D

DEAR COLLEAGUE: Last month, defenders of the status quo insisted that the only way to stem Communist China's proliferation activities was to continue "engaging" them. Meanwhile, the "engaged" Communist Chinese were at that very moment "engaged" with the terrorist nation of Syria in yet another perfidious arms transaction. There is something very, very wrong with this picture.

Sincerely,

GERALD B. SOLOMON.

CIA SUSPECTS CHINESE FIRM OF SYRIA  
MISSILE AID  
(By Bill Gertz)

The Chinese manufacturer of M-11 missiles sent a shipment of military cargo to Syria last month that the CIA believes may have contained missile-related components, agency sources said.

The CIA detected the delivery to Syria early in June from the China Precision Machinery Import-Export Corp., described as "China's premier missile sales firm."

The suspect military delivery raises questions about China's pledge to the United States in 1994 not to export missiles or missile components that would violate the Missile Technology Control Regime.

It also follows China's recent export of nuclear-weapons technology to Pakistan in violation of U.S. anti-proliferation laws, which was disclosed by The Washington Times in February.

The Syrian company that received the Chinese cargo was identified as the Scientific Studies and Research Center, which conducts work on Syria's ballistic missiles, weapons of mass destruction and advanced conventional arms programs, the CIA said in a classified report circulated to senior U.S. officials.

The Syrian center is in charge of programs to build Scud C ballistic missiles and a program to upgrade anti-ship missiles.

U.S. intelligence agencies said the Syrian center has received help from the China Precision Machinery Import-Export Corp. in recent years for both missile programs.

"The involvement of CPMIEC and the Syrian end user suggests the shipments [last month] are missile-related," one source said.

The exact nature of the equipment was not identified, but it was described as "special and dangerous," the source said.

CIA and State Department spokesmen declined to comment.

Chinese officials promised the State Department in 1994 not to export M-11s or their technology in exchange for a U.S. agreement to lift sanctions against Chinese Precision Machinery and the Pakistani Defense Ministry, which were involved in M-11-related transfers.

The missile-control agreement bars transfers of missiles and technology for systems that travel farther than 186 miles and carry warheads heavier than 1,100 pounds. Transfers of both the Chinese M-11 and Syria's Scud C are banned under the accord.

Syria has purchased Scud C missiles in the past from North Korea and is working on developing production capabilities for them according to U.S. officials.

The delivery of Chinese missiles or components to Syria, if confirmed, would trigger sanctions against China because Syria is classified by the State Department as a state sponsor of international terrorism.

William C. Triplett, a China specialist and former Republican counsel for the Senate Foreign Relations Committee, said the administration does not need hard evidence to impose sanctions because the sales involved Syria.

A 1994 amendment to the Arms Export Control Act, sponsored by Sen. Larry Pressler, South Dakota Republican, says the president may presume a transfer violates the 31-nation missile-control agreement if it goes to a nation that supports terrorism.

"If it goes to a terrorist country, we consider that a much more significant event than if it goes some other place," Mr. Triplett said.

China Precision Machinery already is under intense scrutiny within the U.S. government over the earlier M-11 sales to Pakistan.

U.S. intelligence agencies concluded earlier this year that Chinese M-11s are operational in Pakistan, but the State Department is challenging the intelligence conclusion to avoid having to impose sanctions on China.

U.S.-China relations have been strained over Beijing's proliferation activities, as well as disputes concerning human rights and widespread copyright infringement.

In May, the Clinton administration decided not to impose sanctions on China for violating U.S. anti-proliferation laws with sales of nuclear weapons technology to Pakistan because Chinese officials claimed they did not know the sale took place.

China Precision Machinery has been slapped with U.S. economic sanctions twice in the past. The Bush administration in 1991 sanctioned the company, which is part of the official Chinese government defense-industrial complex, for selling missile technology to Pakistan. Sanctions also were imposed in 1993, again for the transfer of M-11 technology.

Kenneth Timmerman, director of the consulting firm Middle East Data Project, said the Syria center that received the June shipments from China is a major agency involved in weapons research, procurement and production.

Mr. Timmerman said that North Korea and China have helped to build two missile-production centers in Syria and that Syrian missile technicians have been trained in China.

Israel's government said in 1993 that Chinese technicians were working in Syria to develop production facilities for missile guidance systems, according to Mr. Timmerman.

