

but has stated that "[a]t no time did we consider this to be a question of compliance with Title 44," apparently based on the fact that the publication in question is electronic rather than print.

#### TOXIC SUBSTANCE ACT CHEMICAL SUBSTANCE INVENTORY

The last material associated with this EPA product that was received by the Depository Program was the 1990 Supplement to the 1985 edition. It is now available exclusively through NTIS. When contacted, EPA said that it supplied data to NTIS, not a finished product, and for this reason was not responsible for depository copies. NTIS has not furnished copies for the Depository Library Program.

#### CREATING A GOVERNMENT THAT WORKS BETTER BUT COSTS LESS: STATUS REPORT CD-ROM

This series has been distributed by the Sales and Depository Programs in print but the CD-ROM, which includes additional information, is available only from NTIS. NTIS has not responded to requests for depository copies.

#### EXPORT ADMINISTRATION REGULATIONS

Despite a request in writing to the Bureau of Export Administration requesting a copy of this database for mounting on GPO Access, the agency has not responded. The agency has, however, entered into an exclusive distribution agreement for both print and electronic versions of the EAR with NTIS, and has paid NTIS to mount the database. A year ago, the Superintendent of Documents wrote to Bruce McConnell of OIRA to request an OMB review of the agreement between NTIS and the Office of Export Administration but did not receive a response. Several months of discussion with NTIS, as well as intervention by the Joint Committee on Printing, were required before NTIS agreed to provide print copies of this product.

#### BIG EMERGING MARKETS

Developed by the International Trade Administration and printed by a private firm in a joint venture with NTIS, this product was originally offered to the FDLP in microfiche format. This was unsuitable due to the presence of color charts in the product. Only after several months of discussion and Congressional pressure did NTIS provide print copies.

#### JOURNAL OF THE NATIONAL CANCER INSTITUTE

This periodical is now published by Oxford University Press under the terms of a Cooperative Research and Development Agreement (CRDA) with the National Cancer Institute (NCI). Initially the FDLP was told by NCI that this arrangement rendered the Journal a non-Government product, even though editorial work is still being performed by NCI employees. After NCI officials discussed the matter with the Joint Committee on Printing, Oxford University Press agreed to furnish depository copies. NCI has not, however, returned calls made by FDLP for the purpose of setting up a mechanism to accomplish this.

#### HISPANICS-LATINOS; DIVERSE PEOPLE IN A MULTICULTURAL SOCIETY

This title was first published by a private sector trade association based in Washington, DC. Although the data was gathered and prepared at public expense it was provided to this private group, which then copyrighted the publication and sold it for \$10 per copy. Because Hispanics-Latinos was not printed through GPO, it was not initially available to the Depository Program. When this situation was brought to the attention of the Census Bureau through Senate Rules Committee hearings, the Bureau reprinted the book through GPO so depository copies would be available.

#### A NATION OF OPPORTUNITY/KICKSTART INITIATIVE

The United States Advisory Council on the National Information Infrastructure issued two reports that were initially published by West Publishing, a major private sector seller of legal publications and databases, although they were prepared by the Commission at public expense. Initially these publications were not made available to either the Superintendent of Documents Sales or Depository Programs.

Once the Joint Committee on Printing was apprised of this situation it contacted the Commission. As a result, the National Telecommunications and Information Administration of the Department of Commerce reprinted the publications through GPO in a much less elaborate black-and-white format and both the Sales and Depository Programs acquired copies.

#### POPULATION OF STATES AND COUNTIES OF THE UNITED STATES: 1790-1990

This Census publication was printed by NTIS rather than through GPO. Through what was described by Census as a "handshake agreement," NTIS asked that Census not make this publication available to either the Depository or Sales Programs for the first six months so as not to hurt its exclusive sale by NTIS. As a result of Senate Rules Committee hearings, GPO obtained a copy from Census shortly after its publication by NTIS. The Depository Program printed copies for its use and Sales acquired copies for sale to the public.

#### SOLUTIONS TO THE FUGITIVE DOCUMENTS PROBLEM

Since nearly all fugitives involve titles not printed or procured through GPO, the simplest and most cost-effective solution would be for agencies to obtain all of their tangible information products through GPO. This would afford the FDLP the opportunity to ride for depository copies. Any agencies not obtaining their information products through GPO would be in compliance with Sec. 1903 if:

The agency provides the requisite depository copies to the FDLP, free of any encumbrances such as software licensing fees or copyright-like restrictions

In the case of online services, the agency provides no-fee access to the FDLP

#### THE COSTS OF COMPLIANCE

If delivered to the Superintendent of Documents (SoD) in print format, these formerly fugitive titles would represent a significant new workload that neither the SoD or the libraries in the FDLP have adequate resources to handle. We estimate that, based on the current mix of paper, microfiche, and electronic formats being disseminated by the FDLP, providing these fugitives in a similar mix would increase costs by approximately \$8 million. This, however, is an unlikely scenario.

