

Congress many times. Not just this last time, which received such notoriety in this last session of Congress, but seven times before that since I have been a Member of Congress, eight times since I have come to the Congress. Not only that, but we have been operating on temporary funding resolutions when the government is about to shut down 53 times during the course of the incumbency which I so pleasurable try to serve for the people of my district.

What am I trying to do again? I have reintroduced the legislation for this term. Now, an important thing and a surprising thing happened this time around. The Republican leadership decided that they were going to embrace my prevent-shutdown-legislation, and so very competently, very properly, they added this prevent-shutdown-legislation to the supplemental appropriations bill that comes up every year in one form or another, and this time the supplementals included aid to Bosnia, not to Bosnia, but to our efforts in Bosnia, and disaster relief, long term, for the people who are afflicted by the floods of the Midwest, in the Midwest just very recently.

Here is what galls me, Mr. Speaker, and I must spread this on the RECORD again. The President vetoed the bill, the supplemental appropriations, because it had in his words in the veto message, the extraneous provisions of prevent-shutdown-legislation; while at the same time he said in 1996, in his weekly radio address to the Nation in January of that year, "It is deeply wrong to shut the Government down under the illusion that somehow it will affect the decisions that I would make on specific issues. It is wrong to shut the Government down."

This is what President Clinton said. Then when he vetoes the supplemental appropriations, in which there was a prevent-shutdown-provision, he says, "I urge the Congress to remove these extraneous provisions," meaning the shutdown legislation and a census provision, "and to send me," now, get this, Mr. Speaker, this is important; and the President says, "and send me a straightforward disaster relief bill that I can sign promptly."

Straightforward disaster relief bill, in his language, means one that does not contain the prevent-shutdown-legislation which I offered and which was adopted by the House.

Now, here is the rub. In this bill that he finally signed after we, the Republicans, removed the shutdown legislation that had passed the House in order to achieve a compromise and allow the disaster relief bill to be signed, in the final bill that was signed were provisions like this: \$3 million for allocation by the Attorney General to the appropriate unit of Government in Ogden, UT, for necessary expenses for the Winter Olympic Games. I ask, Mr. Speaker, what does that have to do with disaster relief?

Now, the President signed the bill that had Winter Olympics funding in

it, even though, in my judgment, please correct me if I am wrong, that is extraneous to disaster relief, but did not allow through his veto the inclusion of prevent-shutdown-legislation which he says is extraneous to disaster relief.

Now, Mr. Speaker, he signed the bill that had marine mammal protection in it. Now, what does this have to do with disaster relief? I say, Mr. Speaker, that mammal protection, although laudable in its own right, just like shutdown legislation, prevent-shutdown-legislation, was extraneous to disaster relief. But the President vetoed a measure because it had prevent-shutdown-legislation which he calls extraneous, and signed the bill that contained mammal protection as part of disaster relief.

Is that an extraneous provision, Mr. Speaker? This is double talk, Mr. Speaker. We need provisions to prevent the shutdown of Government, and I aim to do it time and time again until the Congress and the President come to terms.

#### RECESS

The SPEAKER pro tempore. There being no further requests for morning hour debates, pursuant to clause 12, rule I, the House will stand in recess until 12 noon.

Accordingly (at 10 o'clock and 50 minutes a.m.) the House stood in recess until 12 noon.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. PETRI] at 12 noon.

#### PRAYER

The Chaplain, Rev. James David FORD, D.D., offered the following prayer:

Enable us, O gracious God, to comprehend the vast reservoir of Your grace and to be fed by the height and depth and width of Your blessings to us and to all people. When we stumble and fall, You are there; when we stand on the mountain with accomplishment and pride, You are there; when we walk through the valley of the shadow of despair, Your spirit is with us. In our prayer this day we offer our thanksgivings and gratitude for Your presence with us in all the moments of our lives. This is our earnest prayer. Amen.

#### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Nevada [Mr. GIBBONS] come forward and lead the House in the Pledge of Allegiance.

Mr. Gibbons led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### FOLLOWING THROUGH ON PLEDGE FOR SMALLER GOVERNMENT AND LOWER TAXES

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, today the House will consider a bill that simply says that the Federal Government is too large, too intrusive, and too expensive, and that the hardworking men and women of this country should be able to keep more of their money, the money they earn. I am proud to be an original cosponsor of this bill.

But, Mr. Speaker, this is an easy vote. It is easy to endorse the idea of smaller government. It is easy to say that we pay too much in taxes every year. The real challenge will come later this week and this month when we vote on the reconciliation bill. This is the opportunity to deliver to the American people the truth, the truth about the status of the Federal Government, the truth they so richly deserve.

I urge every Member that pledges his or her desire for smaller government and lower taxes to follow through when the reconciliation bills come to the floor.

#### AMERICA'S POOR ARE LOOKING FOR WORKFARE WHILE AMERICA'S WORKERS ARE FALLING INTO WELFARE

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, the White House said the economy is great; they said the stock market is at a record high, spending is at a record high, and there have been 10 million new jobs since 1992. Now, that sounds great, except the stock market is a lot of paper, individual debt is at a record high, the trade deficit is at an all-time record, and most families need three or four of those jobs just to make ends meet. The truth is, Mr. Speaker, America's poor are looking for workfare while America's workers are falling into welfare.

Cite this: Since 1992, there have been 6 million jobs lost. And of those 6 million workers who have tried to reenter the work force, they have. And they earn less than 50 percent on their new job than what they made on their old job.

Now, if that is great, beam me up, Mr. Speaker.

#### TRADE WITH CHINA

(Mr. BARRETT of Nebraska asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARRETT of Nebraska. Mr. Speaker, tomorrow the House will again debate the continuation of normal trade relations with China. This debate has become the whipping post on which to affix our concerns with a host of issues which we have affecting China.

Some opponents of trade with China, while doing a good job in publicizing the Chinese Government's atrocities, are short-sighted. So, we cease trading with China? Then what? Do we end diplomatic relations with China? Do we blockade China? Our relations are far, far too complicated to be lumped into a single vote on continuing normal trade relations with China.

The House should debate a comprehensive China bill that will give the American people and China full knowledge of the consequences of their behavior and what our response will be. I urge my colleagues to continue normal trade relations with China. We cannot burn our trade with China on the short-sighted assumption that China, a new China, will be born of its ashes.

#### TWO CHEERS FOR TITLE 9, WITH MORE TO COME

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, today is the 25th anniversary of a landmark civil rights statute. Title 9 is singularly responsible for remarkable progress in eliminating sex discrimination from athletic and sports programs in schools and colleges.

Two years before title 9's effective date, an estimated 50,000 men, but only 50 women, were attending college on athletic scholarships. Today, women account for \$137 million in Division I athletic scholarships but men get \$407 million. Way to go; but a long way to go, too.

Title 9 requires equal allocation between male and female athletes. There are very good reasons for insisting upon strict enforcement, and many of them have little to do with athletics. Girls who participate in sports are more likely to graduate from high school and from college and have less depression.

Surely these are reasons enough to restore enforcement funds for States that Congress ripped out of title 9 last year. For now, only two cheers for title 9, with more to come.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule

I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules, but not before 5 p.m. today.

#### FEDERAL TORT CLAIMS CLARIFICATION ACT

Mr. HYDE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1901) to clarify that the protections of the Federal Tort Claims Act apply to the members and personnel of the National Gambling Impact Study Commission.

The Clerk read as follows:

H.R. 1901

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

#### SECTION 1. APPLICABILITY OF FEDERAL TORT CLAIMS PROVISIONS.

Section 6 of the National Gambling Impact Study Commission Act (18 U.S.C. 1955 note) is amended by adding at the end the following:

"(e) APPLICABILITY OF FEDERAL TORT CLAIMS PROVISIONS.—For purposes of sections 1346(b) and 2401(b) and chapter 171 of title 28, United States Code, the Commission is a 'Federal agency' and each of the members and personnel of the Commission is an 'employee of the Government'."

#### SEC. 2. CONSTRUCTION.

The amendment made by section 1 shall not be construed to imply that any commission is not a "Federal agency" or that any of the members or personnel of a commission is not an "employee of the Government" for purposes of sections 1346(b) and 2401(b) and chapter 171 of title 28, United States Code.

#### SEC. 3. EFFECTIVE DATE.

The amendment made by section 1 shall be effective as of August 3, 1996.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois [Mr. HYDE] and the gentleman from Massachusetts [Mr. FRANK] each will control 20 minutes.

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

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

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

Mr. Speaker, today the House considers H.R. 1901, a bill to clarify that the protections of the Federal Tort Claims Act apply to members and employees of the National Gambling Impact Study Commission.

Last year, we authorized the Commission to conduct a comprehensive 2-year study of the impact of gambling on the United States. The members of the commission have now been appointed and the commission held its first meeting last Friday. Two members of the commission have called me regarding their concerns about incurring personal liability as a result of their work on the commission.

Normally, under the Federal Tort Claims Act, when someone sues a Federal employee for acts occurring within the scope of his or her employment, the United States substitutes itself as the party, defends the action, and pays any judgment. I believe that the commission is covered under the FTCA because it is an independent establishment of the United States.

For that reason, I initially believed we could resolve this matter by an exchange of letters with the Department of Justice. After several weeks of study, the Department has not been able to come to a clear resolution of whether the commission is or is not covered by the FTCA. With the commission having already begun its work, I believe we must move forward with a legislative solution.

H.R. 1901 simply provides that for purposes of the Federal Tort Claims Act, the commission is a Federal agency and its members and employees are Federal employees. At the suggestion of the gentleman from Michigan, Mr. JOHN CONYERS, we have added language that makes it clear that by acting explicitly in this case we will not by implication affect the FTCA's status of any other commission.

As it does in all FTCA cases, the Department of Justice will still make the determination of whether the particular conduct at issue is within the scope of employment. Thus, members and employees of the commission will not receive any special treatment; rather, they will receive the same treatment as all other Federal employees. This treatment will apply equally to all members and employees of the commission. The members and employees should not have to put their personal assets at risk in order to serve their country. For that reason, I urge the house to suspend the rules and pass the bill.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I agree with what the gentleman from Illinois [Mr. HYDE] has said about this bill. I do feel constrained to point out that I think these are unnecessary Federal employees doing an unnecessary job. I still do not understand why the Federal Government thinks the States cannot handle this. But as long as we have set up this commission, over my objection, there is no reason to immunize these commissioners.

The Federal Tort Claims Act is a perfectly sensible approach. I have to say it is unlikely that any of the commissioners are going to get sued. I am not sure for what. I do not think counting cards at a casino where they play blackjack is a suable offense. But in case it is, if the commissioners are sued for tortious interfering with other people's gambling, they will be able to defend themselves under the Federal Tort Claims Act. This seems to me a