Mr. GILMAN. Mr. Chairman, will the gentleman yield?

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

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

Mr. GILMAN. Mr. Chairman, I want to thank the gentleman for his long-standing effort on behalf of Radio Free

Asia. I want to thank the gentleman from Kentucky [Mr. ROGERS], the chairman of the committee, for accepting the amendment.

This is an extremely important project to help democratize some of the oppressive governments in the Asian Area, and I urge my colleagues to fully support the measure. I thank the gentleman for yielding.

Mr. Chairman, while the Berlin Wall fell, Chinese tanks rolled over the students calling for freedom in China. Nothing could describe the need for Radio Free Asia [RFA].

Like its cousins which Soviet emigres reported was so successful, Radio Free Asia promises to bring the rarest commodity to Asia's closed societies—information and free debate.

I strongly support the Porter amendment to increase funding for Radio Free Asia. This is program that deserves full support and I appreciate the gentleman from Illinois's effort to secure broadcasting into countries in Asia.

The House-passed authorizing bill conference report from my committee would have funded FRA at the \$10 million level. This amendment nearly reaches that goal.

Unfortunately, Asia is still home to many closed societies. This broadcasting program can penetrate into those countries, giving them access to information and free debate. We owe the students of Tianamen this effort. I urge Members to fully support the Porter amendment.

Mr. PORTER. Mr. Chairman, reclaiming my time, I would say to the gentleman, who is the chairman of the Committee on International Affairs, that his leadership in providing authority for this very important program has been absolutely outstanding. I thank him for his ongoing commitment to human rights all across this globe.

Mr. MOLLOHAN. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, we are in agreement with the chairman with regard to this amendment, understanding that this amendment relates to funding only. It increases, I believe, from \$5 million to \$9.3 million funding for this account. That does not mean, I hope, the committee is any less concerned about the expenditure of these funds and the development of a rational feasibility plan prior to the expenditure of the funds.

This concern is spoken to in the report at page 118, and I would just note that the International Broadcasting Act of 1994 mandated that the new Broadcasting Board of Governors submit to Congress a plan concerning the feasibility of establishing an independent Radio Free Asia.

In addition, we have requested an operating plan, an implementation plan. The committee has not yet received that and we certainly expect to see that, understand how this program will be implemented, what are the cost estimates projected into the outyears prior to the expenditure of this increased funding that the gentleman from Illinois [Mr. PORTER] has worked so hard on.

Mr. Chairman, I will commend the gentleman. He has been excellent on the subject. He is knowledgeable and very concerned. My concern really goes to the expenditure of the funds in a responsible way, and I look forward to working with him and with the chairman as this process moves forward.

Mr. PORTER. Reclaiming my time, I would say to the gentleman that we are well aware of the language in the report and the committee's desire to see a plan that would show how the funds are going to be expended over the next 5 years. The amendment, of course, addresses the expenditure of funds through the Board for International Broadcasting as funds are normally expended, but I have been assured by Radio Free Asia that their plan for expenditures will be forthcoming and I am sure the committee will look at it.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, first of all, I want to commend the gentleman for his outstanding amendment and the gentleman from Kentucky, Chairman HAL ROGERS, for his good work in accepting it, my friend from West Virginia, as well, for accepting this language. I urge a "yes" vote, and I think that is a given now since there is a consensus.

Just let me say that throughout human history, the most important battles have not been those whose object was to control territory. The battles that really matter have always been about values and ideas. When the history of our century is written, it will be in large part the story of a long struggle for the soul of the world, the struggle between the values of the free world on the one hand and those of communism, fascism, and other forms of totalitarianism on the other.

Throughout most of the world, the values of the free world have been victorious, not only because we had better values but because we were not afraid to stand up for them.

Some say we no longer need the presence of surrogate broadcasting now that the cold war is over, but just let me remain Members, and everyone is increasingly aware of this, that in Asia there is a major problem with human rights. We have, unfortunately, reneged in our responsibility on these issues. MFN has been conferred for another year without linkage. Radio Free Asia, it seems to me, is the least we can do.

H.R. 1561, the authorization bill, was vetoed by the President, provided \$10 million per year. So this is well within the range what we have already done on the floor of the House, and that legislation again was vetoed. But this will not be and this will become law and I commend the gentleman for his amendment.

Mr. Chairman, I urge a "yes" vote on this amendment to save Radio Free Asia.

Throughout human history the most important battles have not been those whose object was to control territory. The battles that really matter have always been about values and ideas. When the history of our century is written, it will be in large part the story of a long struggle for the soul of the world—a struggle between the values of the free world on the one hand, and those of communism, fascism, and other forms of totalitarianism on the other. Throughout most of the world, the values of the free world have been victorious—not only because we had better values, but because we were not afraid to stand up for them.

Some say that we no longer need a presence in the world now that the cold war is over. I think this view is misguided, for several reasons.

First, there are places in the world where the values of freedom have not yet been victorious. These places include the few remaining Communist countries, such as Cuba, China, Vietnam, and North Korea, as well as an increasing number of countries governed by "rogue regimes," such as Burma, Iraq, and Libya. This is why we still need Radio Free Europe, Radio Liberty, and freedom broadcasting to Cuba. And this is why we need Radio Free Asia.

Mr. Chairman, the repeated cuts, rescissions, delays, and consistent underfunding of Radio Free Asia since Congress ordered its creation in 1994 appear to be evidence that this important profreedom program is being subjected to the old Washington two-step: If you don't like a program but don't have the votes to kill it, first you render it ineffective. Then you can kill it by pointing out how ineffective it is.

In H.R. 1561—the Foreign Relations Authorization Act, passed by the House and Senate but vetoed by President Clinton—we authorized \$10 million for a no-year account for fiscal year 1996 and fiscal year 1997, as in fiscal year 1995. This was based on the estimates of those who conceived Radio Free Asia—distinguished human rights advocates such as Ambassador Charles Lichtenstein, who was our principal Deputy Ambassador to the United Nations under Jeane Kirkpatrick—that it would take at least \$30 million to get Radio Free Asia up and running. Because it was fairly clear that the process would take at least 2 years, only \$10 million was authorized for a no-year account in fiscal year 1995. The idea was that over the 3 years it would take to establish Radio Free Asia, the necessary \$30 million would accumulate in the account. Through a series of rescissions and reductions, this start-up amount has been reduced to less than \$10 million—which will be insufficient to establish Radio Free Asia as an effective voice against tyranny in the region.

The Clinton administration, which has taken deep cuts in international broadcasting over the last 3 years, nevertheless recognizes that Radio Free Asia needs at least \$14.4 million—that is, \$10 million in fiscal year 1997 in addition to the \$4.4 million already appropriated in a no-year account from fiscal year 1996—in order to survive its crucial first year of operations.

The bill before us cuts this amount in half, to \$5 million. The subcommittee report points out that the Board of Broadcasting Governors should have filed a more detailed report by now about its plans for Radio Free Asia. I agree with this criticism. But let's not blame

the victim. If we must impose punishment for the failure to file a better report, let's find a way to impose it on the bureaucrats who should have filed the report—not on the innocent and freedom-loving people of China, Vietnam, Burma, and other countries who have been waiting 2 years already for Radio Free Asia to get up and running.

In order to avoid killing this important human rights program without increasing the Federal budget deficit, it was necessary to find a \$5 million offset from another program. This has been done by taking a tiny reduction—less than three-tenths of 1 percent—in the State Department's largest operating account, the \$1.7 billion Diplomatic and Consular Services. Don't be fooled by the title of this account: it is simply the State Department's way of describing its largest salaries and expenses account.

The State Department's operating accounts have remained essentially level since fiscal year 1994, at a time when other international relations activities have taken far deeper cuts. During these same 3 years, our freedom broadcasting programs have been cut over 20 percent. So the choice is simple: will we kill a voice for freedom in Asia in order to fund a few more bureaucrats?

Mr. Chairman, the free world needs Radio Free Asia, and so do the enslaved peoples of the last outposts of the evil empire. I urge a "yes" vote on this amendment.

Mr. PORTER. Reclaiming my time, let me say that the gentleman from New Jersey [Mr. SMITH] has been an absolute exemplary leader on human rights in the House and a supporter of the surrogate radios. I certainly thank him for support this evening.

Ms. PELOSI. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from California.

(Ms. PELOSI asked and was given permission to revise and extend her remarks.)

Ms. PELOSI. Mr. Chairman, I rise in support of the amendment of the gentleman from Illinois [Mr. PORTER]. I commend the chairman and the ranking member of the committee for their cooperation on this.

Mr. Chairman, I rise today in support of the amendment offered by Representative PORTER to increase the funding for international broadcasting to \$9.3 million. This funding is urgently needed for the Asia Pacific Network/Radio Free Asia.

We have seen the success of Radio Free Europe and Radio Liberty in broadcasting the message of freedom and democratic principles to people fighting for freedom. Radio Free Asia which has been designed to emulate Radio Free Europe/Radio Liberty's success, is now critical to the efforts of those in Asia struggling against authoritarian leaders.

In 1991, Radio Free Asia was endorsed by President Bush's Task Force on U.S. Government International Broadcasting. In 1992, it was endorsed by the Congressional Commission on Broadcasting to the People's Republic of China, which recommended the establishment of a new broadcasting service. President Clinton identified Radio Free Asia as a centerpiece of his new China policy when he delinked trade from human rights in 1994. Unfortunately, the real commitment to establishing this important service has been lacking.



Some may ask why we need APN/RFA when we have the Voice of America. The answer is independence. VOA is an official broadcasting service of the United States Government. In terms of its editorial orientation, VOA serves as an instrument to project U.S. policy at a particular time. Given that the State Department's goal is generally the maintenance of bilateral relations between the United States and any other country, it is unrealistic to expect the State Department to encourage, or even to support, a surrogate radio station which may be viewed with disapproval by the other country.

Working within our overall objectives of promoting democratic freedoms, human rights, and open markets, APN/Radio Free Asia must have the independence to broadcast its own message. This independence is beneficial both to the radio, which is freed from political interference in its message; it is also beneficial to the State Department, which can disavow any connection to the broadcasts coming from APN/RFA.

The fiscal year 1997 Commerce-Justice-State bill would have cut funding for APN/RFA by 50 percent to \$5 million. This major cut would seriously undermine the program. I understand the concerns of Chairman ROGERS and Ranking Member MOLLOHAN.

However, in all fairness, I would like to note for the Record that the members of the Broadcasting Board of Governors were not sworn in until September 1995. At that time, they immediately hired a distinguished China scholar, Orville Schell, to undertake a preliminary report on APN/RFA, which was submitted, on time, in November 1995. At that time, the Board started the search for a director. They chose Richard Richter, who started on March 12. He then hired a distinguished journalist, Dan Southerland, who was brought on to focus on content. Mr. Southerland started during the second week of July. APN/RFA's budget has now been completed and is being reviewed by OMB. The target date for starting to broadcast is September 22. Things are on track at APN/RFA. Cutting the funding now will pull the rug out from under the program.

We, as a Nation, can and must help those fighting for freedom in Asia. I do not believe that many of my colleagues fully understand the lock on information which China's dictators maintain. The vast majority of people in China still only hear what China's government wants them to hear, they only see what the government wants them to see, they only read what the government allows them to read. It is through this stranglehold on information that the Chinese government is so successful in fueling growing nationalism. There are no independent voices in China. Those who speak out are arrested, exiled or killed.

Radio Free Asia is an important instrument to help to break the Chinese government's stranglehold on news. It can provide an effective and peaceful mechanism to provide news of reform in China and of freedom around the world. It can promote democratic reforms, human rights and basic freedom. I thank Mr. ROGERS and Mr. MOLLOHAN for their support of the Porter amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. PORTER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TRAFICANT: Page 112, after line 11, insert the following:

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Ohio [Mr. TRAFICANT] and a Member opposed each will be recognized for 2½ minutes.

The Chair recognizes the gentleman from Ohio [Mr. TRAFICANT].

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

Mr. Chairman, the amendment is straightforward. Anybody places a fraudulent "made in America" label on any import, they shall be ineligible to receive any contract or subcontract made with funds under this bill.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I think the gentleman offers a very good amendment. We are delighted to accept it and urge its adoption.

Mr. MOLLOHAN. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I add to the chairman's sentiments.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. MINK OF HAWAII

Mrs. MINK of Hawaii. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment Offered by Mrs. MINK of Hawaii: In title II, under the item relating to "NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—OPERATIONS, RESEARCH, AND FACILITIES", after the first, second, sixth, and seventh dollar amounts insert "(increased by \$760,500)".

In title IV, under the item relating to "United States Information Agency—national endowment for democracy", after the dollar amount insert "(reduced by \$760,500)".

The CHAIRMAN. Pursuant to the order of the House of today, the gentle-

woman from Hawaii [Mrs. MINK] and a Member opposed each will be recognized for 5 minutes.

The Chair recognizes the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK of Hawaii. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to take note of an omission in this appropriation bill which I consider very serious, not simply to my constituents or to my State but to this Nation as a whole. So I am taking this time again to raise an issue which we raised last year when the committee also zero funded this program.

However, in the conference committee, the full level funding of nearly \$740,000 was restored for this program. It is my hope again to enable this program to continue. It is for the purpose of saving two very endangered species that are located off the shores of the Pacific area, not simply in my State.

It has to do with the Hawaiian monk seal, which is the only endangered marine mammal located entirely in U.S. waters. It was last seen recently on my shores where a pup was born. It is extremely precious. There are three monk seals in the world. One was in the Caribbean; it no longer exists. It is totally extinct. There is another in the Mediterranean and that is very likely soon to be extinct. So the Hawaiian monk seal is a very, very important, extremely threatened species.

The National Marine Fisheries Service has been working on this program for 16 years and it would be a tragedy to have this program discontinued. I hope that attention will be brought on this matter. Although it is not funded in this bill, when the matter goes to conference, I have every confidence that the matter would be restored.

Cooperative studies are ongoing with the National Geographic Society, the University of Minnesota, as well as the University of Hawaii, and great efforts are being pursued in order to save these two species. We have the green turtle in Hawaiian waters as well, which is also equally endangered.

Mr. Chairman, I yield 1½ minutes to my colleague, the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Chairman, I thank the gentlemen from Kentucky [Mr. ROGERS] for taking up this bill. I want to emphasize in the time given to me, this cannot be done without the Federal Government. This is not the responsibility of a State. The monk seal is the only species of its kind in U.S. waters, and it is up to us as stewards in this environment, in this ocean environment to take up this cause.

□ 2200

So it is very, very important. The same with the green sea turtle. This also affects not only Hawaii, but areas around Florida as well as other sites throughout the world.

My principal emphasis here is that this extinction is a very real possibility, and yet the National Marine Fisheries Service has done extraordinarily

great service for this Nation in terms of the stewardship to which I referred. It is bringing back the species. It is now into the thousands, coming back up as far as the monk seal is concerned.

With the investigations of biology, ecology, and life history of these species being examined by the National Marine Fisheries, with the chairman's good efforts on our behalf, I think that we will find that the whole Nation will be the beneficiary and we will have done by these species what is required of us as a human species looking out in our capacity and responsibility for species throughout the world.

Mrs. MINK of Hawaii. Mr. Chairman, reclaiming my time, I thank my colleague for his comments.

Mr. ROGERS. Mr. Chairman, will the gentlewoman yield?

Mrs. MINK of Hawaii. I yield to the gentleman from Kentucky [Mr. ROGERS], the chairman of the subcommittee, for a colloquy.

Mr. ROGERS. Mr. Chairman, I appreciate the work of the gentlewoman from Hawaii and the gentleman from Hawaii and commend them for their concern for these two programs.

As the gentlewoman knows, we were under very severe funding constraints this year; however, although we are unable to restore funding for these programs today, I can assure the gentlewoman that as we proceed to conference I will work with her to identify funding for these two programs as best we can.

Mrs. MINK of Hawaii. Mr. Chairman, I want to thank the chairman for his comments and I ask unanimous consent to withdraw my amendment at this time.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ENGEL: Page 51, line 25, after the dollar amount, insert the following: "(increased by \$5,000,000)".

Page 53, line 6, after the dollar amount, insert the following: "(reduced by \$5,000,000)".

The CHAIRMAN. Pursuant to the order of the House of earlier today, the gentleman from New York [Mr. ENGEL] and a Member opposed will each control 5 minutes.

The Chair now recognizes the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Chairman, I rise today to offer an amendment to restore funding for the Public Telecommunications Facilities Program. I say to my colleagues if they are for public broadcasting they should be for this amendment. The bill before us allocates \$10 million for this program, which is a \$5 million cut from last year. My amendment would retain the

current level of funding for public telecommunications by restoring \$5 million to the program.

Let me say that program was halved last year, \$14 million was cut, and now it is proposed to cut an additional \$5 million. Public broadcasting simply cannot continue to exist with these kinds of cuts.

CBO has scored my amendment and has determined that the budget authority and the outlays are budgetary neutral.

Mr. Chairman, I am offering this amendment because I feel this is yet another attempt to continue the assault on public broadcasting that has occurred in large part during this Congress. Last year there were efforts by some in the majority to zero out funding for the Corporation for Public Broadcasting. We were able to prevent that from happening, but CPB still received major cuts. The cuts in the facilities program are further evidence of the contempt that some in the majority have for public broadcasting. However, the American people see and know the positive results in the quality and integrity of public broadcasting. If support for public broadcasts and the facilities program are severely cut or eliminated, the quality of programming and the educational value they provide will suffer as a result.

Public broadcasting and the facilities program are private-public partnerships that work. This is a success story that demonstrates what the government and the private sector can accomplish when they work together. The facilities program is a matching grants plan for public radio and television stations. It helps stations purchase equipment to extend their signals to unserved areas; by the way, many of whom are rural areas, as well as replacing outdated hardware, such as transmitters, master control rooms or towers. Many of these stations, as I mentioned, are in rural areas and do not have the resources without these grants to upgrade their systems or receive signals.

This program has been an unqualified success because it has helped extend public TV and public radio stations to most of this country. It has been estimated that 10 million Americans still do not receive a reliable public television signal and approximately 25 million Americans do not receive a reliable public radio signal.

On hundred forty-two public telecommunications grants that were rewarded in fiscal year 1995 went to non-commercial telecommunications awards in 44 States, extending public radio signals to 2.8 million previously unserved persons and public TV to 500,000 unserved persons. PTFP is the sole program in the Federal Government that assists in the maintenance of the vast public broadcasting inventory which now exceeds an estimated 1 billion in value. Cutting this public telecommunications facilities program will only weaken the ability of the pub-

lic broadcasting community to continue providing a technically reliable service to the public while simultaneously limiting the ability of public radio and TV to reach unserved and underserved audiences, especially in rural areas but in urban areas as well.

Weakening this program will represent the loss of a considerable investment that has already been made in public broadcasting's infrastructure, an infrastructure that is nearly universal and ready to be augmented by new technologies. Since its inception, public telecommunications has invested \$500 million in public telecommunications facilities that deliver informational, cultural and educational programming to the American people. That is a significant investment in a system that is now nearly universal, reaching communities as diverse as Point Barrow, Alaska; Jackson, Mississippi; and Los Angeles, California.

This universality provides an amazing potential for communication among Americans as we move further into the information age. We must not let it deteriorate by further cutting this program.

In addition, maintenance of this system is especially important as we develop the information highway. Public radio and television have an important role in linking schools, libraries, health care facilities, governments and other public information producers. These are areas that will not be filed by the void that would be left if public broadcasting services do not survive. It does not make sense to allow the existing framework of equipment and services that are currently available to hard-to-reach areas to fall into disrepair while the information highway is in development.

It is a small program but an important one. Investing in our infrastructure is vital to serve those customers who rely on public broadcasting for information and education and it must be maintained if we are to move forward in today's world. Let us stop the assault on public broadcasting and let us invest in our future.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I want to accept the gentleman's amendment.

Mr. ENGEL. Mr. Chairman, then I will certainly yield to the chairman.

Mr. ROGERS. Mr. Chairman, we can cut this short. I want to commend the gentleman. I have no objection to the gentleman's amendment.

Mr. MOLLOHAN. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, if I might say, the gentleman has stated his position well, and I would like to associate myself with his comments in support of this program, and I am pleased the chairman is going to accept the amendment.

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

The CHAIRMAN. Does any Member seek time in opposition?

If not, the question is on the amendment offered by the gentleman from New York [Mr. ENGEL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MILLER OF FLORIDA

Mr. MILLER of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MILLER of Florida: Page 56, line 9, insert "including \$1,000,000 for red tide research," after "National Ocean Service,".

Mr. CHAIRMAN. Pursuant to the order of the House of earlier today, the gentleman from Florida [Mr. MILLER] and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from Florida [Mr. MILLER].

Mr. MILLER of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment is simply to take \$1 million out of the National Ocean Service Program and specifically target it for red tide research.

At this time I want to ask if I may engage the chairman of the subcommittee with a colloquy on the subject of red tide research.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Florida. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I appreciate the efforts of the gentleman from Florida as well as the gentleman from New York [Mr. FORBES] and their subcommittee to bring this issue to the attention of the House.

As the gentleman knows, we are under tremendous fiscal constraints this year; however, he raises a very important issue, and I assure the gentleman that I will continue to work with him as we move the bill through the process to further address this very important issue the gentleman has so ably brought before us.

Mr. MILLER of Florida. Mr. Chairman, reclaiming my time, I thank the chairman.

I want to discuss this for a minute, if I may. This is a very important issue for those of us in Florida. This red tide is of importance to many coastal areas around the United States.

Red tide is known as a nuisance problem because it gives people headaches, makes people nauseous when they are around it, but because we see the dead fish washing up on the beach, it concerns the tourism of our area. But now it has come to the attention of scientists that red tide is now a killer of endangered species.

A direct link was established by the University of Miami this summer. Their study concluded that red tide was definitely the cause of death of

over 150 manatees along the coast of Florida this past spring. The manatee is a harmless sea cow which roams the Florida waterways searching for warm water and food. However, this food, once tainted with large amounts of red tide algae, can cause respiratory damage and a breakdown of the nervous system. Eventually the red tide causes the manatees to suffocate.

We have always known that red tidal algae can cause death in fish and birds, and after particularly long periods of red tide the beaches are littered with dead fish. The manatee which traditionally roams the inner waterways are usually immune from the toxins which occur in the open ocean. However, this past spring the west coast of Florida experienced a severe case of red tide. It was during this time that an excessive amount of manatees began to die. This spring alone there were 304 manatees found dead. That is 198 more than any previous record, and it amounts to an 11 percent reduction in the population of manatees in the United States.

At this rate the entire population of manatees in the United States will be wiped out in a little over 9 years. A loss such as this cannot be tolerated especially if we can come up with a way to help address that problem.

That is why I have requested that this amendment today allocate special money for red tide research. There are several programs currently in the Commerce-Justice appropriation bill that provide incentives for research into causes and effects of red tide, and I want to thank the chairman for his assistance in getting language in the bill which would direct the proper officials at NOAA to consider the problem of red tide.

However, since we now realize the direct links between the deaths of manatees and the growth of red tide, we must be proactive in our quest to save an important and valued endangered species. By increasing the funding for red tide, we address many issues. We can help find the cause of these algae blooms not only for red tide, but also the associated brown tide, a big concern of my colleagues from New York and from California, and we can perhaps develop a network for working together on this problem.

I am sure the manatees are not the only species endangered from these toxins. We now know red tide is a real threat to an endangered species. We have less than 2,300 manatees today and we have no time to waste to address this problem.

I appreciate the chairman's efforts to find more resources for harmful algae bloom research. With his assurance that we can look for ways to bring more resources to this problem when we go to conference with the Senate, I intend to withdraw this amendment.

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

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

Mr. GOSS. Mr. Chairman, I thank my distinguished colleague and friend from Florida for recognizing me.

Forty years ago, if we were talking about red tide, it would be a foreign affairs or a national defense issue. Now it is very much a domestic issue. Members may not think they care, but sooner or later they will probably be in Florida or at the seashore somewhere and they may experience part of the problems of the killer red tides that we are trying to deal with.

We have learned a lot. We need to know a lot more. It is not just the manatees, although they are critically endangered and critically ill because of the tide. It is dolphins, it is all kinds of fish, shellfish, which create health hazards.

We have economy problems for beach front communities and fishing communities. We have tourist problems. This is a good area for an investment in quality of life.

Mr. Chairman, I urge that we support this.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent to withdraw the amendment at the suggestion of the chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentlewoman from Connecticut [Mrs. JOHNSON] is recognized for 5 minutes.

There was no objection.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I wish to engage the chairman of the committee in a colloquy with regard to the women's demonstration program within the Small Business Administration.

I strongly support this program which has established 54 nonprofit business centers in 28 states since it began in 1988. Since then, these business centers have provided training and technical assistance to more than 60,000 women hoping to start their own businesses. Each business center tailors itself to the particular needs of the community and assures that women have the resources they need to plan, organize and expand their business.

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This level of business development is vital to our national economic well-being, offering more opportunities to women than corporations where the glass ceiling is still prevalent.

These business centers have proven to be a good investment as well, averaging one new business and four new jobs for every 10,000 Federal dollars invested. Because of the unique funding structure of this program, 35 sites are now entirely self-sufficient, providing needed assistance without Federal funding. Three years after a business center is established, it must become

by law financially self-sufficient. Therefore, the program creates independent support sites that successfully foster the growth of women-owned businesses and job opportunities for thousands.

Despite the advances that women have made in the small business arena, women-owned businesses continue to face unique challenges when seeking capital, competing for government grants, and getting the technical assistance they need to succeed. A program focused solely on clearing these hurdles for women on businesses is a vital enterprise.

I understand, Mr. Chairman, that the gentleman from Kentucky [Mr. ROGERS] is well familiar with this program.

Mr. ROGERS. Mr. Chairman, will the gentlewoman yield?

Mrs. JOHNSON of Connecticut. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, let me assure the gentlewoman that the goals of the women's demonstration program are certainly worthy and deserve our support.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I would also like to point out that despite the great gains women have made in their ownership and operation of small businesses, 52 percent of women-owned businesses are financed by credit cards; only 11 percent of men's businesses are funded that way.

Therefore, we must continue to mentor women and offer them individualized counseling that takes them through the workings of the business world step by step. The one-size-fits-all, one-time business plan offered by other programs will not ensure that these female entrepreneurs get the help they need on the road to success.

Women who have benefited from the expertise offered at Connecticut's one business center have commented on how hungry they were for information and how relevant and practical the information they have received from the center has been. Over and over these women have told the business center, I could not have done it without you.

On that note, I want to express my hope that the women's demonstration program which received a \$2.8 million reduction in this year's Commerce, Justice, and State appropriation bill, will be fully funded as the bill moves through conference with the Senate.

Mr. ROGERS. Mr. Chairman, if the gentlewoman will continue to yield, given the very strong support this program has within the Senate and the worthy goals of the women's demonstration program, I am committed to working with the gentlewoman to ensure that this program receives the necessary funding as the bill moves through conference with the Senate.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I thank the chairman for his time and consideration regarding this program. I greatly appreciate his commitment.

Mr. ROGERS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. HUTCHINSON) having assumed the chair, Mr. GUNDERSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3814) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1997, and for other purposes, had come to no resolution thereon.

CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO IRAQ—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the Iraqi emergency is to continue in effect beyond August 2, 1996, to the Federal Register for publication.

The crisis between the United States and Iraq that led to the declaration on August 2, 1990, of a national emergency has not been resolved. The Government of Iraq continues to engage in activities inimical to stability in the Middle East and hostile to United States interests in the region. Such Iraqi actions pose a continuing unusual and extraordinary threat to the national security and vital foreign policy interests of the United States. For these reasons, I have determined that it is necessary to maintain in force the broad authorities necessary to apply economic pressure on the Government of Iraq.

WILLIAM J. CLINTON.

THE WHITE HOUSE, July 22, 1996.

APPOINTMENT TO NATIONAL COMMISSION ON ADVANCEMENT OF FEDERAL LAW ENFORCEMENT

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of section 801(c)(1) of public law 104-132, the chair announces the speaker's appointment to the National Commission on the Advancement of Federal Law Enforcement the following mem-

ber on the part of the House: Ms. Victoria Toensing, Washington, DC.

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona [Mr. SHADEGG] is recognized for 5 minutes.

[Mr. SHADEGG addressed the House. His remarks will appear hereinafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia [Ms. NORTON] is recognized for 5 minutes.

[Ms. NORTON addressed the House. Her remarks will appear hereinafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 5 minutes.

[Mr. DORNAN addressed the House. His remarks will appear hereinafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes.

[Mr. BURTON of Indiana addressed the House. His remarks will appear hereinafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. EHLERS] is recognized for 5 minutes.

[Mr. EHLERS addressed the House. His remarks will appear hereinafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. ENGLISH] is recognized for 5 minutes.

[Mr. ENGLISH of Pennsylvania addressed the House. His remarks will appear hereinafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Mr. SHAYS] is recognized for 5 minutes.

[Mr. SHAYS addressed the House. His remarks will appear hereinafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa [Mr. LEACH] is recognized for 5 minutes.