In our view, it is more plausible that the migration of printing of electronic publishing already in evidence will continue to grow. This scenario provides a unique opportunity to bring additional information into the FDLP for no-fee public use. When the source information is in electronic format, the agency can either make it available on their own Internet Web site, or can ask GPO to make it available via the GPO Access service. Either of these approaches would enable the FDLP to provide more information to the public, while limiting the increased costs to the Government. In this scenario, the projected decline in the amount of printed material would gradually reduce the costs to the Program.

When an agency publishes via the Web, the major SoD cost increases are for the provi-

sion of cataloging and locator services so users can find the information; and for permanent access services to ensure that the electronic content is maintained for use in the future. We believe that these costs should be funded out of the SoD appropriation. If an agency provides electronic content for disseminating via GPO Access, there will be costs associated with processing that information and mounting it on the system. These "developmental" costs may be borne by the originating agency, by the SoD, or by a combination of the parties. In any case, we would expect some cost savings to the Government and the SoD from this electronic approach when compared to the all-print scenario.

A low-cost solution for the FDLP may be at hand which would make the scientific and technical information held by NTIS available on a no-fee basis to depository libraries through the use of electronic imaging technology. We are presently participating in a pilot project whereby NTIS will provide depository libraries access to these image files at no cost. At issue that still needs to be resolved is that NTIS is considering restrictions on the redistribution of these files by depository libraries to prevent any adverse effect on NTIS sales. Before the NTIS solution can be viewed as a workable approach for large quantities of fugitive information, NTIS' copyright-like restriction on redistribution of the electronic version of the information must be eliminated.

In addition, it is critical that any revision of Title 44 make clear that an agency's obligation to provide their information to the FDLP is not overtaken by other requirements, including any mandate to operate on a self-sustaining or cost-recovery basis. For example, when an agency charges users for access to Government information at its Web site, there needs to be statutory language that clearly directs the agency to provide no-fee depository access.

Revisions to Chapter 19 of Title 44 must also provide for advance notification of the FDLP by agencies when information products are initiated, modified, or terminated on agency Web sites, define Government information products so as to include in the FDLP any publications produced under agreements with private sector entities, and delete the current exemption for "cooperative publications."

## DEFANGING THE ESTATE TAX EMPIRE

### HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. GINGRICH. Mr. Speaker, I would like to bring my colleagues' attention to the attached Washington Times editorial from May 19, 1997—"Defanging the Estate Tax Vampire." This piece thoughtfully lays out the arguments for repealing the death tax.

As I often say, I do not believe that Americans should have to visit the IRS at the same time they must see the undertaker. Abolishing the death tax is one of the most important actions we can take on behalf of America's family owned businesses and farms.

Building a successful business to pass onto children and grandchildren is a part of the American dream that we should lift up—not squelch. It is vital that we use examples such as this piece to make our case and build support everywhere in America for abolishing the death tax.

[From the Washington Times, May 19, 1997]

# DEFANGING THE ESTATE TAX VAMPIRE

(By Bruce Bartlett)

There is a growing support on Capitol Hill for abolishing the estate tax, which has been part of the federal tax system since 1916. A number of bills that would do so have been introduced, including H.R. 902 and S. 29, sponsored by Rep. Chris Cox and Sen. Richard Lugar, respectively. Hearings have already been held in both the House Ways and Means Committee and Senate Finance Committee.

One of the strongest arguments for repeal is that the estate tax is disproportionately burdensome relative to the revenue it raises. In no country is the estate tax a significant source of revenue. Even egalitarian Sweden raises just 0.1 percent of its revenue this way. And the average for all members of the Organization for Economic Cooperation and Development, the association of Western industrialized countries, is just 0.4 percent. In the United States, the estate tax raises about 1.1 percent of total revenue, which puts us at the upper end of the list.

With the estate tax raising such a small percentage of revenue, it would not be difficult to find alternative revenue sources that would raise the same amount. For example, taxing capital gains at death would raise as much revenue as the estate tax far more simply and at a lower rate. (Under current law, heirs pay capital gains tax only on the increase from the time of inheritance. Thus the estate itself pays no capital gains tax at all, no matter how much the assets may have appreciated.)

Supporters of repeal often point to Canada and Australia as examples of countries that have abolished their estate taxes in recent years. However, the number of countries with no estate tax is actually much longer. A review of Coopers & Lybrand's latest international tax guide found at least 46 countries with no estate or inheritance taxes. Although some are small countries known for being tax havens, many are not. These include Israel, Mexico, New Zealand and Switzerland, among others.

To be sure, the absence of an estate tax does not mean wealth transfers are entirely free of tax. Canada, Australia and Israel tax capital gains at death. Some countries treat inheritances as ordinary income for tax purposes, while others impose stamp duties and transfers. New Zealand and India tax gifts even though there is no tax on estates. And while Switzerland has no federal estate tax, 25 of the 26 cantons (states) impose such a tax. Nevertheless, this review shows that should the United States choose to eliminate its death taxes, we would have a good deal of company.

## HEALTHSOURCE SAGINAW: CARING FOR THE COMMUNITY

### HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. BARCIA. Mr. Speaker, my colleague [Mr. CAMP] and I, rise today to recognize a facility that serves both of our districts, providing some of the best health care that people can find anywhere: HealthSource Saginaw. This facility has been in operation since 1930, when it was first known as Saginaw Community Hospital, and continues to be a vital provider of ongoing and emergency care in the Saginaw area.

The facility describes its mission as being "to restore persons we serve to meaningful lifestyles by providing select, innovative, efficient services in a coordinated continuum of care." From its Saginaw Township location, it offers behavioral medicine services, rehabilitation services, and subacute and extended care.

Mr. Speaker, an institution is only as good as its personnel, and it is our view that the 512 employees of HealthSource Saginaw are among the best. Their caring attitude conveyed to patients each and every day help this hospital to retain its reputation as a sought-after facility.

As we continue to expect our health care providers to use the best available technology, maintain the highest level of proficiency individually, and hold costs to reasonable levels, we believe that facilities like HealthSource Saginaw merit recognition. We urge all of our colleagues to join us in offering our thanks for, and recognition of, HealthSource Saginaw.

## HEALTHSOURCE SAGINAW: CARING FOR THE COMMUNITY

### HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. CAMP. Mr. Speaker, we have both worked closely with the leadership of this 319-bed facility on a range of issues vital to the people who depend upon HealthSource for their medical care. Lester Heyboer, the president and CEO of the facility, has done an outstanding job in leading this facility at a time when competition among care givers, including among nonprofit facilities, is intense and challenging. I am particularly supportive of the employees who have contributed so much to the success of the hospital. I am particularly proud of the quality of care provided to all patients and the compassionate and successful treatment of those residing in the psychiatric unit. HealthSource Saginaw's employees are of the highest caliber and deserve to be commended for their work.

## NEW LIFE FOR PLANT AND EQUIPMENT LOANS

### HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. LaFALCE. Mr. Speaker, today I am introducing legislation to extend the life of the certified development company or 504 loan program. It is this guarantee program, operated by the Small Business Administration [SBA], which provides a major source of capital for small businesses which need long-term financing for plant and equipment purposes.

Mr. Speaker, I am very proud to be able to claim authorship of this program. It is a direct descendent of legislation I introduced and which was enacted into law in 1980.

The development company program matches financing from a private lender for one-half of the project, with the owner providing 10 to 20 percent and private investors providing the balance with a guarantee from SBA.

It clearly is an example of encouraging privatization. During the initial years of the program, the Treasury provided the matching funds. But 1987 legislation changed the source of this portion of the funds from the U.S. Treasury to private investors, with an SBA guarantee. The program has operated superbly since then.

Since Wall Street Investors have become involved, the program has provided \$8.5 billion in SBA guarantees to 26,000 small firms.

Private lenders more than doubled the amount of this funding with their share of the project cost.

The result has been tremendous, both for the small firms and also for the Government. This funding has resulted in the creation of more than 338,000 jobs by these small business borrowers, along with the preservation of additional hundreds of thousands of private sector jobs.

Possibly of equal importance to those of us in Congress is that the program has been operating for the past several years at a zero subsidy rate. It pays for itself by user fees; no appropriated funds are needed to pay anticipated losses in the event a loan defaults.

But there is cause for alarm. The user fees paid under this program are sunset September 30. If they are not extended, the program will terminate October 1.

This should not be permitted to happen.

I urge my chairman, JIM TALENT, and his Senate counterpart, CHRISTOPHER BOND, to rectify this immediately and to move the necessary legislation through the legislative process without additional delay.

My bill is available as the vehicle or can be used as a guideline for the development of other legislation.

The legislation I have introduced provides the requisite extension of user fees for 3 years, although I would hope that we would seek another way to fund the program.

It also provides program authorizations for the same time-frame and makes changes in the authorizing legislation. These changes allow us to take advantage of the expertise which exists in the personnel employed by the certified development companies which deliver and act as loan servicing agents for the SBA in regard to loan approval and liquidation actions.

I believe that we need to expand the services these companies deliver. This will reduce the program cost and hopefully will allow us to reduce user fees reflecting these cost savings.

I urge favorable consideration of my proposal.

A detailed summary of my proposal, the Certified Development Company Enhancement and Improvement Act of 1997, is attached.

## SUMMARY OF CERTIFIED DEVELOPMENT COMPANY ENHANCEMENT & IMPROVEMENT ACT

### 1. AUTHORIZATION LEVELS

The bill would authorize continuation of the certified development company program for three years at the following levels:

1998: \$3.0 billion;  
1999: \$3.5 billion;  
2000: \$4.5 billion.

For comparison purposes, the 1997 appropriation level is \$2.6 billion, although usage is not expected to exceed \$2 billion.

### 2. FEES

1996 legislation increased fees under this program in order to reduce the subsidy rate of the program to zero: