

immunosuppressed or an elderly person, the result may not have been as good as it was.

Mr. Speaker, I will soon introduce legislation to protect American consumers by giving approval for the use of low-dose irradiation for red meat, hamburger, so that you can cook your hamburgers medium rare if you would like. It would amend the labeling requirements so that people would know that the are buying low-dose irradiated meat, and it would require restaurants to notify consumers of that choice. This is something we ought to do for the health of all of the people of our country.

MOTION TO ADJOURN

Mr. DOGGETT. Mr. Speaker, in view of the Speaker's failure to schedule campaign finance reform, I offer a privileged motion.

The SPEAKER pro tempore (Mr. NEY). The Clerk will report the motion.

The Clerk read as follows:

Mr. DOGGETT moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from Texas [Mr. DOGGETT].

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. DOGGETT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 29, nays 367, not voting 37, as follows:

[Roll No. 372]

YEAS—29

Allen	Farr	Miller (CA)
Berry	Filner	Mink
Conyers	Frank (MA)	Pallone
Coyne	Gejdenson	Pelosi
Davis (FL)	Hastings (FL)	Slaughter
DeFazio	Lewis (GA)	Stark
DeLauro	Lowe	Thurman
Dingell	Manton	Torres
Doggett	McDermott	Woolsey
Eshoo	McNulty	

NAYS—367

Abercrombie	Blagojevich	Campbell
Ackerman	Bliley	Canady
Aderholt	Blumenauer	Cannon
Andrews	Blunt	Capps
Army	Boehlert	Cardin
Bachus	Boehner	Castle
Baldacci	Bonilla	Chabot
Ballenger	Bonior	Chambliss
Barcia	Borski	Chenoweth
Barr	Boswell	Christensen
Barrett (NE)	Boucher	Clay
Barrett (WI)	Boyd	Clayton
Bartlett	Brady	Clement
Barton	Brown (FL)	Clyburn
Bass	Brown (OH)	Coble
Becerra	Bryant	Coburn
Bentsen	Bunning	Collins
Bereuter	Burton	Combust
Berman	Buyer	Condit
Bilbray	Callahan	Cook
Bilirakis	Calvert	Cooksey
Bishop	Camp	Costello

Cox	Johnson (WI)	Pombo
Cramer	Johnson, E. B.	Porter
Crane	Johnson, Sam	Portman
Crapo	Jones	Poshard
Cubin	Kanjorski	Price (NC)
Cummings	Kaptur	Pryce (OH)
Cunningham	Kasich	Radanovich
Danner	Kelly	Rahall
Davis (IL)	Kennedy (RI)	Ramstad
Davis (VA)	Kennelly	Redmond
Deal	Kildee	Regula
DeGette	Kilpatrick	Riley
DeLay	Kim	Rivers
Deutsch	Kind (WI)	Rodriguez
Diaz-Balart	King (NY)	Roemer
Dickey	Kingston	Rogan
Dicks	Klecza	Rogers
Dixon	Klink	Rohrabacher
Dooley	Klug	Ros-Lehtinen
Doolittle	Knollenberg	Rothman
Doyle	Kolbe	Roukema
Dreier	Kucinich	Roybal-Allard
Duncan	LaFalce	Royce
Dunn	LaHood	Rush
Edwards	Lampson	Ryun
Ehlers	Lantos	Sabo
Ehrlich	Largent	Salmon
Emerson	Latham	Sanchez
English	LaTourette	Sandlin
Ensign	Lazio	Sanford
Etheridge	Leach	Sawyer
Evans	Levin	Saxton
Everett	Lewis (CA)	Scarborough
Ewing	Lewis (KY)	Schaefer, Dan
Fattah	Linder	Schaffer, Bob
Fawell	Lipinski	Scott
Fazio	Livingston	Sensenbrenner
Flake	LoBiondo	Sessions
Foley	Lofgren	Shadegg
Forbes	Lucas	Shaw
Ford	Luther	Shays
Fowler	Maloney (CT)	Sherman
Fox	Maloney (NY)	Shimkus
Franks (NJ)	Manzullo	Shuster
Frelinghuysen	Markey	Sisisky
Frost	Martinez	Skaggs
Furse	Mascara	Skeen
Galleghy	McCarthy (MO)	Skelton
Ganske	McCarthy (NY)	Smith (MI)
Gekas	McCollum	Smith (NJ)
Gibbons	McCrery	Smith (OR)
Gilchrist	McDade	Smith (TX)
Gillmor	McGovern	Smith, Adam
Gilman	McHale	Smith, Linda
Goode	McHugh	Snowbarger
Goodlatte	McInnis	Snyder
Goodling	McIntosh	Solomon
Gordon	McIntyre	Souder
Goss	McKeon	Spence
Graham	McKinney	Spratt
Granger	Meehan	Stabenow
Green	Menendez	Stearns
Greenwood	Metcalf	Stenholm
Gutierrez	Mica	Stokes
Gutknecht	Millender-	Strickland
Hall (OH)	McDonald	Stump
Hall (TX)	Miller (FL)	Stupak
Hamilton	Minge	Sununu
Hansen	Moakley	Talent
Harman	Mollohan	Tanner
Hastert	Moran (KS)	Tauscher
Hastings (WA)	Morella	Tauzin
Hayworth	Murtha	Taylor (MS)
Hefley	Myrick	Taylor (NC)
Hefner	Nadler	Thomas
Herger	Neal	Thompson
Hill	Nethercutt	Thornberry
Hilleary	Neumann	Thune
Hinche	Ney	Tiahrt
Hinojosa	Northup	Traficant
Hobson	Nussle	Turner
Hoeckstra	Obey	Upton
Holden	Olver	Vento
Hoolley	Ortiz	Visclosky
Horn	Oxley	Walsh
Houghton	Packard	Wamp
Hulshof	Pappas	Waters
Hunter	Parker	Watkins
Hutchinson	Pastor	Watt (NC)
Hyde	Paul	Watts (OK)
Inglis	Paxon	Waxman
Istook	Payne	Weldon (FL)
Jackson (IL)	Pease	Weldon (PA)
Jackson-Lee	Peterson (MN)	Weller
(TX)	Peterson (PA)	Wexler
Jefferson	Petri	Weygand
Jenkins	Pickering	White
John	Pickett	Whitfield
Johnson (CT)	Pitts	Wicker

Wise	Wynn	Young (AK)
Wolf	Yates	Young (FL)

NOT VOTING—37

Archer	Gonzalez	Quinn
Baessler	Hilliard	Rangel
Baker	Hostettler	Reyes
Bateman	Hoyer	Riggs
Bono	Kennedy (MA)	Sanders
Brown (CA)	Matsui	Schiff
Burr	Meek	Schumer
Carson	Moran (VA)	Serrano
Delahunt	Norwood	Tierney
Dellums	Oberstar	Towns
Engel	Owens	Velazquez
Foglietta	Pascrell	
Gephardt	Pomeroy	

□ 1121

Mr. HEFNER changed his from "yea" to "nay."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

GENERAL LEAVE

Mr. PORTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the further consideration of H.R. 2264, and that I may include tabular and extraneous material.

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

There was no objection.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore. Pursuant to the order of the House on Thursday, July 31, 1997, 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. 2264.

□ 1124

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. 2264) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1998, and for other purposes, with Mr. BEREUTER, Chairman pro tempore, in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole House rose on Monday, September 8, 1997, the bill was open for amendments from page 11, line 1, through page 25, line 8, and pending was the amendment offered by the gentleman from Indiana, [Mr. SOUDER].

Is there further debate on the amendment?

Mr. SOUDER. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The SPEAKER pro tempore. Without objection, the gentleman from Indiana is recognized for 5 minutes.

There was no objection.

Mr. SOUDER. Mr. Chairman, I would like to explain the content and purpose of this amendment, which I strongly support.

This would increase OSHA's Compliance Assistance Program by 50 percent, \$23 million over the recommended amount of \$45 million. Compliance assistance funding has been increased, but the increase has been insufficient.

The increase in funding to this vital program would be offset by decreases to funding for Federal enforcement funding by \$21 million, there is already \$127 million for enforcement in the bill, and executive direction and administration by \$2 million, of which there is \$6.5 million in the bill.

So we would leave the bulk of the enforcement dollars there. We would leave the bulk of the administration dollars there, but would put the dollars toward what we promised to do when we got elected, and that is to try to work more with the businesses and the workers at the factories, at the small businesses and companies around this Nation, to avoid accidents, serious accidents in particular, rather than do the more harassing type of things that we have heard so many stories about on the floor.

We have heard a lot from Members here about the importance of health and safety laws. This is not a debate about health and safety laws, this is a debate about how best to protect the safety and health of our American workers. Is it better preserved by harassing or better preserved by working together with the businesses?

We try to address these concerns in this amendment through onsite consultation programs, by designated State agencies conducting general outreach activities and providing technical assistance at the request of the employers, training and education grants, fostering and promoting voluntary protection programs that give recognition and assistance to employers who establish occupational safety and health programs, and the OSHA Training Institute. This amendment would reduce the overhead and administrative costs. It is a clear tradeoff.

Mr. Chairman, I believe this is wanted. We have heard from Members of Congress during this debate that we have a tremendous backlog. Why not? In some States the demand for onsite State consultations for small businesses is so high that a small business owner who has asked OSHA for help can take up to a year for a consultation visit.

This is ridiculous. The businesses want to work to try to make their environment safe, but cannot find out what they need to do. We need to focus on prevention, rather than harassment.

Let me give you an example that we heard in the hearing with Mr. Dear and talked about, the head of OSHA, in an oversight hearing.

There was a question about roofers and whether or not in asbestos that if you are chewing gum while you are working on a roof, it increases your risk. There was a rule put in fining businesses if their employees were found to be chewing gum on the roof.

I am not sure what the point of this was, whether the businesses were supposed to hire a gum Nazi, who goes up on the roof to try to find out whether somebody is chewing gum, or every 20 minutes you haul the people down off the roof and have a mouth inspection.

Mr. Dear's reaction was, yes, this regulation seemed a bit petty. The focus should have been to have the companies tell the employees, look, it is true; if you chew gum, you might inhale more through your mouth than you should.

The problem comes when you put somewhat nonsensical rules in that are impossible to enforce, businesses just give up. Instead, we have what seems to be harassment on chewing gum or on other things, as opposed to focusing on the type of tragic deaths we have heard about here on the floor.

□ 1130

This amendment would try to address that. We have debated last evening and at the end of last week taking some of the OSHA funds, which is an increase, and nobody proposed to eliminate OSHA, to cut OSHA, and nobody was trying to wipe out the health and safety efforts in this country.

What we are saying is, we do not think there is any evidence, and nobody has disputed this, deaths have gone down whether or not Congress has increased OSHA, cut OSHA, or kept OSHA flat funding. The way OSHA currently works there has been no impact on the deaths.

We heard, well, we are going to try to do more in compliance. But we wanted to move the increase over to vocational education. We were defeated. We wanted to move the increase over to disabled students. We were defeated. We heard about these great efforts to try to do compliance. OK, here is an amendment that says, we clearly see from the facts that the spending on OSHA has not had an impact on the rate of deaths, so let us try to reform OSHA internally.

I believe that this amendment, like the others, is likely to get the support of the majority of this party. I do not know whether this amendment will pass, but an interesting thing is occurring. I want to make, again, this point. What is happening in these amendments in title I, and I think Members will see this in title II and I think they will see this in title III and in title IV, is that the majority of our conference is, to say the least, very uncomfortable with this bill. We are concerned about the specifics of this. Most of us in this party voted for the budget agreement.

The CHAIRMAN pro tempore. The time of the gentleman from Indiana [Mr. SOUDER] has expired.

(By unanimous consent, Mr. SOUDER was allowed to proceed for 1 additional minute.)

Mr. SOUDER. Mr. Chairman, as we go through this process we understand we are going to spend more money. Now, the question is, Will it be in new programs or old programs, and what will the priorities be within this? That is what we are attempting to do here. It is not a filibuster, but a genuine debate about the priorities. This amendment moves it to compliance as opposed to enforcement.

Mr. OBEY. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. OBEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, businessmen are a lot like politicians. There are good ones and there are bad ones. This amendment risks torpedoing this bill. Make no mistake about it, it is a killer amendment as far as this bill is concerned.

Second and more importantly, it risks killing additional American workers, and it risks seeing more permanently disabled workers. It seeks to take a large amount of money from the enforcement provisions of OSHA, and moves it instead into the voluntary compliance programs at OSHA.

As I said twice before on this floor, Sylvio Conte, who used to be the ranking Republican on this floor before he died, Sylvio and I were the two Members of this House who held up all OSHA funding until OSHA agreed to establish a voluntary compliance program. I am proud of that. I am also proud of the fact that voluntary compliance has already increased in budgetary terms over the past 3 years by 80 percent. But I would point out that that has occurred at the same time that the enforcement provisions, the enforcement budget for OSHA, has declined by \$10 million. I do not think it can afford to decline by more.

The result of this amendment will be to add literally decades to the time it takes for the small number of OSHA inspectors in each State to inspect each eligible business at least once. In Georgia it already takes 277 years for OSHA to reach every business and inspect it once. This will increase that number of years to 346.

Do Members really believe that is responsible protection for workers? In Missouri it will increase the number of years it takes to reach each business from 339 years to 424 years. I do not think that is responsible. I would point out, this amendment does not even apply to the gentleman's home State, the gentleman who offered the amendment, because this amendment only cuts Federal enforcement. It has no effect in States that have State-run programs.

So what it will mean is that it will cut enforcement protections in my

State by about 25 percent, it will cut enforcement inspectors by about that amount, it will do the same thing in the State of the gentleman from Illinois [Mr. PORTER] and in States like ours, but in States like Indiana, Iowa, Kentucky, or Minnesota, it will have no effect whatsoever. That makes no sense. I doubt that is the gentleman's intent, but that is the effect of it.

Second, I would point out, as I said earlier, there are good businessmen and there are bad businessmen, just as there are good politicians and bad politicians. The effect of this amendment is to spend a lot more money reviewing the practices of the good guys, and it gives OSHA a whole lot less capability to review the practices of the bad guys.

I want to give Members just one example of why we need the twin tools of enforcement as well as voluntary compliance. There was a corporation in Maine called the DeCoster Co. DeCoster participated in a voluntary compliance program under OSHA which allowed them to partner with OSHA, rather than be subject to their traditional inspection enforcement.

But sadly, the country found out that DeCoster was a "bad apple," and they manipulated that program. The company transferred a single machine guard from machine to machine, taking pictures of each machine with the guard attached. It then sent those pictures to OSHA, claiming that the guards had been attached to all of the machines.

The company's actions were so egregious that the company was ultimately hit by OSHA for enforcement, and they were hit with a \$3.8 million fine, and deservedly so.

The CHAIRMAN pro tempore. The time of the gentleman from Wisconsin [Mr. OBEY] has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 5 additional minutes.)

Mr. OBEY. Mr. Chairman, the list of violations by that company is stunning. They failed to properly guard machines. They failed to lock up dangerous equipment when not in use. They failed to provide respiratory protection for workers. They failed to provide protective clothing.

DeCoster's workers were shipped in from south Texas and stranded in inhuman conditions. They were forced to live with sewers that were so backed up that they had to discard their used toilet paper in a trash can. They were given a chance by OSHA to comply voluntarily, and they misused and abused that chance, and that is why OSHA had to come in with enforcement actions.

Mr. Chairman, I would like to read just three paragraphs from a newspaper article entitled, "A Shameful Legacy." It reads as follows:

The transgressions for this company date back nearly a decade when the Federal Government fined him in 1988 for 184 workplace violations, including hiring illegal aliens. Last year, OSHA inspectors found immigrant workers living in cockroach- and rat-infested

housing and forced to work in hazardous settings. The violations included having workers handle chicken waste with their bare hands.

Former Labor Secretary Robert Reich called DeCoster's operation " \* \* \* as dangerous and oppressive as any sweatshop I've ever seen."

Now, it just seems to me that the responsible thing for this Congress to do is exactly what the committee has done. We have provided an 11-percent increase in the voluntary compliance operations at OSHA. We have provided roughly a 1-percent increase for the rest of OSHA operations, which means that in real dollar terms, the rest of those operations will already suffer a real dollar reduction in terms of the services they are able to provide.

We have already had a 17-percent reduction in the number of inspections around the country under the new OSHA administration, under Joe Dear. This amendment is really a gutting amendment. It guts this bill. It guts the ability of OSHA to prevent additional fatalities by being able to inspect and fine where they need to.

Mr. Chairman, I would urge the House on both sides of the aisle to recognize the committee has produced a balanced approach to this problem, and I would ask the House to reflect that same balance when it votes on this amendment.

Mr. NEUMANN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment. I think it spells out philosophically where we stand and where we think we should be going in this country in a different priority, and where the dollars are being spent within the setting of OSHA.

Nobody is asking for a cut or a reduction in OSHA spending in this amendment, but it is a question of whether we are going to allocate our dollars toward enforcement, or toward helping those good guy-bad guy businesses that my colleague, the gentleman from Wisconsin, was talking about, the good guy businesses, who are genuinely interested in the safety and well-being of their work force, helping them understand what they must do to reach that compliance.

I think it is real important that we note that the current numbers of spending are about \$45 million for helping the good guy businesses, helping those people that are genuinely interested in improving the safety of the work force, they get about \$45 million of the OSHA dollars, where the enforcement part is about \$127 million.

This entire debate that has been going on in these amendments to this particular appropriation bill has been about priorities of spending. What we are saying here is that our priority is higher in helping those businesses that are genuinely interested in reaching compliance and the safety and well-being of their work force.

They want people to come in and show them areas where they could be

safer and could provide a better workplace for their work force. There are not enough dollars currently to do that. That is why we are suggesting we reallocate dollars from one portion of OSHA to another.

I think this fits very much in line with what has been going on the last couple days as it relates to this particular appropriation bill. I would like to bring my colleagues up to speed on the last three amendments that we have voted on, and what the priorities of this conference and the other conference are, because I think it spells out where we stand and what we think is important in terms of where the Federal dollars are being spent. We had one amendment that suggested we take the increase in OSHA spending, and this is not a cut in OSHA spending, but we take the amount that was increased and we move it to vocational education.

The two conferences were very lopsided in their votes on this. The Republican conference voted 155 to 156 to move the increase in OSHA spending to vocational education; that is, take the increased dollars from OSHA and move it over to an education program. The other side voted 35 to 180.

There is a clear split here in the philosophy of these conferences as to which issue and which program is most important that we spend the dollars on; in this particular vote, an increase in OSHA spending, a move to education, the Republican conference voted 2 to 1 to go ahead and do that. The other side was almost unanimous the other way.

Another one we had, another amendment, was to increase spending, again in the OSHA area, and move that to help disabled children in the IDEA Program; that is, the Disabled Children Education Program. Again, it is a movement from the OSHA account, and again, not a cut in the OSHA account. But the new dollars that were being added to this, the increase in spending over last year's level, the idea is to move those dollars to this education program to help the most needy students in our country, the disabled students.

Again, the conferences were very split on this. The Republican conference voted 164 to 59, again, a 2 to 1 agreement within the Republican conference, that these dollars should in fact be moved over to help our disabled children. The other side was 3 to 200. So again, we see the different priorities here between the two conferences.

That is what this debate is all about. One conference agrees that the money should be spent to increase spending in OSHA, and again, there is no debate about whether it should be cut back, it is a debate about whether it should be increased, if those increased dollars should go to OSHA or they should go to help disabled students. Again, the conferences are very split, with the Republican conference voting 2 to 1 that the money should go to help the disabled

students versus an increase in spending in OSHA.

We had one more that took the increase in OSHA to another education program. That was 152 to 59 in the Republican conference, again, a 2 to 1 priority to put the money into education versus increase the amount of money spent on OSHA.

Now today we are really debating an amendment that is within the OSHA parameters itself: should the money go to the enforcement, which is what has turned off so many people in the country, or should OSHA be prepared to go into the businesses, tell them how to comply with the rules, help them see how to provide the safest workplace for their work force, and then allow them to meet those requirements; or should it be writing out fines and scaring businesses so that they are afraid to see the OSHA person.

Businesses out there are very interested in the safety of the work force. I come from the business world, and I know businesses are extremely interested in the safety of their work force. That is a top priority in virtually every business we saw.

What we wanted in the business world was the ability to provide the safest workplace possible for our work force. What we did not want was to be so overburdened with rules and regulations that we threw up our hands and said, we can't comply with these rules no matter what we do, and even if we try, the Government is going to come in here and fine us for something because they have so many rules nobody could possibly understand them.

□ 1145

That is what businesses did not want. The CHAIRMAN pro tempore (Mr. BEREUTER). The time of the gentleman from Wisconsin [Mr. NEUMANN] has expired.

(By unanimous consent, Mr. NEUMANN was allowed to proceed for 1 additional minute.)

Mr. NEUMANN. Mr. Chairman, what this amendment is doing is getting us to the point where the businesses that would like to provide the safest workplace possible have the ability to do that, working in conjunction with OSHA. OSHA becomes a workplace-friendly assistant in providing the safety for the work force, as opposed to a threat with so many rules and regulations that nobody can abide by them.

Mr. Chairman, I would close my argument by reminding people that the enforcement part is getting 3 to 1 more than the compliance part, or the part that would actually help businesses provide the safer workplace.

Ms. PELOSI. Mr. Chairman, I move to strike the requisite number of words.

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

Ms. PELOSI. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, the gentleman from Wisconsin [Mr. NEUMANN]

gave the House some interesting comparisons in the difference in voting patterns between the Democratic Caucus and the Republican Caucus.

I find those interesting, but what I think needs to be understood is that what the committee tried to do is not to find a Democratic answer or a Republican answer to these problems, but to find a bipartisan American answer, and it came up as the committee product and I think it ought to be supported.

Mr. Chairman, the gentleman says that OSHA ought to engage in voluntary compliance activities and not mandatory enforcement activities. My response is that they ought to do both, because we have, as I said earlier, good businessmen and bad businessmen. We have 6 million businesses in this country. We have only 900 Federal inspectors to review the activities of those companies. It seems to me that those numbers alone indicate that there is a lot of work to be done to protect workers' lives in both the voluntary compliance portion of OSHA's responsibility and the enforcement compliance portion.

Mr. Chairman, I would hope that Congress would recognize its obligation to also support both.

Ms. PELOSI. Mr. Chairman, reclaiming my time, whatever the good intention of the gentleman from Indiana [Mr. SOUDER] to have this legitimate discussion about how funds are spent at OSHA, the gentleman from Wisconsin [Mr. NEUMANN] made it very clear that once again we see this within the context of the Republican majority trying to gut the ability to have safety in the workplace.

Mr. Chairman, while hiding behind children in America, disabled children at that, the Republican majority is trying to say: Give us a few crumbs for these children, while we jeopardize the economic security and the safety of their parents in the workplace.

Mr. Chairman, the argument made by the gentleman from Wisconsin [Mr. NEUMANN], and others on the Republican side, ignore completely the reforms of the Clinton administration as far as OSHA is concerned. I put some on the RECORD yesterday, and would just only like to add a few more to say that compliance assistance is a major emphasis of the new OSHA under the Clinton administration.

The new OSHA uses commonsense enforcement to emphasize results, not redtape. The old OSHA practice of setting standard priorities was haphazard. The new OSHA instituted a priority planning process to focus on the most important issues.

Why, then, does the Republican majority want to gut the ability to promote safety in the workplace? This amendment slashes Federal funding for workplace safety and health by 16.5 percent. It would lead to a cut in about 300 FTE's in OSHA's enforcement efforts. OSHA's staff of compliance officers could be cut by 25 percent. I re-

peat, despite the good intentions of the gentleman from Indiana [Mr. SOUDER], OSHA's compliance staff would be cut by about 25 percent.

Mr. Chairman, experience shows that without credible OSHA enforcement presence, fewer employers will request consultation assistance and be willing to engage in a cooperative effort to partner with OSHA. In fact, the National Association of Occupational Safety and Health Consultation Programs, which as the Chairman knows represents the State agencies to help private business with consultation, they have said that firm, fair, and effective enforcement of workplace safety and health standards is essential to reducing occupational fatalities, injuries, and illnesses. That is why they oppose this amendment.

They also say enforcement and consultation are complementary approaches to the same end. Any effective strategy for achieving overall safety and health compliance must include both approaches in balance.

Mr. Chairman, that is what the bill of the gentleman from Illinois [Mr. PORTER] strives to do, and I rise in defense of the committee bill. The Souder amendment would transfer \$25 million from the OSHA Federal enforcement account. Enforcement and compliance assistance are both important. The committee bill strikes an appropriate balance.

Since fiscal year 1995, compliance assistance funding has increased by 79 percent. At the same time, funding for enforcement has decreased by 5 percent. Removing the careful balance between compliance assistance and enforcement has consequences in terms of protecting American workers from death and injury.

The CHAIRMAN pro tempore. The time of the gentlewoman from California [Ms. PELOSI] has expired.

(By unanimous consent, Ms. PELOSI was allowed to proceed for 1 additional minute.)

Ms. PELOSI. Mr. Chairman, I urge my colleagues to oppose the Souder amendment. Protect American workers. Keep funding priorities in balance. Support the bipartisan committee bill and reject once again, for the fifth time since Friday, this attempt on the part of the Republican majority to gut enforcement of safety in the workplace.

Mr. SHADEGG. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of this amendment as making simply good sense for America, urging OSHA to work with employers to ensure safety, rather than to threaten employers.

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

Mr. SHADEGG. I yield to the gentleman from Wisconsin.

Mr. NEUMANN. Mr. Chairman, I just wanted to respond to the comments that we just heard and put some of this in perspective. I think it is sad when

we start using words like "gutting" and "slashing," when in fact there is no change to the OSHA funding level in this particular amendment proposal. There is no change to funding at all.

Mr. Chairman, the only question is whether it goes to the enforcement part or to the part that helps businesses provide compliance and provide a safe workplace. Mr. Chairman, I heard the gentleman from Wisconsin [Mr. OBEY] say that we need both. We definitely need to do both of these, and for a change I absolutely agree with the gentleman. We do need to do both.

Mr. Chairman, what this amendment is doing is creating more of a balance between how much we spend in each place. We are currently spending \$127 million on enforcement and only \$45 million on the other portion of this, or the compliance portion. What this amendment is doing is trying to create a stronger and a better balance between these two so that the OSHA group can become a group that is worker friendly and that can actually accomplish the goal of providing a safer workplace for our work force.

Mr. SHADEGG. Mr. Chairman, reclaiming my time, let me briefly state that I think this amendment strikes the right balance. I said, in discussing a similar OSHA amendment last evening, that as a young man I worked on a construction site and I was dependent upon the people who managed that site for my safety. If they were negligent, if they had dangerous practices, I could have been injured on that site.

Mr. Chairman, I think worker safety is important to all Americans. One of my colleagues recently commented that the last thing any employer in America would ever do would be to call the Federal agency charged with worker safety and invite them in to help look at a job site and improve safety on that job site. Why? Because they would be desperately afraid that that organization, OSHA, rather than working to solve the problem, rather than giving them advice on how to avoid future injuries, would simply punitively punish them for what they had done, slap fines on them, slap them on the wrist and issue a critical report.

Mr. Chairman, we need a balance. Human conduct is easy to understand. We need to achieve goals with both the carrot and the stick. This is a measure to say let us give a little bit more incentives. Americans, humans respond to incentives. This says let us shift some of this money to incentives to protect workers rather than just punitive measures.

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

Mr. SHADEGG. I yield to the gentleman from Indiana.

Mr. SOUDER. Mr. Chairman, to reiterate this point, because we heard this last night, this is what Mr. Dear wants to have OSHA go to. We are not trying to wipe out the agency. He wants to move to working more toward busi-

nesses. We started that process and we are merely accelerating a process that the committee acknowledges that they want to do. Nobody accuses them of slashing and gutting.

Mr. Chairman, we have to make some adjustments in the rhetoric here on the floor. In consultation visits with the State money for grants, we have made 26,000 visits, which is \$1,200 a visit. When they do the inspection, they made 35,000 for \$125 million, which is \$3,000 per inspection.

Mr. Chairman, we can reach more of these businesses. It will not take 277 years to get to every business in America. Furthermore, not every business in America is a violator. If we fund more for conferences, more for consultations, more for working with businesses, then we can have a declining amount in enforcement focused on those who are not following through. So when we have the follow-up to see whether the people have worked with it, and the checking, we can have more targeted enforcement because we will have more people understand.

Mr. Chairman, that is what we are doing. We need an adjustment in the rhetoric on the floor in this debate.

Mr. SHADEGG. Mr. Chairman, reclaiming my time, it seems to me that we can improve the climate on job sites across America by this kind of measure. My brother is in the construction business in Tucson, AZ. He builds homes. And he, rather than having a working relationship with OSHA, lives in daily fear of OSHA. That is not the kind of model we ought to be encouraging. That is not the kind of structure which will enhance to the greatest degree possible worker safety in this country.

Mr. Chairman, I commend the gentleman from Indiana and I join him in his amendment. I think it does strike the proper balance for worker safety in this country, which is achieved through both incentives to improve worker safety and punishments for those who choose to be negligent, choose to have unsafe work sites, and choose to cause injuries by their own negligent conduct.

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

Mr. SHADEGG. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, the gentleman indicates that we ought to set OSHA up so that businessmen can respond to positive incentives.

The CHAIRMAN pro tempore. The time of the gentleman from Arizona [Mr. SHADEGG] has expired.

(On request of Mr. OBEY, and by unanimous consent, Mr. SHADEGG was allowed to proceed for 2 additional minutes.)

Mr. OBEY. Mr. Chairman, if the gentleman will continue to yield, I was under the impression that what we learned when we reformed welfare is that there are some people who respond to positive incentives and some people who respond to negative incentives,

and we need to have both in order to make the world work.

Mr. SHADEGG. Mr. Chairman, reclaiming my time, that is precisely what I believe the gentleman's amendment does. It strikes a proper balance between incentives and punishment. And, indeed, that is what he seeks to do by the amendment, and that is what I believe he is doing.

Mr. OBEY. Mr. Chairman, if the gentleman would continue to yield, and if I could complete my thought, I was simply going to say that I think that many businesses respond to those positive incentives because they know that if they do not, they have the possibility of fines coming at them. That is why we are trying to preserve the balance between the programs.

Mr. SHADEGG. Mr. Chairman, again reclaiming my time, I guess I have a more positive view of human nature than does the gentleman from Wisconsin [Mr. OBEY]. I do not believe that those businesses across America respond to worker safety challenges just because they are afraid of OSHA. Indeed, I believe employers across America genuinely care about safe working conditions for their employees.

Indeed, the businesses I know recognize that skilled and valuable employees who become injured are a grave loss to them. That skilled and valuable employees who are lost to a job site because of an injury, they do not fear the OSHA penalty. Of course that is something that causes them problems, but they fear the economic impact they lose by the loss of that employee. I do not think it is appropriate to give them as a motive the belief that all they do is respond positively because of their fear.

Mr. OBEY. Mr. Chairman, if the gentleman would again continue to yield, that is not what I am suggesting. What I am suggesting is that there are plenty of both types of businessmen and we need to be able to respond to both types.

Mr. SHADEGG. Mr. Chairman, again reclaiming my time, what I think this amendment shows is that we believe there is not a proper balance. We believe there ought to be more incentives.

Ms. STABENOW. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, continuing the discussion that we have been having here this morning, I would rise to suggest that while the majority of businesses in fact want to do the right thing regarding their employees, it makes economic sense, it makes good sense as employers who care about their employees. The reality is that this is about balance. And when, in fact, there is a problem, when, in fact, someone is knowingly proceeding to create a situation that is dangerous for workers, OSHA has to have the ability to respond and to protect workers and, as well, protect the majority of businesses by standing up to those that proceed in a way that hurts workers.

□ 1200

We have heard this morning various comments and discussions about what Joseph Dear has been doing and OSHA, what has been done, no question about it, moving on the right track, reinventing OSHA, moving more toward the notion of education and voluntary compliance, and those are the kinds of things that we want to see done.

I am in full support of that. I want very much to see that continue as an emphasis. But I think that it is important to understand what Mr. Dear himself believes about this amendment. I would like to read a statement that he has just issued this morning:

When I began the task of reinventing OSHA in 1993, one of the first realizations we at the agency had was that in order to be fully effective, OSHA must utilize a full range of tools and options. We carefully crafted a program that was a balance of compliance assistance and enforcement, knowing that a credible enforcement effort is necessary to ensure that employers would not look upon the agency as merely a paper tiger.

The effort in the House to shift 16 percent of OSHA's budget, \$23 million, from enforcement to compliance assistance does not serve either the program or America's workers well. Under the new OSHA, serious violators know they will face serious consequences. The Agency has demonstrated it does not penalize those employers who take workplace safety and health seriously and act in good faith. It is unthinkable that the new OSHA's proven track record, short though it may be, should be cutoff at this critical juncture with the shortsighted shift in priorities.

I would agree. I would urge my colleagues to vote "no" on this amendment.

Frankly, as a member of the Committee on Agriculture, I understand as well, working on food safety issues, that there is a direct relationship between what my constituents are concerned about in food safety as consumers and what happens in terms of OSHA. When we look at the fact that we have now through Hudson Foods seen the largest recall in the history of the country in meat, and we know that they were, in fact, under investigation by OSHA for violations on safety, there is a relationship. There is a relationship when they are cited for their place of employment not being kept clean and orderly or in a sanitary condition and that pieces of chicken and chicken fat were allowed to accumulate on the floors and under elevated platforms in the fillet and cut-up department, thus causing slip and fall injuries.

I would suggest it not only causes slip and fall injuries but that it also caused sanitary problems that related to what was happening there at the plant that resulted in the recall of meat and the safety of the public being jeopardized as it related to food safety.

There is a relationship. When Hudson was cited for drainage not being maintained when they used their wet processes, it is not only a safety issue, it is a food safety issue and a worker safety issue.

I would urge my colleagues to vote "no" on this amendment. I appreciate the fact that the focus that is desired by my colleagues is on education and on voluntary compliance. I support that. But it is very important that we have a balance that allows in those situations, which I believe are few but serious, it is critical for the health and safety of the public and American workers that OSHA have the ability to step in and protect health and safety.

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

Ms. STABENOW. I yield to the gentleman from Indiana.

Mr. SOUDER. Mr. Chairman, I believe I heard the gentlewoman state a figure that was beyond where the amendment went. The amendment only takes 20 percent of enforcement and moves it to compliance. It leaves 80 percent of compliance dollars there at the Federal level and the State compliance dollars there, so there is nearly \$200 million of the \$220 million left in enforcement. It increases the compliance only \$20 million. I wanted to make it clear that 80 percent of the enforcement is still there.

The CHAIRMAN pro tempore (Mr. BEREUTER). The time of the gentlewoman from Michigan [Ms. STABENOW] has expired.

(By unanimous consent, Ms. STABENOW was allowed to proceed for 1 additional minute.)

Ms. STABENOW. Mr. Chairman, I appreciate the fact that the dollars are still there for enforcement. My concern is that this amendment would cut OSHA's enforcement staff by 25 percent. I think, given the climate in which we are in, the concerns about food safety, the concerns about worker safety, the injuries and deaths that are still occurring across the country, I would suggest 25 percent is too much and it goes in the wrong direction and we need to maintain the balance.

Mr. PORTER. Mr. Chairman, I move to strike the requisite number of words, and I rise to oppose the amendment.

Mr. Chairman, we have heard a lot during the discussion on this amendment about moving funds from Federal enforcement to Federal compliance assistance. I have to tell my friend from Indiana and my colleague from across the border in Wisconsin that that is exactly what I have been doing as chairman of the subcommittee for the last 3 years. We have consistently moved more money into compliance assistance and taken the money from Federal enforcement and made a better balance.

The gentleman from Arizona said we have got to find balance in this. How do we find balance? Do we do it by simply saying, "I know what balance is?" "Balance is more my way than anyone else's way?" No, we find it by sitting down between majority and minority and working out where there is an acceptable balance. In doing so, we must recognize that the minority has a

greater concern with those businesses that violate the law and do so, as some do, intentionally. We have a greater concern with trying to find a cooperative way to have business and government work together.

I believe that we have found, through the process of negotiation, the right balance in this account. We have increased money for compliance assistance overall by 22 percent, and the increase for enforcement is only 1 percent in the bill.

This funding decision has moved us further in the direction of compliance assistance. We have done so consistently over the last 3 years. I think the amendment is simply one that would do exactly what I believe cannot be done, and that is lose the bipartisan basis upon which this bill has reached this point and eventually, I would be afraid, lose the bill entirely.

I would say to the gentleman that we have done what the gentleman wants us to do philosophically and that this amendment can only provide mischief and lead to the bill being defeated, which I think would be a terrible mistake.

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

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

Mr. OBEY. Mr. Chairman, I would like to recite the numbers to demonstrate the change that has occurred since the gentleman from Illinois [Mr. PORTER] has become chairman.

The enforcement portion of OSHA's budget has declined by 5 percent in those 3 years. The compliance portion of the budget has been increased by 80 percent, from \$45 to \$81 million. I think that is a very large swing in emphasis which continues under this bill. I hope that the House will recognize the good efforts made by the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I thank the gentleman.

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

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

Mr. SOUDER. Mr. Chairman, the Compliance Assistance Program, which I realize is only part of all the compliance efforts, is \$45 million and it was \$30 million, or roughly \$34 million prior to the \$11 million increase. So the increases sound larger, but, in fact, the dollar amount of a smaller increase in enforcement is about two-thirds of the dollars of the increase in compliance.

When we came in, in the authorizing committee and were first working with OSHA reform, we were proposing much more dramatic changes. I understand that inside this you have moved it in the right direction. Part of what this debate is about is that at one point we were talking like 75/25. Now we are talking such small, incremental changes and what we are, in effect, doing is upping that incremental change but still leaving the disproportionate balance for enforcement at almost 3 to 1, exact opposite of what we started with.

This amendment in trying to respond, many of us wanted to move the dollars over to education. But if we are going to keep it in OSHA, then we think that we should have accelerated that process. We are not disagreeing on the thrust of where you and the ranking minority member were going, but we believe it should of occurred at a faster rate.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 164, noes 255, not voting 14, as follows:

[Roll No. 373]

AYES—164

Aderholt	Ganske	Pickering
Archer	Goode	Pitts
Army	Goodlatte	Pombo
Bachus	Goodling	Portman
Ballenger	Goss	Pryce (OH)
Barr	Graham	Radanovich
Barrett (NE)	Granger	Ramstad
Bartlett	Greenwood	Redmond
Barton	Gutknecht	Riggs
Bass	Hall (TX)	Riley
Bereuter	Hansen	Rogan
Bilirakis	Hastert	Rohrabacher
Bliley	Hastings (WA)	Royce
Blunt	Hayworth	Ryun
Boehner	Hefley	Salmon
Bono	Hill	Sanford
Brady	Hilleary	Saxton
Bryant	Hoekstra	Scarborough
Bunning	Hostettler	Schaefer, Dan
Burr	Hulshof	Schaffer, Bob
Burton	Hunter	Sensenbrenner
Buyer	Hutchinson	Sessions
Calvert	Inglis	Shadegg
Campbell	Istook	Shimkus
Canady	Jenkins	Shuster
Chabot	Johnson, Sam	Skeen
Chambliss	Jones	Smith (MI)
Chenoweth	Kasich	Smith (OR)
Christensen	Kelly	Smith (TX)
Coble	Kingston	Smith, Linda
Coburn	Klug	Snowbarger
Collins	Largent	Solomon
Combest	Latham	Souder
Cook	Lewis (KY)	Spence
Cooksey	Linder	Stearns
Cramer	Lucas	Stenholm
Crane	Manzullo	Stump
Crapo	McColum	Sununu
Cubin	McCrery	Talent
Deal	McInnis	Tanner
DeLay	McIntosh	Tauzin
Doolittle	McKeon	Taylor (MS)
Doyle	Mica	Thornberry
Dreier	Moran (KS)	Thune
Duncan	Myrick	Tiahrt
Dunn	Nethercutt	Traficant
Ehrlich	Neumann	Upton
Emerson	Norwood	Wamp
Ensign	Nussle	Watkins
Everett	Packard	Watts (OK)
Ewing	Pappas	Weldon (FL)
Foley	Paul	Weller
Fowler	Paxon	White
Frelinghuysen	Pease	Wicker
Gallely	Peterson (PA)	

NOES—255

Abercrombie	Bateman	Blumenauer
Ackerman	Becerra	Boehlert
Allen	Bentsen	Bonilla
Andrews	Berman	Bonior
Baesler	Berry	Borski
Baldacci	Bilbray	Boswell
Barcia	Bishop	Boucher
Barrett (WI)	Blagojevich	Boyd

Brown (CA)	Hyde	Ortiz
Brown (FL)	Jackson (IL)	Oxley
Brown (OH)	Jackson-Lee	Pallone
Callahan	(TX)	Parker
Camp	Jefferson	Pascrell
Capps	John	Pastor
Cardin	Johnson (CT)	Payne
Castle	Johnson (WI)	Pelosi
Clay	Johnson, E.B.	Peterson (MN)
Clayton	Kanjorski	Petri
Clement	Kaptur	Pickett
Clyburn	Kennedy (MA)	Pomeroy
Condit	Kennedy (RI)	Porter
Conyers	Kennelly	Poshard
Costello	Kildee	Price (NC)
Coyne	Kilpatrick	Rahall
Cummings	Kim	Rangel
Cunningham	Kind (WI)	Regula
Danner	King (NY)	Reyes
Davis (FL)	Klecza	Rivers
Davis (IL)	Klink	Rodriguez
Davis (VA)	Knollenberg	Roemer
DeFazio	Kolbe	Rogers
DeGette	Kucinich	Ros-Lehtinen
Delahunt	LaFalce	Rothman
DeLauro	LaHood	Roukema
Deutsch	Lampson	Roybal-Allard
Diaz-Balart	Lantos	Rush
Dickey	LaTourette	Sabo
Dicks	Lazio	Sanchez
Dingell	Leach	Sanders
Dixon	Levin	Sandlin
Doggett	Lewis (CA)	Sawyer
Dooley	Lewis (GA)	Schumer
Edwards	Lipinski	Scott
Ehlers	Livingston	Shaw
Engel	LoBiondo	Shays
English	Lofgren	Sherman
Eshoo	Lowey	Sisisky
Etheridge	Luther	Skaggs
Evans	Maloney (CT)	Skelton
Farr	Maloney (NY)	Slaughter
Fattah	Manton	Smith (NJ)
Fawell	Markey	Smith, Adam
Fazio	Martinez	Snyder
Finler	Mascara	Spratt
Flake	Matsui	Stabenow
Foglietta	McCarthy (MO)	Stark
Forbes	McCarthy (NY)	Stokes
Ford	McDade	Strickland
Fox	McDermott	Stupak
Frank (MA)	McGovern	Tauscher
Frank (NJ)	McHale	Taylor (NC)
Frost	McHugh	Thomas
Furse	McIntyre	Thompson
Gejdenson	McKinney	Thurman
Gekas	McNulty	Tierney
Gephardt	Meehan	Torres
Gilchrest	Meeke	Turner
Gillmor	Menendez	Velazquez
Gilman	Metcalf	Vento
Gordon	Millender	Visclosky
Green	McDonald	Walsh
Gutierrez	Miller (CA)	Waters
Hall (OH)	Miller (FL)	Watt (NC)
Hamilton	Minge	Waxman
Harman	Mink	Weldon (PA)
Hastings (FL)	Moakley	Wexler
Hefner	Mollohan	Weygand
Herger	Moran (VA)	Whitfield
Hinches	Morella	Wise
Hinojosa	Murtha	Wolf
Hobson	Nadler	Woolsey
Holden	Neal	Wynn
Hooley	Ney	Yates
Horn	Northup	Young (AK)
Houghton	Obey	Young (FL)
Hoyer	Olver	

NOT VOTING—14

Baker	Gibbons	Quinn
Cannon	Gonzalez	Schiff
Carson	Hilliard	Serrano
Cox	Oberstar	Towns
Dellums	Owens	

□ 1227

Mr. PASCARELL and Mrs. JOHNSON of Connecticut changed their vote from "aye" to "no."

Mr. EWING and Mrs. KELLY changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GIBBONS. Mr. Chairman, on rollcall No. 373, I was unavoidably detained. Had I been present, I would have voted "no."

□ 1230

AMENDMENT OFFERED BY MR. SHADEGG

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

The Clerk read as follows:

Amendment offered by Mr. SHADEGG: Page 24, line 2, after the dollar amount, insert the following: "(reduced by \$25,000)".

Mr. SHADEGG. Mr. Chairman, let me begin by bringing my colleagues two bits of what I think will be good and welcome news. The first is that having gone through more than 2 days I believe of debate on title I to this bill, this is the last amendment to title I and with luck we can debate it with relative speed.

I want to compliment the members of the committee and the subcommittee. At two separate points in this legislation, the bill sets what I think are important standards for the expenditure of the moneys being appropriated. I think it is critical that we do that. Our task here is to ensure that the moneys that we take from taxpayers and allocate to various programs are spent in the most effective and efficient way possible. To ensure that, at two separate points in this bill, the bill sets a limit on the maximum amount of money which may be paid to an employee or a contractor of the National Institutes of Health to perform under a grant of \$125,000. At a separate point in the bill, it sets a similar limit. This limit is imposed upon independent contractors and administrators who are performing work for the Job Corps, and it says that no one shall be paid under the funds appropriated in this bill at a rate of more than \$125,000, as a contractor or administrator, as their salary for one year.

Mr. Chairman, the amendment before us simply says that while I agree that a cap of \$125,000 is an appropriate limit for a researcher at the National Institutes of Health, I submit that it is an excessive salary and a misuse of the funds appropriated under this bill to pay an administrator or a contractor under the Job Corps program, whose function is to educate and train children, a salary of \$125,000 a year. The amendment says that the salary for an administrator or a contractor within the Job Corps, whose job it is to inspire and train our youth, should not be excessive.

Why is it important that we change that number? Because every dollar that goes to administration within the Job Corps program is taken away from education and training. I think it is appropriate that we say, let us use those dollars to the greatest extent possible to educate and train the disadvantaged youth within the Job Corps program. Let us not use them to pay what is in America today an excessive salary.

And so the amendment I have offered says that the maximum amount allocable under the legislation for one year's



salary for an administrator within the Job Corps or a contractor or employee performing that function would not be \$125,000 a year, but rather would be \$100,000 a year.

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

Mr. SHADEGG. I yield to the gentleman from Wisconsin.

Mr. OBEY. Did the gentleman say that this is the last amendment to title I?

Mr. SHADEGG. I did.

Mr. OBEY. In that case on this side of the aisle, we would be delighted to accept the gentleman's amendment.

Mr. MILLER of Florida. Mr. Chairman, will the gentleman yield?

Mr. SHADEGG. I yield to the gentleman from Florida.

Mr. MILLER of Florida. Mr. Chairman, we will be delighted to accept the amendment, too.

Mr. SHADEGG. Mr. Chairman, I am thrilled with the willingness to accept the amendment, and I accept that.

The CHAIRMAN pro tempore (Mr. BEREUTER). The question is on the amendment offered by the gentleman from Arizona [Mr. SHADEGG].

The amendment was agreed to.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For carrying out titles II, III, VII, VIII, X, XII, XIX, and XXVI of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V of the Social Security Act, and the Health Care Quality Improvement Act of 1986, as amended, \$3,616,068,000, of which \$225,000 shall remain available until expended for interest subsidies on loan guarantees made prior to fiscal year 1981 under part B of title VII of the Public Health Service Act: *Provided*, That the Division of Federal Occupational Health may utilize personal services contracting to employ professional management/administrative and occupational health professionals: *Provided further*, That of the funds made available under this heading, \$2,500,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center: *Provided further*, That in addition to fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full disclosure of information under the Act sufficient to recover the full costs of operating the National Practitioner Data Bank, and shall remain available until expended to carry out that Act: *Provided further*, That no more than \$5,000,000 is available for carrying out the provisions of Public Law 104-73: *Provided further*, That of the funds made available under this heading, \$203,452,000 shall be for the program under title X of the Public Health Service Act to provide for voluntary family planning projects: *Provided further*, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposi-

tion to any legislative proposal or candidate for public office: *Provided further*, That \$299,000,000 shall be for State AIDS Drug Assistance Programs authorized by section 2616 of the Public Health Service Act: *Provided further*, That notwithstanding any other provision of law, funds made available under this heading may be used to continue operating the Council on Graduate Medical Education established by section 301 of Public Law 102-408: *Provided further*, That, of the funds made available under this heading, not more than \$4,600,000 shall be made available and shall remain available until expended for loan guarantees for loans made by non-Federal lenders to health centers under section 330(d) of the Public Health Service Act as amended by Public Law 104-299, and that such funds be available to subsidize guarantees of total loan principal in an amount not to exceed \$53,300,000: *Provided further*, That notwithstanding section 502(a)(1) of the Social Security Act, not to exceed \$105,624,000 is available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act.

MEDICAL FACILITIES GUARANTEE AND LOAN FUND

FEDERAL INTEREST SUBSIDIES FOR MEDICAL FACILITIES

For carrying out subsections (d) and (e) of section 1602 of the Public Health Service Act, \$6,000,000, together with any amounts received by the Secretary in connection with loans and loan guarantees under title VI of the Public Health Service Act, to be available without fiscal year limitation for the payment of interest subsidies. During the fiscal year, no commitments for direct loans or loan guarantees shall be made.

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the Public Health Service Act, 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 these funds are available to subsidize gross obligations for the total loan principal any part of which is to be guaranteed at not to exceed \$85,000,000: *Provided further*, That the Secretary may use up to \$1,000,000 derived by transfer from insurance premiums collected from guaranteed loans made under title VII of the Public Health Service Act for the purpose of carrying out section 709 of that Act. In addition, for administrative expenses to carry out the guaranteed loan program, \$2,688,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended: *Provided*, That for necessary administrative expenses, not to exceed \$3,000,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

Mr. OBEY. Mr. Chairman, could I interrupt to ask which page the Clerk is on? I think Members had been under the impression that we were still reading title I.

The CHAIRMAN pro tempore. The Clerk is currently on page 29.

The Clerk will resume reading.

The Clerk read as follows:

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

To carry out titles II, III, VII, XI, XV, XVII, and XIX of the Public Health Service Act, sections 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal Mine Safety and Health Act of 1977, and sections 20, 21 and 22 of the Occupational Safety and Health Act of 1970, title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980; including insurance of official motor vehicles in foreign countries; and hire, maintenance, and operation of aircraft, \$2,343,737,000, of which \$20,000,000 shall remain available until expended for equipment and construction and renovation of facilities, and in addition, such sums as may be derived from authorized user fees, which shall be credited to this account: *Provided*, That in addition to amounts provided herein, up to \$48,400,000 shall be available from amounts available under section 241 of the Public Health Service Act, to carry out the National Center for Health Statistics surveys: *Provided further*, That none of the funds made available for injury prevention and control at the Centers for Disease Control and Prevention may be used to advocate or promote gun control: *Provided further*, That the Director may redirect the total amount made available under authority of Public Law 101-502, section 3, dated November 3, 1990, to activities the Director may so designate: *Provided further*, That the Congress is to be notified promptly of any such transfer.

In addition, \$45,000,000, to be derived from the Violent Crime Reduction Trust Fund, for carrying out section 40151 of Public Law 103-322.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, \$2,513,020,000.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, \$1,513,004,000.

NATIONAL INSTITUTE OF DENTAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disease, \$209,403,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to diabetes and digestive and kidney disease, \$874,337,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological disorders and stroke, \$763,325,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, \$1,339,459,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, \$1,047,963,000.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the Public Health Service Act with respect



to child health and human development, \$666,682,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to eye diseases and visual disorders, \$354,032,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out sections 301 and 311 and title IV of the Public Health Service Act with respect to environmental health sciences, \$328,583,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, \$509,811,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis and musculoskeletal and skin diseases, \$269,807,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the Public Health Service Act with respect to deafness and other communication disorders, \$198,373,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to nursing research, \$62,451,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the Public Health Service Act with respect to alcohol abuse and alcoholism, \$226,205,000.

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the Public Health Service Act with respect to drug abuse, \$525,641,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the Public Health Service Act with respect to mental health \$744,235,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to human genome research, \$211,772,000.

AMENDMENT NO. 34 OFFERED BY MR. COBURN

Mr. COBURN. Mr. Chairman, I ask unanimous consent to have an amendment that I have at the desk read.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Oklahoma?

Mr. OBEY. Mr. Chairman, reserving the right to object, I would like to know which amendment that is.

The CHAIRMAN pro tempore. The gentleman from Wisconsin reserves the right to object.

Will the gentleman from Oklahoma identify the amendment for the Clerk?

Mr. COBURN. Yes, Mr. Chairman, page 25, 26, and 37.

Mr. OBEY. I am sorry, Mr. Chairman, we are already past that point in the bill and I am constrained to object.

The CHAIRMAN pro tempore. Objection is heard.

Mr. COBURN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it is important, the whole purpose for this bill is to make sure that we have a fair and open and honest debate on what is occurring in this bill. I have been standing at this

point patiently trying to be polite as we read this bill, wishing to be recognized and not interrupting. Although I may not have followed the exact protocol of the House, nevertheless I have been standing here prepared to offer this amendment which was preprinted, which was available.

This is an amendment that should be considered by this House. The reason it should be considered is there are several thousand people in the United States who are HIV positive who will not be able to get drug treatment. This amendment brings money for those people. If this body wants to on a technical error deny people triple drug therapy that will prolong their life and delay the onset of AIDS, then so be it. But it is a shameful act if in fact we do not consider a debate or a characterization of this amendment.

AMENDMENT NO. 34 OFFERED BY MR. COBURN

Mr. COBURN. Mr. Chairman, I ask unanimous consent that this amendment be heard and considered on the floor of this House. Lives are depending on it, thousands of lives are depending on it. It is unconscionable that we would not even debate additional moneys for people who will die should this therapy not be available to them. I would beg and plead with the gentleman from Wisconsin that he would allow consideration of this amendment.

The CHAIRMAN pro tempore. Pending the request, the Clerk will designate the amendment for clarity.

The text of the amendment is as follows:

Amendment No. 34 offered by Mr. COBURN: Page 25, line 18, after the first dollar amount, insert the following: "(increased by \$34,868,000)".

Page 26, line 22, after the dollar amount, insert the following: "(increased by \$51,000,000)".

Page 37, line 1, after the dollar amount, insert the following: "(reduced by \$2,388,000)".

Page 41, line 8, after the dollar amount, insert the following: "(reduced by \$22,668,000)".

Page 44, line 16, after the dollar amount, insert the following: "(reduced by \$4,812,000)".

Page 45, line 11, after the dollar amount, insert the following: "(reduced by \$5,000,000)".

The CHAIRMAN. Is there objection to consideration of the amendment?

Mr. OBEY. Mr. Chairman, reserving the right to object, I would simply make this point. I stood on the floor just a moment ago and interrupted the Clerk to make certain that Members understood exactly where she was, because I did not want Members to miss their opportunity to offer amendments. I did that as a courtesy to Members who I knew had amendments, but it is not my responsibility to then do their job for them. Their job is to be ready to offer the amendments at the appropriate point in the bill. I went out of my way to try to alert people to the fact that the Clerk was in title II. I cannot help it if the gentleman did not respond to that.

The fact is that we have already almost doubled the account the gen-

tleman wants to add some more money to. We went in this bill from \$167 to \$299 million. That is hardly a failure to meet our responsibilities.

The fact is that this committee has already well responded to this issue. I would further point out that the House has been informed that this bill is going to be debated this week and next week. We have not attempted in any way to cut off debate, but we are certainly not going to allow the gentleman to ignore the rules of the House for the purpose of extending debate after we purposely engaged in a courtesy that alerted people to where the Clerk was in the bill. At this point, I am sorry, but I object.

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

Mr. OBEY. Further reserving the right to object, I yield to the gentleman from Oklahoma.

□ 1245

Mr. COBURN. Mr. Chairman, I would say to the gentleman from Wisconsin [Mr. OBEY], there is no question that I am not a career legislator, and there is no question that I do not have the Parliamentary skills of a skilled, long-term legislator like the gentleman. But there is nothing wrong with the intent of my heart and my desire to bring forth an issue that has to do with life and death, although my skills as a legislator are somewhat less.

Mr. OBEY. Mr. Chairman, I reclaim my time under my reservation to say I have not questioned the gentleman's heart or motives in any way. I attempted to do him a courtesy. He did not take advantage of it. That is not my fault.

I am not going to allow Members to get around the rules in order to continue to engage in a protracted filibuster, and I do object.

The CHAIRMAN pro tempore (Mr. BEREUTER). Objection is heard.

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

The CHAIRMAN pro tempore. Does the gentleman yield back the time on his pro forma amendment or does he wish to proceed?

Mr. COBURN. Mr. Chairman, may I ask how much time remains?

The CHAIRMAN pro tempore. The gentleman from Oklahoma [Mr. COBURN] has 3 minutes remaining.

Mr. COBURN. I would like to continue discussing this amendment.

The CHAIRMAN pro tempore. The gentleman from Oklahoma is recognized for 3 minutes.

Mr. COBURN. Mr. Chairman, this debate is characterized by the gentleman from Wisconsin [Mr. OBEY] as a way to delay this bill. That is completely false and not true. This amendment comes at the heart of everything that I have been trying to do on the HIV epidemic in this country, and to not allow an amendment to offer additional treatments, lifesaving treatments, is wrong.

Yes, this committee did increase that funding, but there still are going to be

30,000 Americans who will not have triple drug therapy available to them. Unfortunately, most of them will not be associated with what we most often identify with, because many of the ones that have been in programs that have been there long-standing will have the treatment.

The people that will not get this treatment are going to be African-American women, they are going to be IV drug users, they are going to be people who have no means whatsoever to fend off this disease. We have spent billions of dollars researching this disease, and now we bring forth an amendment.

I stood at this stand trying to be polite, failing to interrupt. My mistake, there is no question, I would say to the gentleman from Wisconsin [Mr. OBEY], but I did not intend to go around the rules of this House. I did not intend to be an obstructionist. I intended to offer this amendment to save the lives of people who will not, will not, have these drugs available to them.

If, in fact, this House says that we should not offer this amendment because we did not interrupt at the proper time while somebody else was speaking in an attempt to be orderly and to be appropriate, then so be it. I find that disgusting. I find it unconscionable that our House would not consider this amendment, if in fact it is unimportant to this body to treat everyone in this country who has HIV.

If it was any other disease that was killing people, the No. 1 killer between 25- and 44-year-old people in this country, this body would not have any question about considering any amendment at any time to make sure that that took place.

The fact that this is viewed as only an obstructive amendment and is not taken for the purposes for which it was offered is offensive to me, but, most importantly, it is offensive to those poor people who will not be treated.

Mr. Chairman, this is a genuine amendment. It takes money from programs and brings them down to the President's own request. It takes no money below anything that the President asked for. It uses those moneys that were in excess to help people who do not have insurance, who are unaided by any other way, to allow triple drug therapy for them in the treatment of this deadly and dreaded disease.

I would beg the House to reconsider the position. I would ask the gentleman from Wisconsin [Mr. OBEY] once again to reconsider his position. If not, then I will be resigned to the will of the House, but I am embarrassed and ashamed of the position of the House.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I simply want to repeat some facts and make a point. The program that the gentleman seeks to add money to has already been increased by the committee under the leadership of the gentleman from Illinois [Mr. PORTER] this year in this bill

from \$167 million to \$299 million. I challenge you to find a larger percentage increase in a large program in the bill. It will be very difficult to do.

I think, under the circumstances, the gentleman from Illinois [Mr. PORTER] and the subcommittee, and the full committee that reported this bill to the House on a bipartisan basis, have more than responded to the need.

Now, the gentleman is perfectly entitled to his view that there ought to be more. But the fact is the newspapers have been full of accounts from Members who are offering these amendments, including the gentleman, that they intend to keep us here for a long, long time on this bill.

The rules of the House require Members to be here in a situation in which they are prepared to offer their amendments at the proper time. Because it was apparent to me that we were already in title II, even though it was a Parliamentary disadvantage to the committee and to myself, I interrupted the Clerk's reading in order to note to the House that we were already far ahead into title II.

That should have alerted the gentleman. I extended a courtesy to him. The gentleman should be thanking me instead of attacking me.

Mr. Chairman, I would simply say that I have tried to be courteous to Members on both sides, and I have tried to extend many courtesies, including the opportunity to strike the last word many times, when the normal course of events in the House and the normal rules would not provide for that.

With all due respect, I am sorry the gentleman did not offer his amendment at the proper time, but the rules are meant to eventually enable the House to produce legislation. I think we have been more than fair to those who have been taking a good deal of time. I think the committee has been more than fair to the program at hand.

This subcommittee takes a back seat to no one, certainly the gentleman from Illinois [Mr. PORTER] does not, the gentlewoman from California [Ms. PELOSI] does not, and other Members, when it comes to dealing with this problem.

I would say that I think the most sensible thing for the House to do at this point is to move on. There are a good many other amendments, and I have already been informed by the gentleman and others that we will be here for at least 2 weeks on a bill that was expected to take 2 days. I think I have been very patient, but I do not intend to be a sap.

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

Mr. OBEY. I yield to the gentlewoman from California.

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding.

I want to associate myself with his remarks about the fine work of the subcommittee under the leadership of the gentleman from Illinois [Mr. POR-

TER], and our ranking member, and the gentleman from Wisconsin [Mr. OBEY], to increase the funding for the ADAP program by \$132 million. These funds for drugs for people with HIV and AIDS is very, very important.

The gentleman's attempt to put in an amendment to increase that number, while taking money from other areas that affect people with AIDS, I think is not well-founded.

Had the gentleman offered the amendment, I would have opposed it. As one who has had over 13,000 people die of AIDS in my district, I believe I have some standing on this issue. I certainly want the highest figure, and the gentleman from Illinois [Mr. PORTER] and the gentleman from Wisconsin [Mr. OBEY] worked for the highest figure, and will continue to work with the administration for an even higher figure by the end of the day, but not at the expense, for example, of the Office of Civil Rights, which works to end discrimination against people with HIV-AIDS and against a number of other functions within our bill.

Mr. Chairman, I have frequently said this bill is lamb-eats-lamb. That is to say, everything in it is good; there is no place to go get an offset. Unfortunately, the gentleman's offsets are not productive, and, indeed, work counter to the interests of people with HIV-AIDS.

Mr. Chairman, once again I commend the gentleman from Wisconsin [Mr. OBEY] for his courage on this issue.

Mr. MCINTOSH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think what we have reached here is a situation where this House can decide fundamentally do we want to allow Members to be heard on what are critical issues in this bill or do we want to adopt a gag procedure that says we are not going to allow you to address issues having to do with treating AIDS patients, issues with how our title X family planning amendments are going to be passed, issues that are very important in constructing this bill and determining what the will of the House is.

What I would like to do, Mr. Chairman, is once again try to do this in an effort of accommodation, without having to disrupt the procedures of this Committee of the Whole or the Whole House, and ask unanimous consent that we return to page 25, line 18, and proceed to consider the bill from that point forward.

Mr. OBEY. Mr. Chairman, once again, I object.

The CHAIRMAN pro tempore. Objection is heard.

Mr. MCINTOSH. Mr. Chairman, in that case, I move that the Committee do now rise.

The CHAIRMAN pro tempore. The question is on the motion offered by the gentleman from Indiana [Mr. MCINTOSH].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 42, noes 375, not voting 16, as follows:

[Roll No. 374]

AYES—42

Aderholt	Hilleary	Sabo
Bachus	Hostettler	Scarborough
Barr	Jones	Schaffer, Bob
Barton	Largent	Shadegg
Bryant	Manzullo	Shimkus
Cannon	McIntosh	Smith, Linda
Chenoweth	Neumann	Snowbarger
Coburn	Norwood	Souder
Combust	Pappas	Strickland
Doolittle	Pitts	Thune
Duncan	Riley	Tiahrt
Graham	Rogan	Wamp
Hastert	Royce	Weldon (FL)
Herger	Ryun	Yates

NOES—375

Abercrombie	Cunningham	Hamilton
Ackerman	Danner	Hansen
Allen	Davis (FL)	Harman
Andrews	Davis (IL)	Hastings (FL)
Archer	Davis (VA)	Hastings (WA)
Army	Deal	Hayworth
Baesler	DeFazio	Hefley
Baker	DeGette	Hefner
Baldacci	Delahunt	Hill
Ballenger	DeLauro	Hinchey
Barcia	DeLay	Hinojosa
Barrett (NE)	Deutsch	Hobson
Barrett (WI)	Diaz-Balart	Hoekstra
Bartlett	Dickey	Holden
Bass	Dicks	Hooley
Bateman	Dingell	Horn
Becerra	Dixon	Houghton
Bereuter	Doggett	Hoyer
Berman	Dooly	Hulshof
Berry	Doyle	Hunter
Bilbray	Dreier	Hutchinson
Bilirakis	Dunn	Hyde
Bishop	Edwards	Inglis
Blagojevich	Ehlers	Istook
Bliley	Ehrlich	Jackson (IL)
Blumenauer	Emerson	Jackson-Lee
Blunt	Engel	(TX)
Boehlert	English	Jefferson
Boehner	Ensign	Jenkins
Bonilla	Eshoo	John
Bonior	Etheridge	Johnson (CT)
Borski	Evans	Johnson (WI)
Boswell	Everett	Johnson, E. B.
Boucher	Ewing	Kanjorski
Boyd	Farr	Kaptur
Brady	Fattah	Kasich
Brown (FL)	Fawell	Kelly
Brown (OH)	Fazio	Kennedy (MA)
Bunning	Filner	Kennedy (RI)
Burr	Flake	Kennelly
Burton	Foglietta	Kildee
Buyer	Forbes	Kilpatrick
Callahan	Ford	Kim
Calvert	Fowler	Kind (WI)
Camp	Fox	King (NY)
Campbell	Frank (MA)	Kingston
Canady	Franks (NJ)	Klezka
Capps	Frelinghuysen	Klink
Cardin	Frost	Klug
Castle	Furse	Knollenberg
Chabot	Gallegly	Kolbe
Chambliss	Ganske	Kucinich
Christensen	Gejdenson	LaFalce
Clay	Gekas	LaHood
Clayton	Gephardt	Lampson
Clement	Gibbons	Lantos
Clyburn	Gilchrest	Latham
Coble	Gillmor	LaTourette
Collins	Gilman	Lazio
Condit	Goode	Leach
Conyers	Goodlatte	Levin
Cook	Goodling	Lewis (CA)
Cooksey	Gordon	Lewis (GA)
Costello	Goss	Lewis (KY)
Cox	Granger	Linder
Coyne	Green	Lipinski
Cramer	Greenwood	Livingston
Crane	Gutierrez	LoBiondo
Crapo	Gutknecht	Lofgren
Cubin	Hall (OH)	Lowe
Cummings	Hall (TX)	Lucas

Luther	Paul	Skelton
Maloney (CT)	Paxon	Slaughter
Maloney (NY)	Payne	Smith (MI)
Manton	Pease	Smith (NJ)
Markey	Pelosi	Smith (OR)
Martinez	Peterson (MN)	Smith (TX)
Mascara	Peterson (PA)	Smith, Adam
Matsui	Petri	Snyder
McCarthy (MO)	Pickering	Spence
McCarthy (NY)	Pickett	Spratt
McCollum	Pombo	Stabenow
McCrery	Pomeroy	Stark
McDade	Porter	Stearns
McDermott	Portman	Stenholm
McGovern	Poshard	Stokes
McHale	Price (NC)	Stump
McHugh	Pryce (OH)	Stupak
McInnis	Quinn	Sununu
McIntyre	Radanovich	Talent
McKeon	Rahall	Tanner
McKinney	Ramstad	Tauscher
McNulty	Rangel	Tauzin
Meehan	Redmond	Taylor (MS)
Meek	Regula	Taylor (NC)
Menendez	Reyes	Thomas
Metcalf	Riggs	Thompson
Mica	Rivers	Thornberry
Millender-McDonald	Rodriguez	Thurman
Miller (CA)	Roemer	Tierney
Miller (FL)	Rogers	Torres
Minge	Rohrabacher	Traficant
Mink	Ros-Lehtinen	Turner
Moakley	Rothman	Upton
Mollohan	Roukema	Velazquez
Moran (KS)	Roybal-Allard	Vento
Moran (VA)	Rush	Visclosky
Morella	Salmon	Walsh
Murtha	Sanchez	Waters
Myrick	Sanders	Watkins
Nadler	Sandlin	Watt (NC)
Neal	Sanford	Watts (OK)
Nethercutt	Sawyer	Waxman
Ney	Saxton	Weldon (PA)
Northup	Schaefer, Dan	Weller
Nussle	Schumer	Wexler
Oberstar	Scott	Weygand
Dooley	Sensenbrenner	White
Olver	Sessions	Whitfield
Oxley	Shaw	Wicker
Packard	Shays	Wise
Pallone	Sherman	Woolsey
Parker	Shuster	Wynn
Pascarella	Sisisky	Young (AK)
Pastor	Skaggs	Young (FL)
	Skeen	

NOT VOTING—16

Bentsen	Gonzalez	Serrano
Bono	Hilliard	Solomon
Brown (CA)	Johnson, Sam	Towns
Carson	Ortiz	Wolf
Dellums	Owens	
Foley	Schiff	

□ 1321

Mr. OBERSTAR and Mr. MCDERMOTT changed their vote from "aye" to "no." Messrs. PITTS, DOOLITTLE, CANNON, SHIMKUS, SCARBOROUGH and BARR of Georgia changed their vote from "no" to "aye."

So the motion was rejected.

The result of the vote was announced as above recorded.

Mr. FAZIO of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage the gentleman from Illinois [Mr. PORTER], chairman of the Subcommittee on Labor, Health and Human Services and Education, in a colloquy.

Mr. Chairman, I know that the gentleman from Illinois is aware of the food safety initiative that the President has made a top priority as a result of increased incidence of food-borne illness in the United States. I know, from serving on the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that we have provided \$28.8 million to improve inspections done by

the Food and Drug Administration and expand preventive safety measures.

The other significant component of the food safety initiative is found in the bill we are considering today for the Centers for Disease Control and Prevention. The major contribution the CDC will make to the food safety initiative deals with surveillance. We need to not only monitor the food supply, but to develop a rapid response to outbreaks due to food-borne illnesses.

Mr. Chairman, the CDC received an allocation of \$2.4 billion in this year's bill, which is \$86 million more than the administration requested. I know by tradition the committee does not specify how the CDC must use the additional funds; however, it is clear that the committee has provided the resources necessary to fully fund CDC's portion of this new and promising food safety initiative.

Mr. Chairman, I would ask could the gentleman from Illinois comment on the committee's view of the importance of the \$10 million of the additional funding provided for the CDC going toward the agency's involvement in this food safety initiative?

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

Mr. FAZIO of California. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, it is appropriate, I believe, to highlight, as the gentleman from California does, the importance of food safety activities conducted by the Centers for Disease Control and Prevention. As the gentleman mentioned, the committee bill increases funding for the CDC above the President's request, including the funding for the infectious diseases program which supports CDC's food safety efforts.

Mr. Chairman, we understand from the CDC that with the funds provided in the committee bill, the agency would increase funding for food safety by \$10 million to a total of \$14.5 million. The committee strongly supports the CDC in its efforts. The importance of food safety activities has been reinforced with recent headlines about disease outbreaks traced to food-borne infectious agents.

AMENDMENT NO. 16 OFFERED BY MRS. CHENOWETH

Mrs. CHENOWETH. Mr. Chairman, I offer an amendment to a portion of the bill already passed, and I ask unanimous consent just to discuss it.

The CHAIRMAN pro tempore (Mr. BEREUTER). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Mrs. CHENOWETH:

In the item relating to "HEALTH RESOURCES AND SERVICES ADMINISTRATION—HEALTH RESOURCES AND SERVICES", insert after the first dollar amount (before the comma) "(reduced by \$9,000,000)"; and in the fifth proviso (relating to the program under title X of the Public Health Service Act), insert after the dollar amount "(reduced by \$9,000,000)".

In the item relating to "ADMINISTRATION ON AGING—AGING SERVICES PROGRAMS", insert after the dollar amount (before the colon) "(increased by \$4,725,000)".

The CHAIRMAN pro tempore. Is there objection to the request of the gentlewoman from Idaho [Mrs. CHENOWETH]?

Mr. OBEY. Mr. Chairman, reserving the right to object, I am happy to yield to the gentlewoman from Idaho to discuss her amendment under my reservation, and then I want to explain why it is that I am going to do what I am going to do.

Mrs. CHENOWETH. Mr. Chairman, I wish I were clairvoyant across this body so that I would understand what the gentleman from Wisconsin wants to do. But I do know, having watched the gentleman, not only from the time that I have been in this body but before that, I really feel that in his heart the gentleman would be sympathetic to this particular amendment, and I think that most House Members would be.

Mr. Chairman, this amendment is fairly benign. It is something that we are all very, very concerned about, and that is that we increase funding for senior citizens' meals in senior citizens centers. We do that by transferring out of title X family planning, which would be declined by \$9 million. That would bring it back to where the 1997 levels were, and then we would be able to increase senior citizen congregate meals \$4.75 million, which again would simply establish the meals and the funding for the senior citizen meals at 1997 levels.

□ 1330

Like I say, not being clairvoyant, I am not quite sure what the gentleman from Wisconsin has in mind, but I believe that my amendment is consistent with his thinking and his actions in the past.

I very much appreciate this consideration. Our senior citizens are having a very, very difficult time on fixed incomes. Most of the time, the time that they spend in the senior citizen centers is the only time that they can get out of the house and be able to spend time with their peers and having enjoyable times.

Mr. OBEY. Mr. Chairman, reclaiming my time under my reservation, let me recite again for Members who have come to the floor what the situation is.

After the adoption of the last amendment to title I, the Clerk began to read title II. There were a number of Members on both sides of the aisle who were entitled to offer amendments in title II. I stood and asked the Clerk to stop reading to make clear to the House where she was in the bill so that Members who had amendments could be alerted to the fact that they should be offering their amendments at that time.

I cannot recall a single instance in which a committee manager has done that before in the years I have been in this House. I did it even though it disadvantaged the committee because I

wanted to be fair to Members who were offering amendments. No amendments were offered. We passed some 10 pages of that section.

At this point there are a number of amendments that are no longer eligible to be offered at this point in the bill.

The Chenoweth amendment, the committee had determined that we were going to accept the Chenoweth amendment, if the gentlewoman offered it, because we regarded it as a reasonable amendment in contrast to the other amendment that engendered controversy, which tries to increase an account which we have already increased by almost 100 percent in the bill.

As a courtesy to the majority, I am willing to withdraw my objection to consideration of the gentlewoman's amendment, but not without an appreciation of the fact that the committee has bent over backward to be fair to each and every Member who had an opportunity to offer an amendment.

It is the responsibility of this committee, when we are informed through the press and on the floor by two gentlemen last night that they intend to keep us here for more than 2 weeks on this bill, it is our responsibility to move the bill forward wherever we can. Despite that fact, in this instance I am willing to withdraw my objection to this amendment but only this amendment.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN pro tempore (Mr. BEREUTER). Is there objection to the request of the gentlewoman from Idaho? There was no objection.

Mrs. CHENOWETH. Mr. Chairman, I think that a number of us here, when the bill moved much quicker than we expected, as I was watching television this afternoon and saw the gentleman from Wisconsin [Mr. OBEY] make his remarks calling attention to the fact of where we were, and I fully recognize that the gentleman from Wisconsin [Mr. OBEY] did that, my heart stopped. Once I got it going again, I came right over here to the floor.

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

Mrs. CHENOWETH. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would like to point out that memories are short.

Last year, Mr. KENNEDY, on our side of the aisle, came to the floor asking to offer an amendment which the Clerk had just passed by two paragraphs. He was denied that opportunity to do so by the majority. So were a number of other Members who missed their amendments. So that is the normal order of things around here.

Members are expected to know their own business, and we are not engaging in any action that has not been engaged in under the rules of the House, and correctly so by the majority.

Mrs. CHENOWETH. Mr. Chairman, I thank the gentleman. I just wish that I did have the parliamentary experience

and skill on the floor of the House that Mr. KENNEDY does have and does possess. But there are a number of us who missed a step this afternoon. For that, we are deeply sorry and deeply grateful that we can move ahead.

Mr. Chairman, what are senior congregate meals?

Let me tell my colleagues. Again, I repeat, for many senior citizens, especially those who are alone or on fixed incomes, senior centers provide a place to congregate and an excuse to get out of the house and be able to socialize.

Just as important, senior centers provide low-cost, hot, nutritious meals. But without adequate funding for the congregate meals program, few local senior centers could afford to provide these very much needed hot meals.

I have been in close touch with our senior citizens. Here, in fact, coming from McCall, ID, are just some of the signatures, line by line by line, of the senior citizens' signatures from just one senior citizen center. This is so important for our seniors. They have given so much to our country.

The fact that we would extend more funding to family planning for healthy, vigorous teenagers and cut the funding for senior citizens is something that I think, on second thought, that we really do not want to do. I appreciate the Members of the House for their consideration on this. I especially appreciate the gentleman from Wisconsin for his consideration.

I have received hundreds and hundreds and hundreds of signatures in support of funding for nutritious meals for our senior citizens. My amendment is the essence of our American agenda. It is fiscally proper and morally responsible, Mr. Chairman.

So why is title X funding being increased?

Well, I cannot answer this, but I believe it is the priorities of the American people that we make sure that our senior citizens are fed well, healthy, and nutritiously. The thing that we have got to remember is that title X programs have been shown to be inefficient, ineffective, and riddled with criticism and controversy.

Since title X was enacted, the teenage out-of-wedlock rate has actually doubled and the teenage abortion rate has actually doubled and the increase of sexually transmitted disease has increased to a point where 1 in 4 sexually experienced teenagers are infected every year.

Mr. Chairman, when we get back to our districts next week and visit our elderly constituents of the local senior center, will we be able to look into their eyes and tell them that abortion counseling is more important than hot meals to be served at our senior centers?

I think we all feel about the same way on this, that our seniors need to not only be cared for; we need to live up to our promises with our senior centers and to our senior citizens. But they need to be honored and respected

in the manner that I believe this amendment will do.

Mr. PORTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, let me say to the gentlewoman from Idaho that I determined, and the gentleman from Wisconsin [Mr. OBEY] agreed earlier, that we could accept this amendment and we do accept it. I certainly agree with the gentlewoman's remarks regarding the senior citizens' programs. I do not agree at all with the gentlewoman's remarks regarding title X.

But the point I would like to make is that it is very difficult when you are reading a bill paragraph by paragraph or section by section to return to an earlier part of the bill when someone misses the point at which they are to offer an amendment. Once you do that, you have to do it for everyone who misses the opportunities the rules provide, and pretty soon you have chaos on the floor. You do not have an orderly procedure and no one knows where you are.

I would say to the gentlewoman from Idaho that I believe that the gentleman from Wisconsin is being very gracious in allowing this amendment to be taken up at this point, and that I hope all Members on both sides of the aisle will be very vigilant in watching as we read the bill so that we can have amendments offered at the proper time.

Mr. MCINTOSH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Chenoweth amendment. I do want to say, I appreciate our colleagues on both sides of the aisle for not objecting to consideration of this amendment at this point. I think it perhaps proves the point that the gentleman from Oklahoma [Mr. COBURN] and I were making, that these are very vital and important issues and ought to be addressed on the floor of the House.

I cannot tell my colleagues how important this program is that the Chenoweth amendment seeks to obtain additional funding for. Last Christmas, Ruthie and I both volunteered with a program run out of our local hospital that delivers hot meals to indigent senior citizens who otherwise would have no hope for having a nutritious meal. To see the love and thanks in their eyes as we rang the doorbell and delivered those meals told me how important this program is for those citizens in this country.

I have to, frankly, agree with the gentlewoman from Idaho [Mrs. CHENOWETH], it would be difficult for me to go back home and say, we chose to have family planning services above those meals. I think she is doing us a great service by bringing this amendment forward, setting forth clearly that this House is in strong support of those programs for meals for senior citizens at the centers and in their homes.

I want to commend her on that effort and, again, thank Members on both

sides of the aisle who allowed this issue to come forward. Hopefully, we will be able to see a full discussion of all of the issues that we have in this bill so that we can truly say that the House of Representatives today and in the coming days has debated the priorities in one of the most important funding bills of our entire government.

As we have said earlier in the debate, there are some fundamental differences about whether we want to continue to fund programs that primarily affect people here in Washington or do we want to send this money out to programs that are doing good things for real Americans outside of the beltway?

My choice is for the latter, and I will continue to support amendments that seek to redirect priorities in this bill in that manner.

Mr. Chairman, that is the remainder of my comments on this amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I rise today in strong support of the amendment to H.R. 2264 offered today by my friend and colleague from Idaho, Mrs. CHENOWETH. The amendment will restore the unjustified cut in funding for the Older Americans Act's Congregate Meals Program included in H.R. 2264.

As we make the tough choices needed to balance our budget, we cannot forget the needs of our senior citizens, most of whom live on fixed incomes and have limited means.

The importance of Congregate Meals for the senior citizens of New Jersey and across this Nation cannot be overstated. In 1996, the Mercer County, New Jersey Office on Aging reported that 1,483 persons received almost 119,839 nutritious meals provided in part under the Older Americans Act. For many of these senior citizens, the meals provided at the 13 senior centers in Mercer County represented their main meal for the day. There is abundant evidence that senior citizens who live on their own suffer from poor nutrition and depression, and the Congregate Meals Program is critical to keeping people healthy and out of expensive long-term care institutions.

Equally important is the fact that Congregate Meals often form the nucleus of senior citizen outreach efforts. The meals are social events by which seniors are connected with other critical services. The Mercer County Office on Aging informs me that the Congregate Meals Program serves to draw in senior citizens to their 13 senior centers. A senior who arrives at the center to eat a nutritious meal will also improve their social skills and learn about other services and opportunities.

The situation is much the same in Ocean County as well. I have received word from Phil Rubenstein, executive director of the Ocean County Office of Senior Services, that tomorrow approximately 600 individuals will eat a meal and enjoy the company of others at a Congregate nutrition site.

Unless the cuts in this important program are restored, senior citizens centers across this country will have a harder time conducting their outreach efforts, and seniors will suffer from reduced opportunities to receive other important services as well.

In conclusion, cutting Congregate Meals is extremely shortsighted and will only serve to undermine the effectiveness of an array of senior citizen services provided under the Older Americans Act. I urge all of my col-

leagues to support the Chenoweth amendment to H.R. 2264.

Mr. LOBIONDO. Mr. Chairman, I rise in strong support of the amendment offered by the gentlewoman from Idaho.

Mr. Chairman, let me emphasize something I have said time and time again here on the House floor: Senior nutrition programs are Government and local partnerships that work. They provide humanitarian assistance to old Americans who are grateful for the helping hand of their neighbors.

Congregate Meals programs, in particular, give seniors the opportunity to get out of their homes, socialize, and eat nutritious, low-cost meals. In short, they allow seniors to feel like they are a part of the community.

At a time when the senior population in our country is growing rapidly, Congress needs to expand its support for senior meal programs. It makes good fiscal sense to support them—because a dollar spent on senior nutrition programs goes a long way. In fact, Federal funding for Congregate Meals and Meals On Wheels actually saves money in the Medicare and Medicaid programs.

Mr. Chairman, I urge my colleagues to vote for the Chenoweth amendment, and help restore funding for Congregate Meals programs to fiscal year 1997 levels.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from Idaho [Mrs. CHENOWETH].

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

Mr. MILLER of California. Mr. Chairman, I demand a recorded vote and, pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Does the gentleman from California [Mr. MILLER] withdraw his point of order?

Mr. MILLER of California. Yes, Mr. Chairman.

The CHAIRMAN pro tempore. The point of no quorum is considered withdrawn.

Does the gentleman from California withdraw his demand for a recorded vote?

Mr. MILLER of California. Yes, Mr. Chairman.

The CHAIRMAN pro tempore. The amendment is agreed to.

Mr. HAYWORTH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am pleased that the gentleman will join with me in a colloquy. I am very grateful for the hard work that he and his subcommittee have put into this 1998 Labor, HHS and Education appropriations bill. My constituents and I are very pleased with the increased attention to health issues and funding in this bill.

Mr. Chairman, I want to bring to the gentleman's attention one issue of great concern to the residents of the Sixth District of Arizona, the growing incidence of osteoporosis.

As you know, Mr. Chairman, osteoporosis affects 28 million Americans. The problem is especially acute in Arizona, where fully 14 percent of the residents are afflicted with osteoporosis. For these reasons, I

would ask the gentleman that as he goes into conference on the Labor, HHS and Education appropriations bill, that he give consideration to the Senate report language suggesting an osteoporosis public education campaign. Such a campaign would target young women to assist them in maintaining appropriate health behaviors that can have a significant effect on bone strength that can last a lifetime. Funding for such a campaign would come from the amount designated by the bill for the Office on Women's Health.

Mr. Chairman, I would ask that the gentleman consider the startling trends in osteoporosis as we proceed to conference and that the gentleman keep the affected families in mind.

Again, I thank the gentleman for his time and consideration of this important issue.

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

Mr. HAYWORTH. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, the gentleman from Arizona is correct. The prevalence of osteoporosis is startling. The American public should be made aware of the health benefits of proper diet and exercise that can affect long-term bone health.

□ 1345

The gentleman should know that my wife, Kathryn, is also very interested in this issue. She has recently written the Secretary of Health and Human Services in support of the gentleman's intended effort in this regard, and I will take the gentleman's request under advisement and thank him for his work on this issue.

Mr. HAYWORTH. Mr. Chairman, again I thank the chairman of the subcommittee.

The CHAIRMAN pro tempore. If there are no further amendments at this point, the Clerk will read.

AMENDMENT OFFERED BY MR. ISTOOK

Mr. ISTOOK. Mr. Chairman, I offer an amendment made in order under the rule, which I would like to bring up at this time.

The CHAIRMAN pro tempore. The Clerk will designate the amendment if it is in order at this point.

Mr. ISTOOK. Mr. Chairman, I understand there may be another Member that has an amendment that would, in the normal course of things, precede mine, so I would reserve my right to bring it up before we conclude title II.

The CHAIRMAN pro tempore. Does the gentleman ask unanimous consent to withdraw his amendment, because the gentleman's amendment is not in order at this time?

Mr. ISTOOK. Yes, Mr. Chairman, at this time.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

NATIONAL CENTER FOR RESEARCH RESOURCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to research resources and general research

support grants, \$436,961,000: *Provided*, That none of these funds shall be used to pay recipients of the general research support grants program any amount for indirect expenses in connection with such grants: *Provided further*, That \$20,000,000 shall be for extramural facilities construction grants.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities at the John E. Fogarty International Center, \$27,620,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to health information communications, \$161,171,000, of which \$4,000,000 shall be available until expended for improvement of information systems: *Provided*, That in fiscal year 1998, the Library may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health.

AMENDMENT NO. 24 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer amendment number 24.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 24 offered by Ms. JACKSON-LEE of Texas:

In the item relating to "NATIONAL INSTITUTES OF HEALTH—NATIONAL LIBRARY OF MEDICINE", insert after the first dollar amount (before the comma) "(reduced by \$2,500,000)".

In the item relating to "OFFICE OF THE SECRETARY—GENERAL DEPARTMENTAL MANAGEMENT", insert after the first dollar amount (before the comma) "(increased by \$2,000,000)".

Ms. JACKSON-LEE of Texas. Mr. Chairman, it is of great interest to our community and this Nation, as we talk about the education of our children and providing them with opportunities, that we also give them the ability not to start their matured, adult life too early. My amendment goes to the general concern in this Nation of increasing the funding by \$2 million to prevent teenage pregnancy. In particular, this amendment deals with the Centers for Disease Control and Prevention with the intent to provide the CDC more dollars for their CDC teen pregnancy prevention program.

The concept of this program I find very valuable and interesting, in that it works to enhance coalitions in the community that would work together to provide the necessary skills and tools for our young women, our teenage girls, our preadolescents to themselves prevent teenage pregnancy.

For example, this program deals with youth development, involving building the special talents of individuals, leadership training, job skills opportunities and achievement, prevention skills development, including family life and planning of education through school health education and after-school programs, educational enhancement, community service, and role modeling.

It also does something that is extremely important for a young girl just about to cross the precipice of adolescence, the creation of supportive envi-

ronments including enhancing constructive parent-child communications, school policies and norms, community opinion leaders' support, and dialog between individuals.

For many of us who may think that the teenage pregnancy issue will go away or has gone away, let me simply say to my colleagues that every year approximately 1 million teenagers in this country become pregnant and 90 percent of those pregnancies are unintended.

The teenage pregnancy rate for women under 20 has increased by more than 20 percent since the early 1970's. Of the 1 million teens who become pregnant, about half give birth, about 40 percent choose abortion, and the remaining 10 percent miscarry.

How many of us have heard the tragic stories on prom night, where teenagers have given birth at their prom night, which should be an exciting night of joy and enthusiasm but turns into a criminal offense and sometimes the ending, tragically, of a newborn baby; and of course, the terrible devastation on family and that young teenage mother.

There are significant social and economic costs associated with premature parenthood for the child, the parent, and for society at large. Fewer than 60 percent of teen mothers graduate from high school by age 25. When we begin to talk about welfare reform, this is where we should begin.

In my district, Mr. Chairman, I am very proud that we have begun to convene those who are proposing to coalesce around these very issues of teenage pregnancy prevention. They are already working individually, and I have convened them over the last year and intend to have them work together.

Mr. Chairman, I would hope that we would continue to emphasize this coalition effort and that Texas Southern University, under the guidance of Dr. Bobby Henderson, will be part of this pivotal responsibility.

Because of that, Mr. Chairman, I would like to raise a question with the gentleman from Illinois [Mr. PORTER] on this very important issue of teenage pregnancy prevention and my amendment and the issue of the importance of teenage pregnancy prevention.

I am offering an amendment to include an extra \$2 million to this, recognizing the \$13.7 million and, as well, recognizing the very hard work of this committee. It is my intention in the spirit of conciliation to withdraw this amendment; however, my district has a very high concern with the issue of teenage pregnancy and I want to implore of the committee, the gentleman from Illinois [Mr. PORTER] and the gentleman from Wisconsin [Mr. OBEY]. I would like to raise the question that although the committee does not traditionally segregate funds, I do want to note that Houston, the fourth largest city in the Nation, does not have this CDC teen pregnancy prevention program designated.

I would like to work with the gentlemen to engage this city, the fourth largest city in the Nation, with several groups that are working on teenage prevention, that they may be organized in a coalition and might be eligible for such funds under the CDC teen pregnancy prevention program.

I rise today to offer an amendment to H.R. 2264, the Labor-HHS-Education appropriations bill. This amendment increases funding by \$2 million for the Centers for Disease Control and Prevention with the intent that these funds be used for their teen pregnancy prevention program and offsets that increase with a \$2 million reduction in the \$3.6 billion funding for the Health Resources and Services Administration.

The teen pregnancy program operated by the CDC is a demonstration program in operation in 13 communities around the country. This pregnancy prevention program works with existing programs in these communities to help them develop a unified effort to prevent teen pregnancy. They identify problems, strengths, and offer solutions for resource shortages that are community based. They do not try to change the message of the community pregnancy prevention programs, but instead work to amplify their messages by molding them into one voice.

Currently, the teenage pregnancy program at CDC is funded at \$13.7 million. With the additional funds, the teen pregnancy program will be able to expand their work into other communities. This \$2 million is important to our fight to prevent teenage pregnancy.

Every year approximately 1 million teenagers in this country become pregnant and 90 percent of those pregnancies are unintended. The teen pregnancy rate for women under 20 has increased by more than 20 percent since the early 1970's. Of the 1 million teens who become pregnant, about half give birth, about 40 percent choose abortion, and the remaining 10 percent miscarry.

There are significant social and economic costs associated with premature parenthood for the child, the parent, and for society at large. Fewer than 60 percent of teen mothers graduate from high school by age 25—compared to 90 percent of those who postpone childbearing. According to one study, early childbearing reduced schooling by 1 to 3 years.

In addition to lower educational status, early childbearing has an impact on the economic status of teens by affecting employment opportunities, marital options, and structure. Teen mothers are four times as likely as women who have their first child after adolescence to be poor in their twenties and early thirties and are more likely to have lower family incomes later in life.

Teenage girls have a higher risk of pregnancy complications—including maternal mortality and morbidity, miscarriages and stillbirths, premature births, and nutritional deficiencies—than adult women.

The personal impact of teenage childbearing is two-fold, diminishing the opportunities of both the mother and the child, for the children of teenage parents are more likely to become teenage parents themselves, thus perpetuating the cycle of poverty.

In addition to the personal and societal costs of teen pregnancy the economic costs are terrific, totalling more than \$20 billion each

year. This amount could be halved if childbearing were postponed until the mother was age 20.

Early childbearing may be delayed with education and a supportive environment. Teens who have healthy parent-child communications, high self-esteem, and high educational aspirations are more likely to postpone childbearing.

It is critical to our children's future that we focus our attention on preventing adolescent pregnancy. I would now ask my colleagues to support this amendment. However, because we have agreed to work with the chairman and ranking member to help Houston and the 18th Congressional District in the area of funding for teenage pregnancy prevention. I now withdraw this amendment.

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

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, we would certainly be more than willing to work with the gentlewoman. I do not know the mechanism by which CDC designates the places where the program is to be conducted, but I certainly am willing to work with the gentlewoman.

The CHAIRMAN pro tempore. The time of the gentlewoman from Texas [Ms. JACKSON-LEE] has expired.

(By unanimous consent, Ms. JACKSON-LEE of Texas was allowed to proceed for 1 additional minute.)

Mr. PORTER. Mr. Chairman, if the gentlewoman will continue to yield, I would certainly be willing to work with the gentlewoman and with the CDC to see that we can address this need in the gentlewoman's community.

Ms. JACKSON-LEE of Texas. Reclaiming my time, I thank the gentleman and thank the ranking member, Mr. Chairman.

In conclusion, I might note that the different locations are west and east, and in the State of Texas we only have one, and in the fourth largest city in the Nation we do not have such a program. I would look forward to working with the gentleman from Wisconsin [Mr. OBEY] and appreciate both his kindness and his very hard work on this legislation.

Mr. Chairman, in the spirit of working with the ranking member and compromising on this issue, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

The CHAIRMAN pro tempore. The amendment is withdrawn.

Mr. INGLIS of South Carolina. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage the gentleman from Illinois in a colloquy, if I may.

I would like first to thank the gentleman from Illinois [Mr. PORTER] for his fine work on this usually contentious piece of legislation. I know he and his staff have worked long hours to

craft this piece of legislation, and I appreciate all of his hard work and dedication.

I want to engage the gentleman in a colloquy regarding the Centers for Disease Control AIDS prevention funds. Let me first say that I believe we should all have compassion for the victims of AIDS. I support continued funding for AIDS treatment prevention and care. However, it seems to me that the Federal AIDS education campaign has emphasized condoms first and treated abstinence as a largely unrealistic goal, even though medical experts agree that it is the most medically sound response.

I believe the focus should be changed to personal responsibility on the part of those infected. I am specifically concerned about the viability of groups such as PFOX, the Parents and Friends of Ex-gays. PFOX is a national organization that reaches out to men and women who want to leave the gay lifestyle. PFOX's ultimate message is that homosexuals have options. No one has to be gay and enter its subculture, instead, they can be heterosexual or live a life of abstinence. My question relates to the eligibility for CDC prevention funds.

Are there any restrictions in this bill that would prevent those funds from being allocated to groups or organizations such as PFOX that advocate abstinence as a means of AIDS prevention?

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

Mr. INGLIS of South Carolina. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I would say to my friend from South Carolina that as long as those organizations meet the usual eligibility requirements for CDC AIDS prevention grants and receive high scores in the peer review process, there is nothing in this bill to restrict them from receiving CDC funds.

Mr. INGLIS of South Carolina. Reclaiming my time, Mr. Chairman, I would ask, second, would it be permissible for me to enter into this record an encouragement of the Centers for Disease Control to consider allocating funds to groups, such as PFOX, that promote abstinence as a means to prevent the spread of AIDS?

Mr. PORTER. Mr. Chairman, if the gentleman would again yield, certainly that would be permissible, and I would encourage these groups to apply for AIDS prevention funds.

I would like to emphasize, the committee encourages CDC to support local grantees that advocate a wide range of AIDS prevention measures, including abstinence and other effective techniques.

Mr. INGLIS of South Carolina. Mr. Chairman, I thank the gentleman for his time.

Mr. MCINTOSH. Mr. Chairman, I move to strike the last word.

Earlier we had a discussion about several amendments to this bill that



would have affected funding in title X, the family planning program; and I must inform my colleagues on the House floor that there are still some additional amendments that Members would like to see considered here.

I appreciate the consideration which was given to the gentlewoman from Idaho [Mrs. CHENOWETH] and her very important amendment to take funding from that program and fund a program that had been reduced in funding to provide meals to senior citizens.

Some of the other amendments that I think are critically important in this area have to do with policy preferences that really should be debated by this Congress. For example, should we be fully funding research to prevent breast cancer in this country?

I think it is a critical issue. More than 1 out of 10 women will be struck with breast cancer sometime during their lives. My mother-in-law is currently undergoing treatment for a recurrence of breast cancer. We need to talk to those women and act to reassure them that this Government is doing everything possible to ensure that research is being done to find the cause of breast cancer, to find treatment that works and to make sure that that is widely available and known in the scientific community.

I think these issues are very important, and I guess I would ask my colleagues to be considerate as we are moving forward in discussing what are legitimate differences of priorities in these spending bills and allow us to move forward with amendments and not adopt a procedure that would gag some of the very important ones.

We do not have hundreds of amendments that have been passed over. It is not as if it is going to make it impossible to reach final consideration on this bill, but it is a very important question on priorities within this title that, due to the procedural restrictions in the way it is being discussed, may not be addressed.

I would ask my colleagues to allow us to move forward with those amendments. There are not many, but there are a few very, very important ones that we need to address in this Congress.

Mr. Chairman, let me also say that I think that this whole debate has been very helpful in crystallizing some of the fundamental differences in approach. Many of us believe that the budget agreement is something that the Congress and the President, that we all need to live up to, but that without that agreement there are serious questions on priorities.

Do we want to fund programs that primarily fund bureaucracies here in Washington or do we want to take those funds and redirect them to programs that get outside the beltway in the area of education, funds that will get to our schools so that they can implement programs to help the disabled and students who need their education improved; in the area of health, mak-

ing sure we do research at NIH that will benefit patients and not create bureaucracies at the Department of HHS; in the area of labor, to make sure that what we are doing there in regulatory agencies actually improves safety in the workplace, improves conditions of American workers so that they have a chance to have a good job and a good opportunity that will be safe for them.

These philosophical debates fall into a general category of who do you trust. Do you trust the bureaucracies in Washington or do you trust people, local government, private institutions, State governments to do what is best for their communities?

□ 1400

I think it is an important debate that we have in this Congress. Frankly, it is a debate that has been glided over as we have discussed in the last few months the budget agreement, because people got lost in terms of numbers and funding and appropriations and tax cuts and they lost track of that more fundamental question that we want to redirect our attention to here in Congress and, that is, what is the appropriate role of the Federal Government in these different programs.

Mr. Chairman, as we move forward, I understand there will be disagreements about particular amendments, I understand that some people may question motives. I would ask them not to, but to take seriously what is being discussed in each of these amendments and vote their conscience, so that we can go back to the American people and say, this Congress has discussed these issues and we look forward to continuing that in the coming days, in working with the chairman of the subcommittee and the ranking member on the other side of the aisle, to make sure that we have a full and healthy debate, not only on the details but on those general philosophical questions.

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

Mr. MCINTOSH. I yield to the gentleman from Illinois.

Mr. PORTER. I would say to the gentleman, he started by talking about medical research and particularly research on breast cancer. I am sure that the gentleman is aware that despite in 1996 a need to cut \$9 billion from the discretionary—

The CHAIRMAN pro tempore (Mr. BEREUTER). The time of the gentleman from Indiana [Mr. MCINTOSH] has expired.

(On request of Mr. PORTER, and by unanimous consent, Mr. MCINTOSH was allowed to proceed for 3 additional minutes.)

Mr. PORTER. Mr. Chairman, if the gentleman will continue to yield, that despite the need to make very deep cuts in spending in this bill and despite a budget resolution that would have made very deep cuts in funding for the National Institutes of Health, 80 percent of whose money goes to local academic medical research centers all

across America, we raised funding for NIH by 5.7 percent. This increase occurred while everything else in the bill was being cut. Last year we increased NIH by 7.5 percent and this year increased it by 6 percent. The increases for the National Cancer Institute were higher than the NIH average and we have placed biomedical research at a very, very high priority in crafting the Labor-HHS bill.

I would also say to the gentleman that as he was speaking, I was told that the amendments that were passed over are now being redrafted in a reach-back form that the gentleman from Indiana believes is in order. If so, those will be able to be heard. I also want to assure him that our purpose here in providing the process and debate is to shape this bill and that we want to provide everyone who wishes to participate in that process every opportunity, within the bounds of the other business that the House must conduct, to do that. I hope at the end of this process we will all have looked back on the process and said it was done in a fair way, it was done in a way that gave us an opportunity to participate and that we can live with the result.

Mr. MCINTOSH. Mr. Chairman, reclaiming my time, let me say I appreciate the efforts of the chairman to assist in redrafting those amendments so they can be discussed on the House floor at the appropriate moment in the bill, and his staff has been suggesting ways in which we can do that. I am told that, yes, the two should be able to be redrafted and be able to be offered at a later time and at an appropriate point in debate. I do appreciate the general notion that the gentleman has worked very hard to increase funding for medical research. I would, however, remind the House that the entire bill, when looked at from that perspective, is increasing on the order of 10 percent, and so our efforts are to even go beyond the good work that the chairman has done in getting funds for that medical research and suggest ways that perhaps we can find even more funds from programs that in our view at least are perhaps lower priorities and should not be increased. I know we have a philosophical disagreement on title X.

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

Mr. MCINTOSH. I yield to the gentleman from Illinois.

Mr. PORTER. The bill is not being increased by 10 percent and a great deal of the increase in the overall bill is from entitlement programs.

The CHAIRMAN pro tempore. The time of the gentleman from Indiana [Mr. MCINTOSH] has again expired.

(By unanimous consent, Mr. MCINTOSH was allowed to proceed for 30 additional seconds.)

Mr. MCINTOSH. Mr. Chairman, I yield to the gentleman from Illinois to finish his point.

Mr. PORTER. About 7 percent.

Mr. MCINTOSH. Seven percent on the discretionary programs. Our goal essentially in this area is to help the chairman even do better and perhaps go beyond that 7 percent in the medical research area, because we view that as a key priority, where the Government can help people. It is not a huge bureaucracy, it is a research program that as the chairman pointed out, 80 percent of it is beyond Washington and being done in some of our best medical universities around the country.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE DIRECTOR  
(INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, National Institutes of Health, \$298,339,000; *Provided*, That funding shall be available for the purchase of not to exceed five passenger motor vehicles for replacement only; *Provided further*, That the Director may direct up to 1 percent of the total amount made available in this Act to all National Institutes of Health appropriations to activities the Director may so designate; *Provided further*, That no such appropriation shall be decreased by more than 1 percent by any such transfers and that the Congress is promptly notified of the transfer; *Provided further*, That NIH is authorized to collect third party payments for the cost of clinical services that are incurred in National Institutes of Health research facilities and that such payments shall be credited to the National Institutes of Health Management Fund; *Provided further*, That all funds credited to the NIH Management Fund shall remain available for one fiscal year after the fiscal year in which they are deposited; *Provided further*, That up to \$500,000 shall be available to carry out section 499 of the Public Health Service Act.

BUILDINGS AND FACILITIES

For the study of, construction of, and acquisition of equipment for, facilities of or used by the National Institutes of Health, including the acquisition of real property, \$223,100,000, to remain available until expended, of which \$90,000,000 shall be for the clinical research center; *Provided*, That, notwithstanding any other provision of law, a single contract or related contracts for the development and construction of the clinical research center may be employed which collectively include the full scope of the project; *Provided further*, That the solicitation and contract shall contain the clause "availability of funds" found at 48 CFR 52.232-18.

SUBSTANCE ABUSE AND MENTAL HEALTH  
SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH  
SERVICES

For carrying out titles V and XIX of the Public Health Service Act with respect to substance abuse and mental health services, the Protection and Advocacy for Mentally Ill Individuals Act of 1986, and section 301 of the Public Health Service Act with respect to program management, \$2,151,943,000.

RETIREMENT PAY AND MEDICAL BENEFITS FOR  
COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, and for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan and for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C. ch. 55), and for payments

pursuant to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), such amounts as may be required during the current fiscal year.

AGENCY FOR HEALTH CARE POLICY AND  
RESEARCH

HEALTH CARE POLICY AND RESEARCH

For carrying out titles III and IX of the Public Health Service Act, and part A of title XI of the Social Security Act, \$101,588,000; in addition, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data tapes shall be credited to this appropriation and shall remain available until expended; *Provided*, That the amount made available pursuant to section 926(b) of the Public Health Service Act shall not exceed \$47,412,000.

HEALTH CARE FINANCING ADMINISTRATION  
GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, \$71,530,429,000, to remain available until expended.

For making, after May 31, 1998, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 1998 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

PARLIAMENTARY INQUIRY

Mr. COBURN. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. COBURN. Mr. Chairman, if I might inquire as to when in the debate amendments would be allowable that are restraining amendments or limiting amendments or blocking amendments as far as prohibitions. Could we have a ruling of the Chair?

The CHAIRMAN pro tempore. If the gentleman could identify those amendments by name and number.

Mr. COBURN. Manzullo-Coburn in terms of needle exchange. Coburn in terms of CDC, use of funds.

The CHAIRMAN pro tempore. The Chair would advise that the Istook amendment, for example, is made in order at the end of title II under the unanimous consent request that is functioning as a rule for consideration of this bill. That would come at the end of page 63. The Chair would entertain comments about the other amendments that are thought to be pending but is not prepared to engage in a parliamentary decision at this point.

Mr. COBURN. Might we have a decision as to an amendment that prohibits the use of Federal funds on needle exchange programs; should that come at the end of title II as well?

Mr. PORTER. Mr. Chairman, it is our understanding that that comes in the general provisions of the bill at the end. That was our understanding.

Mr. COBURN. May we have a ruling that that is where that would come?

The CHAIRMAN pro tempore. Would the gentleman identify the name and the number of the amendment?

Mr. COBURN. It is Coburn, and I believe it is 35.

The CHAIRMAN pro tempore. The gentleman from Oklahoma is advised that it comes at the end of the bill.

Amendment 35, that would be on page 102.

Mr. COBURN. I thank the Chair.

Mr. Chairman, there is another amendment, a Coburn-Ackerman amendment, that prohibits the use of CDC moneys for blind testing for infants for HIV testing.

The CHAIRMAN pro tempore. This would be the Coburn amendment No. 36?

Mr. COBURN. I believe so.

The CHAIRMAN pro tempore. That was also drafted to come at the end of the bill. That would be on page 102.

The Clerk will read.

The Clerk read as follows:

For making payments to States under title XIX of the Social Security Act for the first quarter of fiscal year 1999, \$27,800,689,000, to remain available until expended.

Payment under title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under sections 217(g) and 1844 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d) of Public Law 97-248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, \$63,581,000,000.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, and XIX of the Social Security Act, titles XIII and XXVII of the Public Health Service Act, the Clinical Laboratory Improvement Amendments of 1988, and section 191 of Public Law 104-191, not to exceed \$1,679,435,000 to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the Public Health Service Act, the latter funds to remain available until expended, together with such sums as may be collected from authorized user fees and the sale of data, which shall remain available until expended; *Provided*, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the Public Health Service Act are to be credited to and available for carrying out the purposes of this appropriation.

HEALTH MAINTENANCE ORGANIZATION LOAN AND  
LOAN GUARANTEE FUND

For carrying out subsections (d) and (e) of section 1308 of the Public Health Service Act, any amounts received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act, to be available without fiscal year limitation for the payment of outstanding obligations. During fiscal year 1998, no commitments for direct loans or loan guarantees shall be made.

ADMINISTRATION FOR CHILDREN AND FAMILIES  
FAMILY SUPPORT PAYMENTS TO STATES

For making payments to each State for carrying out the program of Aid to Families with Dependent Children under title IV-A of the Social Security Act before the effective date of the program of Temporary Assistance to Needy Families (TANF) with respect to such State, such sums as may be necessary:

*Provided*, That the sum of the amounts available to a State with respect to expenditures under such title IV-A in fiscal year 1997 under this appropriation and under such title IV-A as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall not exceed the limitations under section 116(b) of such Act.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV-D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for the last three months of the current year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or other non-Federal entities under titles I, IV-D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for the first quarter of fiscal year 1999, \$660,000,000, to remain available until expended.

#### LOW INCOME HOME ENERGY ASSISTANCE

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, \$1,000,000,000, to be available for obligation in the period October 1, 1998 through September 30, 1999.

For making payments under title XXVI of such Act, \$300,000,000: *Provided*, That these funds are hereby designated by Congress to be emergency requirements pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That these funds shall be made available only after submission to Congress of a formal budget request by the President that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act.

#### REFUGEE AND ENTRANT ASSISTANCE

For making payments for refugee and entrant assistance activities authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96-422), \$415,000,000: *Provided*, That funds appropriated pursuant to section 414(a) of the Immigration and Nationality Act under Public Law 104-134 for fiscal year 1996 shall be available for the costs of assistance provided and other activities conducted in such year and in fiscal years 1997 and 1998.

#### CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act of 1990), \$1,000,000,000 to become available on October 1, 1998 and remain available through September 30, 1999: *Provided*, That of funds appropriated for each of fiscal years 1998 and 1999, \$19,120,000 shall be available for child care resource and referral and school-aged child care activities.

#### SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, \$2,245,000,000: *Provided*, That notwithstanding section 2003(c) of such Act, as amended, the amount specified for allocation under such section for fiscal year 1998 shall be \$2,245,000,000.

#### POINT OF ORDER

Mr. SHAW. Mr. Chairman, I make a point of order against the social services block grant provision in title II of the bill on the grounds that it violates clause 2(b) of rule XXI of the rules of the House.

The CHAIRMAN pro tempore. The gentleman will state his point of order.

Mr. SHAW. Mr. Chairman, clause 2(b) of rule XXI states that no provision

changing existing law shall be reported in any general appropriation bill. Specifically, in the social services block grant provision of title II of the bill, the amount to which States are entitled under section 2003(c), beginning on line 24 of page 41 of the Social Security Act, is reduced from \$2,380 million to \$2,245 million. This change of authority over the entitlement amount falls under the jurisdiction of the Committee on Ways and Means and clearly violates rule XXI 2(b), which prohibits legislating on an appropriations bill. Therefore, the point of order applies, and I urge the Chair to sustain the point of order.

The CHAIRMAN pro tempore. Does any other Member wish to be heard on the point of order?

Mr. PORTER. Mr. Chairman, we concede the point of order.

The CHAIRMAN pro tempore. The point of order is conceded and sustained. The provision is stricken.

The Clerk will read.

The Clerk read as follows:

#### CHILDREN AND FAMILIES SERVICES PROGRAMS (INCLUDING RESCISSIONS)

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, the Native American Programs Act of 1974, title II of Public Law 95-266 (adoption opportunities), the Abandoned Infants Assistance Act of 1988, part B(1) of title IV and sections 413, 429A and 1110 of the Social Security Act; for making payments under the Community Services Block Grant Act; and for necessary administrative expenses to carry out said Acts and titles I, IV, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of 1981, title IV of the Immigration and Nationality Act of 1981, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, and section 126 and titles IV and V of Public Law 100-485, \$5,565,217,000, of which \$537,165,000 shall be for making payments under the Community Services Block Grant Act: *Provided*, That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes.

In addition, \$99,000,000, to be derived from the Violent Crime Reduction Trust Fund, for carrying out sections 40155, 40211 and 40241 of Public Law 103-322.

Funds appropriated for fiscal year 1998 under section 429A(e), part B of title IV of the Social Security Act shall be reduced by \$6,000,000.

Funds appropriated for fiscal year 1998 under section 413(h)(1) of the Social Security Act shall be reduced by \$15,000,000.

#### FAMILY PRESERVATION AND SUPPORT

For carrying out section 430 of the Social Security Act, \$255,000,000.

#### PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For making payments to States or other non-Federal entities, under title IV-E of the Social Security Act, \$3,200,000,000.

For making payments to States or other non-Federal entities, under title IV-E of the

Social Security Act, for the first quarter of fiscal year 1999, \$1,157,500,000.

#### ADMINISTRATION ON AGING AGING SERVICES PROGRAMS

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965, as amended, \$810,545,000: *Provided*, That notwithstanding section 308(b)(1) of such Act, the amounts available to each State for administration of the State plan under title III of such Act shall be reduced not more than 5 percent below the amount that was available to such State for such purpose for fiscal year 1995.

#### OFFICE OF THE SECRETARY

#### GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six sedans, and for carrying out titles III, XVII, and XX of the Public Health Service Act, \$159,636,000, together with \$5,851,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

#### OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$31,921,000.

#### AMENDMENT NO. 15 OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Mr. BURTON of Indiana:

Page 44, line 24, after the dollar amount, insert the following: "(decreased by \$1,000,000)".

Page 73, line 15, after the first dollar amount, insert the following "(increased by \$1,000,000)".

Mr. BURTON of Indiana. Mr. Chairman, this is a noncontroversial amendment, I believe. My cosponsor is the gentlewoman from Colorado [Ms. DEGETTE].

□ 1415

This regards the We The People program, and the goal of the We The People Program is the most fundamental of American purposes, the perpetuation of American democracy. The We The People Program is conducted across our Nation in elementary, middle, and high schools, preparing students to take their civic obligations very seriously.

The program's material grounds students in the basic text of American democracy, including the Declaration of Independence, the Constitution, the Bill of Rights, and the Federalist Papers, and follow the development of American constitutional principles throughout our Nation's history.

Since its inception 9 years ago, more than 22.6 million students have studied and benefited from the We The People Program, and at least 70,000 teachers have utilized their materials. The \$5.5 million funding level provided for in this amendment was originally proposed in the President's budget and

was supported by 62 Members from 32 States that signed a letter to the gentleman from Louisiana, Chairman LIVINGSTON, supporting the \$5.5 million level.

Members other than myself who have testified on behalf of this program include the gentleman from North Dakota [Mr. POMEROY], the gentleman from California [Mr. THOMAS], the gentleman from Alabama [Mr. BACHUS], the gentleman from Massachusetts [Mr. NEAL], and the gentleman from Indiana [Mr. HAMILTON].

Every Federal dollar for this worthy program secures at least \$10 in matching support from the private sector. There is a 10 to 1 ratio from the private sector for this program.

The CBO has scored this amendment as revenue neutral or negative. This is offset by a transfer of funds from another area on page 44, line 24, where we are decreasing the amount by \$1 million and adding \$1 million after the first dollar amount on page 73, line 15.

Mr. Chairman, we believe this is a worthwhile project. It is one that everybody in the country I think would support, almost without exception. Young people today really need to know about the Constitution. They really need to understand what the Federalist Papers were all about. They need to understand the Bill of Rights. This program shows by its history that it is very worthwhile and benefits everybody in this country, but particularly our young people.

Ms. DEGETTE. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I rise to urge my colleagues to support the Burton-DeGette amendment, and I want to thank the gentleman from Indiana [Mr. BURTON] for his support and efforts on behalf of We The People. I can think of no better lesson for the students of this country than the value of bipartisanship where we can find it, and this amendment is a great example in this regard.

I know firsthand how well this program works, because there is a high school back in my district in Denver, East High School, whose students have done extraordinarily well in the We The People competitions over the last decade. East High School has been among the top 10 finalists seven times in the last 9 years, and they won the competition in 1992. This year they came to Washington once again and won honorable mention by placing in the top seven of the national competition.

I know about East High School's great achievements because for several years in the early 1990's I was a volunteer coach for the East High School Bill of Rights team, and I will tell you that these high school students, even though I was a practicing attorney, often knew a lot more about the Bill of Rights as a result of the We The People program than I did. So I am a strong proponent of this program, and I believe that not only should it be continued at the high school level, but extended to junior high schools as well.

Mr. Chairman, a lot of times we as policymakers all ask ourselves the question, how do you solve the problem of a disenfranchised and cynical electorate? I do not think there is a magical solution, but I think programs like We The People come very close to providing as good a remedy as we will ever get.

In an era where political ambivalence, voter apathy, and distrust of government characterizes too many of our constituents, it is essential that we should support a program for high school and junior high school students to learn about their government and learn how important players they can be.

The \$1 million in the Burton-DeGette amendment provided to We The People will allow it to expand its Project Citizen Program designed for students in grades 6 through 9, the optimum age, according to researchers, for building student interest in civic life and politics.

Project Citizen calls on students to work together on a class project to identify and study a public policy issue of particular interest to them. Project Citizen focuses students' attention on behalf of State and local governments, which are often neglected in civics courses and textbooks, even though they are the levels of government most often utilized and immediately affecting the lives of citizens.

The increased funding will be used to fully implement the Project Citizen Program in all 50 States and help it become as quality a civic education program for middle school students as the We The People Program is for the high school students.

When we first started working on this program at East High School, very few schools actually participated. In the 10 years since the program began, though, over 75,000 teachers have implemented the We The People Program in the classroom. I think that this growth in 10 years speaks for itself about the success of the program. This program, I believe, can really change attitudes toward government and toward what government can do in our society.

Mr. Chairman, for those reasons, I really again applaud my colleague from Indiana [Mr. BURTON] for offering this amendment with me, and urge my colleagues to accept the Burton-DeGette amendment.

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

Ms. DEGETTE. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, we accept the amendment.

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

Ms. DEGETTE. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, on this side we also accept the amendment.

Mr. MILLER of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to commend the gentlewoman from Colorado [Ms.

DEGETTE] and the gentleman from Indiana [Mr. BURTON] for offering this amendment. This program is a valued program, and it does teach children about the Bill of Rights and about our civic system of government in this United States.

I must also say that I think the same students studying the Government would be surprised to find out that here in the people's House, we are unable to get an issue as important to the electoral process and to the participation of the American people within the electoral process, a matter of campaign finance reform, scheduled in the House of Representatives.

These very same people who are studying about the Bill of Rights and the Constitution of the United States and guaranteeing one man-one vote, a fundamental finding of the Supreme Court, will find out that it is not one man-one vote, not one person-one vote, but it becomes something other than that when you engage in the soft money exploitations of the campaign laws of this country.

We are witnessing hearings now that continue to discover the overwhelming amounts of soft money that have been plowed into campaigns, some disclosed, which we are finding about; unfortunately, much of it not disclosed, that we have not yet found out about, soft money that has flowed to both parties, that dramatically amplifies the voice of those individuals giving soft money to both parties, entities such as the Philip Morris Co., R.J. Nabisco, Federal Home Loan, Union Pacific, Southern Pacific, Atlantic Richfield, Walt Disney, Chevron, Coca Cola, Boeing, AT&T, the telecommunications corporation, and Anheuser-Busch. The list goes on and on and on.

What it adds up is millions and millions of dollars that have been funneled to each party, to overwhelm the basic limitations that we have in this system to try to make sure that individuals can participate with meaning in the election of Members of the House of Representatives.

So while I strongly support this amendment and this program, and I commend the authors of this amendment for bringing it to the floor, I think that we ought to fully understand that it is not all as these young people will study.

The hard-ball realities of politics is that there is a filibuster going on in this House against bringing campaign finance reform to the floor of the House so the body can work its will, so we can have competing proposals on the floor, so hopefully we can get rid of the soft money that has become sewer money, that is undermining the processes in this House, that is undermining our electoral process, and, in fact, caused people to stay away from the elections in this country because they do not believe that their vote counts, they do not believe that their voice matters, they believe that the big special interests are those who win day in and day out.

It is very hard to argue against the public on that matter, because the fact of the matter is that the big special interests are engaged in both parties. They are betting on both black and red. If they were at the roulette table, they cannot lose. They cannot lose.

The fact of the matter is it ought not to be allowed to continue, and we ought to have the right in this House before we get out of this House this year, in this month of September, we ought to be able to have a free and open debate on campaign finance reform. But we are not able to have that.

Therefore, continuing the process against the actions of the Republican leadership here to bottle up campaign finance reform, I will be asking for a vote on this amendment, and I encourage Members to support this worthy amendment dealing with the program of We The People.

Ms. FURSE. Mr. Chairman, I rise today to support the Burton-DeGette amendment to increase funding for civic education by \$1 million, from \$4.5 million to \$5.5 million. The "We the People \* \* \* Citizens and the Constitution" civic education program is a proven educational program which provides teacher training and resources with the goal of preparing elementary, middle, and high school students to become contributing members of the American civic culture. The program focuses on the U.S. Constitution and the Bill of Rights and fosters civic competence and responsibility among students.

The "We the People \* \* \* Citizens and the Constitution" civic education program has been especially successful in my district. This year students from Lincoln High School in Portland, OR placed third in the national competition, and last year Lincoln High placed first in the country. It is an honor to represent these hardworking students and to support continued investment in this program.

The "We the People \* \* \* Citizens and the Constitution" program provides an excellent opportunity for students to gain an informed perspective on the significance of the U.S. Constitution and its place in our history and our lives. I urge my colleagues to support the Burton-Gette amendment and continue the expansion and success of civic education for our children.

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

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

Mr. MILLER of California. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Evidently, a quorum is not present.

Does the gentleman from California insist on his point of no quorum?

Mr. MILLER of California. Yes, I do, Mr. Chairman.

The CHAIRMAN pro tempore. Pursuant to clause 2, rule XXIII, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will

record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 375]

ANSWERED "PRESENT"—409

Abercrombie	DeLay	Istook
Ackerman	Deutsch	Jackson (IL)
Aderholt	Dickey	Jackson-Lee
Allen	Dicks	(TX)
Andrews	Dingell	Jefferson
Armey	Dixon	Jenkins
Bachus	Doggett	John
Baesler	Dooley	Johnson (CT)
Baker	Doolittle	Johnson (WI)
Baldacci	Doyle	Johnson, E.B.
Ballenger	Dreier	Johnson, Sam
Barcia	Duncan	Jones
Barr	Dunn	Kanjorski
Barrett (NE)	Edwards	Kaptur
Barrett (WI)	Ehlers	Kasich
Bartlett	Ehrlich	Kelly
Barton	Emerson	Kennedy (MA)
Bass	Engel	Kennedy (RI)
Bateman	English	Kennelly
Bentsen	Ensign	Kildee
Bereuter	Eshoo	Kilpatrick
Berman	Etheridge	Kim
Berry	Evans	Kind (WI)
Bilbray	Everett	King (NY)
Bilirakis	Ewing	Kingston
Bishop	Farr	Klecza
Blagojevich	Fattah	Klink
Bliley	Fawell	Klug
Blumenauer	Fazio	Knollenberg
Blunt	Filner	Kolbe
Boehlert	Flake	Kucinich
Boehner	Foglietta	LaFalce
Bonilla	Foley	LaHood
Bonior	Forbes	Lampson
Bono	Ford	Lantos
Borski	Fowler	Largent
Boswell	Fox	Latham
Boucher	Franks (NJ)	LaTourette
Boyd	Frelinghuysen	Lazio
Brady	Furse	Leach
Brown (FL)	Galleghy	Levin
Brown (OH)	Ganske	Lewis (CA)
Bryant	Gejdenson	Lewis (GA)
Bunning	Gephardt	Lewis (KY)
Burr	Gibbons	Linder
Burton	Gilchrest	Lipinski
Buyer	Gillmor	Livingston
Calvert	Gilman	LoBiondo
Camp	Goode	Lofgren
Campbell	Goodlatte	Lowey
Canady	Goodling	Lucas
Cannon	Gordon	Luther
Capps	Goss	Maloney (CT)
Cardin	Graham	Maloney (NY)
Castle	Granger	Manton
Chabot	Green	Manzullo
Chambliss	Greenwood	Markey
Chenoweth	Gutierrez	Martinez
Christensen	Gutknecht	Mascara
Clay	Hall (OH)	Matsui
Clayton	Hall (TX)	McCarthy (MO)
Clement	Hamilton	McCarthy (NY)
Clyburn	Hansen	McCollum
Coble	Harman	McCrery
Coburn	Hastert	McDade
Collins	Hastings (FL)	McDermott
Combest	Hastings (WA)	McGovern
Condit	Hayworth	McHale
Conyers	Hefley	McHugh
Cook	Hefner	McInnis
Cooksey	Heger	McIntosh
Costello	Hill	McIntyre
Cox	Hilleary	McKeon
Coyne	Hinchey	McKinney
Cramer	Hinojosa	McNulty
Crane	Hobson	Meehan
Crapo	Hoekstra	Meek
Cubin	Holden	Menendez
Cummings	Hooley	Metcalf
Cunningham	Horn	Mica
Danner	Hostettler	Millender-
Davis (IL)	Houghton	McDonald
Davis (VA)	Hoyer	Miller (CA)
Deal	Hulshof	Miller (FL)
DeFazio	Hunter	Minge
DeGette	Hutchinson	Mink
Delahunt	Hyde	Moakley
DeLauro	Inglis	Mollohan

Moran (KS)	Rivers	Spratt
Morella	Rodriguez	Stabenow
Murtha	Roemer	Stearns
Myrick	Rogan	Stenholm
Nadler	Rogers	Stokes
Neal	Rohrabacher	Strickland
Nethercutt	Ros-Lehtinen	Stump
Neumann	Rothman	Stupak
Ney	Roukema	Sununu
Northup	Roybal-Allard	Talent
Norwood	Royce	Tanner
Nussle	Rush	Tauscher
Oberstar	Ryun	Tauzin
Obey	Sabo	Taylor (MS)
Olver	Salmon	Taylor (NC)
Ortiz	Sanchez	Thomas
Packard	Sanders	Thompson
Pallone	Sandlin	Thornberry
Pappas	Sanford	Thune
Parker	Sawyer	Thurman
Pascrell	Saxton	Tiahrt
Pastor	Scarborough	Tierney
Paul	Schaefer, Dan	Traficant
Paxon	Schaffer, Bob	Turner
Payne	Schumer	Upton
Pease	Scott	Vento
Pelosi	Sensenbrenner	Visclosky
Peterson (MN)	Sessions	Walsh
Peterson (PA)	Shadegg	Wamp
Petri	Shaw	Waters
Pickering	Shays	Watkins
Pickett	Sherman	Watt (NC)
Pitts	Shimkus	Watts (OK)
Pombo	Shuster	Waxman
Pomeroy	Sisisky	Weldon (FL)
Porter	Skaggs	Weldon (PA)
Portman	Skeen	Weller
Poshard	Skelton	Wexler
Price (NC)	Slaughter	Weygand
Pryce (OH)	Smith (MI)	White
Quinn	Smith (NJ)	Whitfield
Radanovich	Smith (OR)	Wicker
Rahall	Smith (TX)	Wise
Ramstad	Smith, Adam	Wolf
Rangel	Snowbarger	Woolsey
Redmond	Snyder	Wynn
Regula	Solomon	Yates
Reyes	Souder	Young (AK)
Riley	Spence	Young (FL)

□ 1443

The CHAIRMAN pro tempore. Four hundred nine Members have answered to their name, a quorum is present, and the Committee will resume its business.

RECORDED VOTE

The CHAIRMAN pro tempore. The pending business is the demand of the gentleman from California [Mr. MILLER] for a recorded vote.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 417, noes 3, not voting 13, as follows:

[Roll No. 376]

AYES—417

Abercrombie	Bishop	Camp
Ackerman	Blagojevich	Campbell
Aderholt	Bliley	Canady
Allen	Blumenauer	Cannon
Andrews	Blunt	Capps
Archer	Boehlert	Cardin
Armey	Bonilla	Castle
Bachus	Bonior	Chabot
Baesler	Bono	Chambliss
Baker	Borski	Chenoweth
Baldacci	Boswell	Christensen
Ballenger	Boucher	Clay
Barcia	Boyd	Clayton
Barr	Brady	Clement
Barrett (NE)	Brown (CA)	Clyburn
Barrett (WI)	Brown (FL)	Coble
Bartlett	Brown (OH)	Coburn
Barton	Bryant	Collins
Bateman	Bunning	Combest
Bentsen	Burr	Condit
Bereuter	Burton	Conyers
Berman	Buyer	Cook
Bilbray	Callahan	Cooksey
Bilirakis	Calvert	Costello

Cox	Horn	Morella
Coyne	Hostettler	Murtha
Cramer	Houghton	Myrick
Crane	Hoyer	Nadler
Crapo	Hulshof	Neal
Cubin	Hunter	Nethercutt
Cummings	Hutchinson	Neumann
Cunningham	Hyde	Ney
Danner	Inglis	Northup
DeGette	Istook	Norwood
Delahunt	Jackson (IL)	Nussle
DeLauro	Jackson (VA)	Oberstar
DeLay	(TX)	Obey
Deutscher	Jefferson	Olver
Diaz-Balart	Jenkins	Ortiz
Dickey	John	Oxley
Dicks	Johnson (CT)	Packard
Dingell	Johnson (WI)	Pallone
Dixon	Johnson, E. B.	Pappas
Doggett	Johnson, Sam	Parker
Dooley	Jones	Pascarella
Doolittle	Kanjorski	Pastor
Doyle	Kaptur	Paul
Dreier	Kasich	Paxon
Duncan	Kelly	Payne
Dunn	Kennedy (MA)	Pease
Edwards	Kennedy (RI)	Pelosi
Ehlers	Kennelly	Peterson (MN)
Ehrlich	Kildee	Peterson (PA)
Emerson	Kilpatrick	Petri
Engel	Kim	Pickering
English	Kind (WI)	Pickett
Eshoo	King (NY)	Pitts
Etheridge	Kingston	Pombo
Evans	Klecza	Pomeroy
Everett	Klink	Porter
Ewing	Klug	Portman
Farr	Knollenberg	Poshard
Fattah	Kolbe	Price (NC)
Fawell	Kucinich	Pryce (OH)
Fazio	LaFalce	Quinn
Filner	LaHood	Radanovich
Flake	Lampson	Rahall
Foglietta	Lantos	Ramstad
Foley	Largent	Rangel
Forbes	Latham	Redmond
Ford	LaTourrette	Regula
Fowler	Lazio	Reyes
Fox	Leach	Riggs
Frank (MA)	Levin	Riley
Frank (NJ)	Lewis (CA)	Rivers
Frelinghuysen	Lewis (GA)	Rodriguez
Frost	Lewis (KY)	Roemer
Furse	Linder	Rogan
Galleghy	Lipinski	Rogers
Ganske	Livingston	Rohrabacher
Gejdenson	LoBiondo	Ros-Lehtinen
Gekas	Lofgren	Rothman
Gephardt	Lowey	Roukema
Gibbons	Lucas	Roybal-Allard
Gilchrest	Luther	Royce
Gillmor	Maloney (CT)	Rush
Glman	Maloney (NY)	Ryun
Gilman	Manton	Sabo
Goode	Manzullo	Salmon
Goodlatte	Markey	Sanchez
Goodling	Martinez	Sanders
Gordon	Mascara	Sandlin
Goss	Matsui	Sanford
Graham	McCarthy (MO)	Sawyer
Granger	McCarthy (NY)	Saxton
Green	McCollum	Scarborough
Greenwood	McCreery	Schaefer, Dan
Gutierrez	McDade	Schaefer, Bob
Gutknecht	McDermott	Schumer
Hall (OH)	McGovern	Scott
Hall (TX)	McHale	Sensenbrenner
Hamilton	McHugh	Sessions
Hansen	McInnis	Shadegg
Harman	McIntosh	Shaw
Hastert	McIntyre	Shays
Hastings (FL)	McKeon	Sherman
Hastings (WA)	McKinney	Shimkus
Hayworth	McNulty	Shuster
Hefley	Meehan	Sisisky
Hefner	Meek	Skaggs
Herger	Menendez	Skeen
Hill	Metcalf	Skelton
Hilleary	Mica	Slaughter
Hinches	Millender-	Smith (MI)
Hinojosa	McDonald	Smith (NJ)
Hobson	Miller (CA)	Smith (OR)
Hoekstra	Miller (FL)	Smith (TX)
Holden	Minge	Smith, Adam
Hooley	Mink	Snowbarger
	Moakley	Snyder
	Mollohan	Solomon
	Moran (KS)	Souder
	Moran (VA)	Spence

Spratt	Thornberry	Waxman
Stabenow	Thune	Weldon (FL)
Stark	Thurman	Weldon (PA)
Stearns	Tiahrt	Weller
Stenholm	Tierney	Wexler
Stokes	Trafficant	Weygand
Strickland	Turner	White
Stump	Upton	Whitfield
Stupak	Velazquez	Wicker
Sununu	Vento	Wise
Talent	Visclosky	Wolf
Tanner	Walsh	Woolsey
Tauscher	Wamp	Wynn
Tauzin	Waters	Yates
Taylor (MS)	Watkins	Young (AK)
Taylor (NC)	Watt (NC)	Young (FL)
Thompson	Watts (OK)	

## NOES—3

Bass	Ensign	Thomas
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## NOT VOTING—13

Becerra	Gonzalez	Smith, Linda
Berry	Hilliard	Torres
Boehner	Owens	Towns
Carson	Schiff	
Dellums	Serrano	

## □ 1453

Messrs. THOMAS, BASS, and ENSIGN changed their vote from "aye" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

## ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. BEREUTER). The Chair will advise Members that their failure to be in the Chamber in a timely fashion is delaying the proceeding of the Committee, and the Chair requests their cooperation.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

## OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, \$16,345,000, together with not to exceed \$3,314,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

## POLICY RESEARCH

For carrying out, to the extent not otherwise provided, research studies under section 1110 of the Social Security Act, \$14,000,000.

## AMENDMENT OFFERED BY MR. SOUDER

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

The Clerk read as follows:

Amendment offered by Mr. SOUDER:

Page 45, after line 11, insert the following:

## REVISION OF AMOUNTS

The amounts otherwise provided by this title are revised by reducing the amount made available for "Health Resources and Services Administration—Health Resources and Services" (and the amount specified under such heading for the program under title X of the Public Health Service Act to provide for voluntary family planning projects), and increasing the amount made available for "National Institutes of Health—National Cancer Institute", by \$40,690,000 and \$36,000,000, respectively.

## POINT OF ORDER

Mr. OBEY. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. OBEY. Mr. Chairman, I make a point of order that the amendment vio-

lates clause 2, rule XXI. The Congress cannot, through a reachback amendment, add funding to an unauthorized account. And when the Congress itself periodically authorizes legislation, they vacate the generic authorizations, and it seems to me under these circumstances that the amendment is out of order.

The CHAIRMAN pro tempore. Does the gentleman from Indiana [Mr. SOUDER] wish to be recognized on the point of order?

Mr. SOUDER. Mr. Chairman, I believe that the amendment is germane. I understand the concern. I would like to address the House on the point of order.

The CHAIRMAN pro tempore. The gentleman may be heard on the point of order.

Mr. SOUDER. Mr. Chairman, the question of the point of order goes back to our earlier discussion, which was there was a group of amendments that we intended to offer at an earlier point, and when one failed, several failed. We have tried to craft an amendment that we felt would be in order by inserting a different section.

Mr. Chairman, my amendment would move funds from title X over to the National Cancer Institute for breast cancer research. I am disappointed because, as we tried to search through, it was not completely clear as to whether it would be able to withstand a point of order. I am terribly disappointed that the minority party would object and exercise this point of order to stop us from moving funds to breast cancer and from title X.

## □ 1500

I am disappointed because I think we have tried to work together through this bill and we have tried to recraft the amendment to make it in order.

The CHAIRMAN pro tempore (Mr. BEREUTER). Are there other Members who wish to be heard on the point of order?

If not, the Chair is prepared to rule.

Under the precedents of July 12, 1995, as recorded in House Practice at page 142, and July 16, 1997, an amendment adding matter at the pending portion of the bill to effect an indirect increase in an unauthorized amount permitted to remain in a portion of the bill already passed in the reading is not "merely perfecting" for purposes of clause 2(a) of rule XXI.

The Chair is not aware of an authorization of appropriations for the National Cancer Institute beyond fiscal year 1996, 42 U.S.C. 285a-8.

The Chair finds that appropriations for the National Cancer Institute have been the subject of periodic authorization as first cited in section 417(B) of the Public Health Services Act. Consequently, reliance on organic law as the source of authorization is no longer well placed.

Because the most current statutory authorization lapsed with the fiscal year 1996, the proposal to appropriate

for the National Cancer Institute is not authorized.

The point of order is sustained.

AMENDMENT OFFERED BY MR. COBURN

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

The Clerk read as follows:

Amendment offered by Mr. COBURN:

Page 45, after line 11, insert the following:

REVISION OF AMOUNTS

The amounts otherwise provided by this title are revised by increasing the amount made available for "Health Resources and Services Administration—Health Resources and Services" (and the amount specified under such heading for State AIDS Drug Assistance Programs authorized by section 2616 of the Public Health Service Act), reducing the amount made available for "Agency for Health Care Policy and Research—Health Care Policy and Research", reducing the amount made available for "Administration for Children and Families—Refugee and Entrant Assistance", reducing the amount made available for "Office of the Secretary—General Departmental Management" from general Federal funds, and reducing the amount made available for "Office of the Secretary—Policy Research", by \$34,868,000, \$2,338,000, \$22,668,000, \$4,812,000, and \$5,000,000, respectively.

Mr. OBEY. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN pro tempore. The gentleman from Wisconsin [Mr. OBEY] reserves a point of order.

The Chair recognizes the gentleman from Oklahoma [Mr. COBURN].

Mr. COBURN. Mr. Chairman, this amendment would shift \$35 million from various programs that have been funded above the President's request, programs that have been funded above the President's request in the State AIDS drug assistance programs. The funds would be redirected primarily from administrative accounts that do not directly benefit people into an ADAP program which directly benefits hundreds of thousands of people infected with HIV.

As assistance to those who have HIV, this program provides medicine for lower income, uninsured individuals who are HIV positive but do not qualify for Medicaid. Pressures on the State ADAP groups have led 35 States to implement emergency measures in the last year leaving 23 States to cut patients or restrict their access to medically necessary drugs in fiscal 1997.

In 1996, for the first time in the history of the HIV epidemic, AIDS deaths declined. They declined because of triple drug therapy. Unfortunately, that decline was not manifested or recognized in women. AIDS deaths actually increased. Unfortunately, that decline was not recognized in minority populations or in children. Those deaths actually increased.

What this amendment is designed to do, although the chairman of this committee has worked hard to increase the funding, there will still be between 30,000 and 70,000 Americans who are HIV infected, who are uninsured and low income, who will not have availability of these drugs.

When I am in Oklahoma, at least once a month I work in a free clinic.

Routinely we cannot have available funds through ADAP for people with HIV to receive triple drug therapy. Does this solve all the problem? No. The moneys that are taken for this program are coming from moneys that have been appropriated above what the President of the United States requested for the various areas which it has been taken and are moved to help those people who otherwise will not have an opportunity to have this drug therapy.

I said earlier, if this was any other disease other than HIV, where a million people were infected and did not know they were, where 350,000 Americans have died and another 350,000 are living with AIDS, there would be no question that this body would fund medicines for every one of them. To oppose this amendment on the basis of saying we have done enough is not a good enough answer to the people in Oklahoma, to the people in New York, to the people in Florida who do not have this therapy. They deserve to have this therapy, regardless of how they contracted this disease. It can prolong their life. It can vastly improve the quality of their life.

Let us talk about where this money comes from: \$2 million comes from the Agency for Health Care Policy and Research overhead associated with that; refugee and entrance assistance, \$22 million comes from that. Do we have more of an obligation to those coming into our country than we have to our citizens born here and infected with this virus that we are not going to have available drugs for?

Finally, it comes from the Office of the Secretary of Health and Human Services, General Department, Management and Policy Research, a total of almost \$10 million.

I would ask this body to consider this question: If you had a friend who could not afford to spend the \$6,000 to \$7,000 a year to buy these drugs and we are spending money in other areas in this bill, we are increasing bureaucratic overhead, we are increasing salaries of bureaucrats while those, the poorest of the poor, those with the inability to pay for themselves are dying because we choose not to fund this appropriately.

Mr. Chairman, had I been able to find moneys, other moneys funded above the President's request, this request would have been much larger. And it breaks my heart that we cannot find the moneys to take care of the people in this country that have this dreaded disease.

I beg this House to support this amendment, to not listen to the AIDS action groups who want to continue to fund their programs as long as their little group is funded when those who are of minority status, when those who are women who have done nothing to contract this disease do not have available to them a way to have this disease treated.

We all hope some day for a cure for this disease. We do not have a cure.

But we certainly have a way to buy time for those that cannot afford these medicines.

I beg the Members of this body to not say we have done enough. We have not done enough. Tell that to the first person who is not going to get this treatment.

The CHAIRMAN pro tempore. Does the gentleman from Wisconsin [Mr. OBEY] insist on his point of order?

Mr. OBEY. Mr. Chairman, I withdraw my reservation of a point of order.

Mr. Chairman, I move to strike the last word.

Could I ask the gentleman from Oklahoma a question. Does he represent Okmulgee?

Mr. COBURN. Mr. Chairman; will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Wisconsin.

Mr. COBURN. Yes, Mr. Chairman, I do.

Mr. OBEY. Mr. Chairman, let me say, I was born in the gentleman's district. I was born in Okmulgee.

Mr. COBURN. Mr. Chairman, I knew the gentleman had redeeming qualities.

Mr. OBEY. Mr. Chairman, my father was the only man in America who moved to Oklahoma during the Depression to get a job. I was born there by accident.

I would simply say that I do not think the folks in Okmulgee would vote for this amendment if they fully understood it.

This bill already increases funding for AIDS drugs from \$167 to \$299 million. That is an increase of 79 percent. Last year, this committee also increased funding for this program by \$117 million. That means that this committee in 2 years time, under the leadership of the gentleman from Illinois [Mr. PORTER] has raised this account from \$50 to \$299 million. I would say that that is going a far piece to meet our responsibilities in this area.

I would also point out that the area that the gentleman chooses to take the money from, the major area, is an especially savage source for his money. We had a major debate in this country last year on welfare reform. We, I think, properly cut back on the benefit levels that we were going to provide for immigrants. I do not think that our immigration policy ought to be used as a substitute for an international welfare policy.

But refugees are a far different matter. Refugees come to this country, whether they came to this country because they were Russian Jews escaping the Soviet Union or whether they came to this country because they were Hmong refugees who fought and bled and died to help our GI's in Vietnam and in Laos and lost their country because of it.

When those refugees come to this country, they come to this country not because a local government or a State government has asked them to but because the Federal Government has told them to come.



We have cut back aid to refugees when they come to this country from the first 36 months that they live here to 8 months. The gentleman's amendment would cut that back some more.

I want to talk to my colleagues for a moment about one group of refugees who I do not think we should be savaging by the gentleman's amendment. That is the Hmong. That is spelled H-m-o-n-g. They were known as the Montagnards in earlier times. They were used by the CIA as operatives during the Vietnam war and as secret battlefield allies in our secret Laos campaign.

They made great personal sacrifices for this country, including the loss of their homes and the loss of their lives to assist our country. They rescued downed Americans pilots. They sabotaged the Ho Chi Minh Trail at our request. They guarded high-technology mountaintop navigational facilities in Laos at our request, which allowed all-weather air strikes against North Vietnam. And they fought as ground troops for 10 years to reduce the opportunity for the North Vietnamese to fight Americans in South Vietnam.

Ten percent of their entire population died as a result, including women and children and the elderly. And they lost their homeland to Communist forces. They were forced to live in refugee camps, some of them for many years. Some of them are just now, after that long agonizing period of time, finally coming to the United States. Those refugees should not be dumped on to the shoulders of local property taxpayers or State governments. Gov. Pete Wilson is correct when he objects to the fact that the United States makes immigration and refugee policy and then dumps the consequences on States and local taxpayers.

The United States for very good reasons determined that these Hmong refugees had sacrificed their all.

The CHAIRMAN pro tempore. The time of the gentleman from Wisconsin [Mr. OBEY] has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 2 additional minutes.)

Mr. OBEY. Mr. Chairman, they sacrificed their all on behalf of America's troops in Vietnam, America's pilots in Vietnam and Laos. Now the reward that they would get under this amendment is to have scaled back further the benefits which some of these folks get in return for the favors they did to the United States.

□ 1515

I think that that action on our part would be unconscionable, and so I would ask the gentleman to recognize that the source of his money is wrong; and in my view, the gentleman from Illinois [Mr. PORTER] has already more than amply funded the account into which he wants to put the money, and I would ask on a bipartisan basis that we reject the amendment.

Mr. BARR of North Carolina. Mr. Chairman, I move to strike the last word.

The gentleman from Wisconsin is correct, the chairman of this subcommittee has done an unbelievable job of trying to raise the funding of what is a very, very crucial health issue in this country, and I commend the gentleman from Illinois [Mr. PORTER] for his work and I commend the gentleman from Wisconsin [Mr. OBEY] for, in fact, his work also.

But when we are faced with the reality that there are 1,000 new patients utilizing ADAP per month, then, quite honestly, the growth that we have was not quite enough.

The chairman was very responsive to the request of a number of Members for a specific amount, and as this year has gone on, and this process, quite honestly, we realize that it is not enough; that as States, 35 as the gentleman from Oklahoma has stated, start putting conditions on those who quite frankly will die without this potential treatment that will not cure them, but it will slow the growth of the disease until possibly we can find a cure, then in fact the gentleman from Wisconsin is right, to some degree we are prioritizing where the American people's money is spent.

Prioritizing it when we take it away from bureaucrats in Washington is a relatively easy thing; where we give a benefit to some and not to others, that becomes much tougher. Hopefully, Congress will see in the future that if we eliminate more bureaucrats, we do not have to make choices between those who get and those who do not.

But, in fact, we have a very distinct population that we know are sick, that in fact the population that is affected is shifting from predominantly males now to women and infants, to those that we are going to be emotionally tied to in the future; that their hope for life is on our ability to recognize the progresses of science and of medicine and to make sure that in fact no person who is sick is deprived of a way to access that medicine.

We will have individuals in this country without additional funding for ADAP that will fall through the cracks. They will not and cannot be recognized for Medicaid payments. And in fact, 16 States instituted waiting lists for access to certain protease inhibitors. Thirteen States have capped ADAP enrollment. Fifteen States capped or restricted access to protease inhibitors. Eleven States reduced the numbers of drugs covered by ADAP.

To my colleagues on the floor, I would only say there is a wrong trend. For those of us who have to deal with health issues, the gentlewoman from California [Ms. PELOSI] and others on the minority side have worked tirelessly to make sure that the concerns and the real health problems of many in this country have been addressed. And they are not limited just to those with HIV; they span across party lines.

And I would suggest to my colleagues this has no party affiliation; this is an issue about health. My only concern is that for those patients, be it those with HIV or others who have visited my office this year, who will not be back next year because we have stymied the development of new drugs or because we have underfunded those that we have, will in fact be the losers, not those of us here, not the American taxpayer. In fact, the loser is the one who we could not get the treatment to.

This is about treatment, it is about compassion, it is about prioritizing where the Federal dollars are spent.

I am confident that this body will in fact make the right decision and increase this funding even more so that in fact those who are most at risk will receive the benefit they are due.

Ms. PELOSI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise with a great deal of sorrow to speak against this amendment because despite the perhaps good intentions of our colleague, the gentleman from Oklahoma [Mr. COBURN], for offering it, it smacks of so much cynicism that I oppose it very, very sadly.

It seems that for the first half of the week, or beginning last Friday, the Republican majority decided to exploit the good intentions of the American people and the attitude of the American people toward disabled children in order to have a political advantage for the Republicans. And now they are trying to exploit the appropriate sentiment that the American people have for people with AIDS by introducing this most unproductive amendment.

As I say, perhaps the maker of the motion and those who support it come to the table with good intentions, but the appearance of this amendment is one that really does violence to all of the hard work that has been done by our chairman, the gentleman from Illinois [Mr. PORTER], by our ranking member the gentleman from Wisconsin [Mr. OBEY], and so many people who have worked so very hard to increase the funding for AIDS prevention, research and care and nondiscrimination against people with HIV/AIDS.

As has been indicated by our ranking member, the gentleman from Illinois [Mr. PORTER] has increased the funding in this bill for AIDS and ADAP, ADAP is AIDS Drugs Assistance Program, by over \$132 million. Is that enough? No. Do we need more? Yes. But that is an issue that should have been taken up in the budget talks, when we were giving tax breaks to the wealthiest people in America and funding defense programs without question, instead of going into what I call our lamb-eat-lamb bill of Labor, Health and Human Services and Education.

So that instead of trying to grandstand on the misery of people with HIV and AIDS, we could be increasing the funding without having it come at the expense of women's health, which is

cut in this amendment. Women's health which saw a significant increase in fiscal year 1997 funding could suffer reductions in programs encouraged by the subcommittee, including National Centers of Excellence in Women's Health, implementation of the National Women's Health Information Center and the Missiles to Mammogram program. Or reductions in minority health, which would adversely impact a variety of programs aimed at improving the health status of disadvantaged populations.

And the list goes on and on. As we cut the administration of the Secretary's office, we decrease the ability of the Department to meet the needs of the people of our country.

But do not only take my word for it. Those people who are in the trenches every single day, helping to meet the needs of people with HIV/AIDS, for example, AIDS Action, on behalf of 2,000 community-based organizations which they represent, urge opposition to the amendment. And they say, "Although additional funds for ADAP is needed, the majority of the offsets for this amendment come at the expense of other important public health programs. Chairman PORTER has carefully crafted a bill that addresses the entire AIDS portfolio. In the broadest context of AIDS health care services, this amendment would upset that delicate balance."

Or then we have a message from NAPWA. NAPWA is the National Association of People With AIDS. It does not represent groups, it represents individuals, and it opposes the amendment by saying, "While new resources are desperately needed for the ADAP program, we should not have it at the expense of the needs of refugees or even the needs of the Federal agency that has to administer these funds."

Or the National Organization Responding to AIDS, NORA. NORA is a coalition of over 175 health, labor, religious, professional, and advocacy groups which collectively represent the broadest possible consensus of issues concerning HIV and AIDS policy legislation and funding. NORA opposes the amendment by saying, again, "Although additional funding for ADAP is certainly needed, the offsets would come from other public health programs, such as health care for the homeless, migrant health centers and other health programs which serve vulnerable populations. The additional offsets from administrative and policy research accounts help ensure that scarce Federal resources are spent effectively, and they should not be kept back."

The organizations that day-to-day work with people with HIV/AIDS urge prevention programs advocate for more research and certainly advocate for more funding for the ADAP program, and all oppose the amendment of the gentleman from Oklahoma. I certainly welcome the opportunity to put forth on this floor at any chance we get, the

fact that there is need for more funds or for ADAP, and certainly in conference and certainly at the end of the day we should have more funding, but not at the expense of women's health and not at the expense of minority health.

I urge our colleagues to vote "no" on the Coburn amendment.

Mr. MANZULLO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would simply say this in response to the gentlewoman from California, that the gentleman from Oklahoma [Mr. COBURN] is the one who is in the trenches. Here is a man who understands what is going on with the AIDS epidemic in this country, and he has come to the floor today to pour out his heart and his soul to make sure that money is used for the people for whom the money has been intended. And I think it would be grossly unfair to say that the gentleman is exploiting the very people whom he is trying to help.

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

Mr. MANZULLO. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I think there are some very basic questions we have to ask in this country. We have an epidemic that involves well over 1 million people, almost one-half of 1 percent of our population.

We talk about priorities, for example, how many Montagnards are going to come into the country this year? The funding level is \$3 million above last year. I doubt that one new Montagnard will come into the country this year that the gentleman from Wisconsin [Mr. OBEY] explained that that money was for. The fact is that this money will treat 6,000 people. It will prevent them from dying.

Now, we hear that the AIDS Action Council and NAPWA and NORA oppose this. They are the groups that have the money. They do not have any problem because they are taking care of their groups. This is for money to go to States to buy drugs for those people who are not currently being served by any of these organizations. Yes; they are outside of it. They are the people that are the least advantaged in this program.

The question I would like to ask is, Why is it not good enough to fund this for everyone who has HIV that cannot get treatment? I cannot use his name, because I am a doctor bound not to divulge, but I have a patient and he cannot get treated. The drug companies have been very beneficial in trying to get us medicines, so this young man, 27 years of age, is going to die in less than a year because he has moved from HIV to full-blown AIDS because he cannot, George cannot have the money because Oklahoma is out of money, because the money is not available for him to have it.

Despite what we do for the hundreds of people that come in that have HIV,

that do not have the material means to get it, the drugs, we do not have enough.

To say that we are cynical and that we are exploiting the very people that we are trying to help, I have been a practicing physician for 15 years, I have delivered babies, and one of my most favorite patients, 8 years old, just died of AIDS. Her mother was HIV positive when she was born. We did everything to try to save her life.

It sorrows me greatly that my intentions are questioned, that I would be accused of exploiting people, that my honor in terms of trying to correct this epidemic and the efforts that I have made, that my motives would be questioned.

I think it is very unfortunate that a statement such as that is made on the floor of this body. Never have I accused anyone in this body who has, from their heart, tried to make changes in the laws of this country to help people, accused them of being exploitative. I think it leads us away from where we need to be.

There are 1 million people with HIV in this country. We have an obligation in this epidemic to do everything to stem the tide, and that means treat these 6,000 people who presently do not have the medicine. That is all we are talking about, 6,000 lives that will not be here next year when we decide we need to get more money.

Six thousand lives, give them a chance to live. Give them the same opportunity that somebody that is hooked in with NAPWA, that is hooked in with NORA, that is hooked in with some of the preexisting, set organizations.

The fact is, there are a lot of people running out there that do not have that ability, do not have that access.

□ 1530

It is working well in the communities that have a large number of people with HIV. It is not working well in the communities that do not. In the States that are lower population, there are tons of people who are not getting treatment.

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to stand again to thank the gentleman from Illinois [Mr. PORTER], our chairman, for working so hard in a bipartisan way to bring our committee together and the caucus together to support what I believe has been a very fair bill. Again, we have had a difficult time in this committee and we have for all the years I have been serving on it because we have to make a lot of tough choices. For those, the gentleman from Oklahoma [Mr. COBURN], I want to say with great respect to our colleague who has been working in the trenches and understands the pain and suffering out there, we understand it and our chairman understands it as we go through those difficult decisions. Our chairman has been

an extraordinarily supportive advocate, probably the most strongest advocate for the National Institutes of Health, working to prevent the scourge of AIDS, working to focus attention on research so we can finally end the pain and suffering.

I would like to ask the gentleman from Oklahoma [Mr. COBURN] as we are making these difficult decisions why on July 11, 1996 he voted for an across-the-board cut for the Labor-HHS appropriations bill. I want to remind the gentleman that the across-the-board cut had a definite negative impact on AIDS research and prevention, and as we fight to establish priorities, we have to be very careful that when we support an across-the-board cut as the gentleman did on July 11, 1996, this directly negatively affected the work that we are doing in that regard.

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

Mrs. LOWEY. I yield to the gentleman from Oklahoma.

Mr. COBURN. I would be happy to answer that. I was involved in trying to get an across-the-board cut in every appropriations bill in 1996. The purpose for that is to try to control the spending so we could balance the budget. There is no question it affected priorities of mine just like it affected priorities of other people who voted on that. The decision that I made was simply, is it a more valiant effort to try to save money so we will have money to spend in something like this in the years to follow. The fact is we are going to steal another \$300 or \$500 billion from our children over the next 5 years in this supposed balanced budget agreement.

Mrs. LOWEY. Reclaiming my time, I just want to remind the gentleman again and my colleagues that as we work so hard to balance our priorities, across-the-board cuts can negatively impact the important work that the National Institutes of Health is doing and in providing for the invaluable dollars we need to buy these important drugs.

I would just alert him that we welcome him as a supporter to these very important issues, and again I would urge my colleague to vote down this amendment because for those of us who care deeply about this issue, this again is a shameful and cynical way to deal with our priorities. I just want to remind the gentleman that that vote cost \$12 million in prevention money, \$30 million in research and \$20 million in care.

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

Mrs. LOWEY. I yield to the gentleman from Wisconsin.

Mr. OBEY. I thank the gentlewoman for yielding. Let me simply remind once again that this committee in the past 2 years has already increased the account the gentleman wants to put money into from \$50 million to \$299 million. He would seek to increase that money even more and he would seek to do so by gouging the refugee account,

which is there to meet our obligations to refugees who have met their obligations of friendship to the United States. I would urge the defeat of the amendment.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I did not even know about this particular problem, or even the program until my staff brought it up, a program in which multiple drugs are applied to help people with AIDS, and that it is one of the most exciting measures that individuals have to keep life sustained. I would like to sincerely thank the gentleman from Wisconsin [Mr. OBEY] and the gentleman from Illinois [Mr. PORTER] for what they have done in this bill. It is a pretty well balanced bill. I sincerely would like to thank the gentleman from Wisconsin [Mr. OBEY], who in his opposition to this bill spoke clearly on the issue, went through any politics, and it was very well done. But, Mr. Chairman, the one thing that is probably the most disheartening portion of this entire body is where instead of going to the issues, we start throwing politics into it. Tax breaks for the rich, the gentlewoman from California brings up. When we take a look and we throw politics into it or if a Republican does something that is not caring, and if it is a Democrat that wants to go after AIDS money, then it is caring for the children. Well, this is. I think the gentleman has got an issue in which he believes in on an issue-oriented basis and he is fighting for it.

When we take a look at education and the politics, being subcommittee chairman when they say the Republicans are cutting education. For example, the President wanted the direct lending program. It costs \$5 billion more a year, and we wanted to eliminate it but yet they said we are cutting education instead of talking to the issues.

On this particular issue, there are certain areas in which I believe the Federal Government has got a direct responsibility. No, I do not think the Federal Government ought to give money for the National Endowment for the Arts. That is a difference in issue. But I do believe that where we have a function that is not a States rights issue, it is in medical research. States cannot do that. They do not have the wherewithal to do it. We give it to the universities to take care of problems like the gentleman is trying to take care of. When we talk about 6,000 people that are going to be helped by this amendment and their life is going to be sustained, to bring politics into it to me is one of the worst things. Either you believe in it or you do not. I happen to believe that the gentleman is well-intentioned.

I am going to support the amendment. I really did not know how I was going to support on the issue, and I listened back and forth to the debate and I thought the gentleman from Wiscon-

sin [Mr. OBEY] gave a very convincing argument based on the issues and not on politics.

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

Mr. CUNNINGHAM. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I thank the gentleman for yielding. I want to frame this issue for what it really is. We have a lot of money out there being spent for AIDS treatment, AIDS programs, for people with AIDS. But we do not have a lot of money out there for people who have HIV right now, who do not have AIDS yet. As a matter of fact, we do not even know who half a million of them are. The purpose of this amendment is for those people that we do know who they are. This is for 6,000 people who know they have HIV, who cannot get drug treatment. That is what this is about.

The contrast is we have a group that says we have done enough. How much is doing enough when somebody is going to die between now and next year? When 6,000 people are going to die? If this was not this epidemic that got such a tainted reputation from its start because it was associated with life-styles and it became associated with life-styles, this is a disease, it does not care if you are gay or straight, if you are a man or a woman, or what color your skin is, if you are a newborn baby or an older woman, it does not like us. To say we have done enough, that 6,000 people between now and this time next year are not going to get the drugs to prevent them from converting to full-blown AIDS, I think it is just regrettable. It is regrettable that we are going to use the argument, we are going to let the politics of AIDS guide what we do on this, the politics that allow an extra 500,000 people to become infected, the politics that says we are not going to treat this as an epidemic and treat it in public health standing. We are not going to allow that to happen.

Ms. WOOLSEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I worry that this debate is not really about increasing funding for AIDS patients, but instead it becomes a cynical attack on other very deserving programs. For one thing, how anybody could say that we on this side of the aisle are stating that this is enough, they do not know the gentlewoman from California [Ms. PELOSI]. Have my colleagues ever heard the gentlewoman from California say we have done enough for AIDS prevention, AIDS research, and AIDS care? Never. This is not what this is about. This is about taking one deserving program and pitting it against another for funding and, on emotional value, against other deserving programs.

We know there is an AIDS epidemic. But let us talk about funding AIDS programs by cutting the B-2 bomber program, \$2.2 billion for each B-2 bomber that will not even fly in the

rain. Would that not be a good way to fund AIDS programs, AIDS research, AIDS care, and AIDS prevention?

Let us talk about AIDS prevention. Why are we not talking about education and programs that teach our children about safe sex and about contraception? Why are we not talking about needle exchange programs so that we will prevent AIDS in the first place? Let us stop talking about pitting one deserving program against another. Refugees are deserving. Civil rights programs are deserving. Veterans are certainly deserving. AIDS patients need care, we need the research, and we need to take care of every single AIDS patient in America. This is America. We have enough. We could take care of every AIDS patient if we chose, and we could do it without pitting these funds against other deserving funding programs. We must have the will. That is what is missing. It appears that we do not have the will to take care of deserving people unless we take away from other deserving programs and other deserving populations.

I say, Mr. Chairman, let us vote against this amendment and let us make sure we support all deserving programs and not pit one against the other.

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

Ms. WOOLSEY. I yield to the gentleman from California.

Ms. PELOSI. I thank the gentleman for yielding and for her very eloquent statement about the difficult choice that is presented.

I do want to say though to the gentleman from Oklahoma [Mr. COBURN] that the issue between the House and the Senate on the amount of funding in the bill for the ADAP program is not resolved between the House and Senate. The Senate conference may present an opportunity for there to be more funding available from the defense budget to put into the ADAP program and I would hope, listening to his eloquent presentation about the need for more ADAP funds, that he would be an advocate with us for receiving that funding from transferring it from the defense budget for domestic priorities as is possibly suggested.

Mr. COBURN. If the other gentlewoman from California might yield for a moment, first of all, I was one of the Republican conservatives who voted against the B-2 bomber, and I have every time. I would love to see that money.

Ms. PELOSI. I did want the gentleman to also know that again, reiterating what the gentlewoman from New York [Mrs. LOWEY] said, that it was a blow to us when the gentleman voted for the across-the-board cut, over \$50 million cut. Actually it adds up to \$52 million. The exact amount of this amendment, he cut in an across-the-board cut last year. So when an amendment of this kind comes along proposed by someone who supported a cut of exactly this amount of money in preven-

tion, research and care at the expense of minority health, women's health and other worthy programs within this piece of legislation, it raises questions.

□ 1545

Those questions can easily be answered when we go into conference or negotiate with the Senate about what our 602(b) allocation will be and the opportunity of funding coming from the defense budget to the 602(b) for this Labor-HHS bill. I would hope that the recognition of need will not go away. It will still be there.

May I just say another thing. The gentleman said there is no help for people with HIV. ADAP drugs are administered to people with HIV, and, in fact, the best prospects are when people take these drugs earlier, because the immune system has not been as devastated as it would be in a person who has a more veteran case of AIDS or HIV.

So, in any event, I hope the gentleman will be with us to take money from defense to meet this very important need that he calls to the attention of the body.

Mr. NORWOOD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to state very simply that I support the amendment of the gentleman from Colorado [Mr. COBURN]. It is a very easy thing to do. We are dealing with an area here of people's lives, and it is a simple matter of a "yes" on this vote saves 6,000 American lives, and a "no" on this vote will not allow these people to be treated.

I am very disappointed and disheartened that we cannot have an honest debate on a simple amendment without politicizing it when people are particularly trying to do good for the American people from the bottom of their heart. So I encourage my colleagues on both sides of the aisle simply to help save these 6,000 lives and vote "yes" on this amendment.

I do not take argument particularly with the gentleman from Wisconsin [Mr. OBEY] about where the money comes from. I spent a year of my life in the Central Highlands and I knew a lot of Montagnards, and I can assure Members that I would want them to be treated with the greatest respect and care. But I am also fairly certain that it has been many years since the Montagnards tried to come back into the United States.

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

Mr. NORWOOD. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, the fact is that many of them are coming to the United States right now because those refugee camps have just been closed down. They are entering California, Minnesota, Wisconsin, thousands of them.

Mr. NORWOOD. Mr. Chairman, reclaiming my time, I would ask the gen-

tleman, how many thousands came into the country last year?

Mr. OBEY. I do not know last year. Three thousand to four thousand will come in this year.

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

Mr. NORWOOD. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I think it is a great question. Are we going to support 3,000 to 4,000 Montagnards or are we going to allow 6,000 people to have HIV drugs that will prevent them from having AIDS? That is a legitimate debate, I do not deny that.

But the questions that were raised a moment ago that this money was taken from deserving programs, let us talk about where the money is coming from again. Almost \$10 million from the Office of the Secretary, the General Department of Management and Policy Research. That is a good thing for Americans to spend their money on, while 6,000 people die?

I agree that if this body thinks that that is what we should do, then that will be the will of the House. I do not believe that is what the minority party believes. They do not believe we ought to spend \$10 million additional, above what the President requested, on general policy research and general department management, instead of spending extra money to help people live with HIV and prevent them from dying.

So we are really not contrasting deserving programs. We are talking about people who do not have available to them drugs, and, because they do not, they will not be with us a year from now.

Mr. Chairman, I do not want to leave this body saying I voted to spend money on a bureaucrat and let 6,000 people die in the streets of this country from AIDS, when we could have prevented it. That is what the real debate is. The debate is about people with HIV and whether or not they ought to get help versus bureaucrats and the spending of the money on the government on things that will not impact someone's life.

So, again, I would ask consideration for this. I would yield back to my friend from Georgia, [Mr. NORWOOD], and thank him for allowing me the time to speak.

Mr. PORTER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would say to the gentleman from Oklahoma [Mr. COBURN] and others on our side of the aisle who have offered amendments that I am very flattered.

They have offered to put money back into special education: A program we have increased by \$1.1 billion over the last 2 years. They have offered to put money back into biomedical research: A program we have increased by \$1.6 billion over the last 3 years. And here, Mr. Chairman, the gentleman from Oklahoma [Mr. COBURN] wants to put

money into the Aids Drug Assistance Program [ADAP]: A program and account that we have increased 600 percent in the last 3 years, from \$50 to \$299 million.

The President requested \$167 million for the ADAP account. We thought that that was inadequate, and increased it by \$132 million, 79 percent, to a total of \$299 million. The funding level, however, is not a ceiling, it is a floor. Money can be spent for drugs under Ryan White, title I, the Big City Account; it can be spent under title II, the States Account; it can be and is spent under Medicaid.

All of those sources make funding available for AIDS drugs. Members know very well that if we were actually short of money for protease inhibitors that would keep 6,000 people alive, we would come to the floor of the House and provide it in supplemental funds.

Let me say to the gentleman, his amendment takes most of the money out of refugee resettlement. That program is an unfunded mandate upon the States and local communities. We will ultimately have to spend money for refugees under general assistance payments, exactly what we should not do.

Refugees come in to the United States as a result of Federal policies. We ask the States to share in the cost of assimilating them, and now we are going to cut the amount of money that is available to them. We have already cut the program, I might say, from originally providing 36 months of assistance. We are now down to 8 months of assistance. All of those now uncovered costs are pushed over on the States and local communities. I think it is wrong to cut that account.

The amendment also cuts HHS policy research by \$5 million. That sounds good. The committee increased that program by \$5 million for a very specific purpose, to fund an objective study of welfare reform outcomes by the National Academy of Sciences. We believe that such a study is very important for welfare reform. I think a rigorous evaluation of what is going on in this new program is critical for congressional oversight. I think it is money very well spent.

You say that we are increasing funding for the Agency for Health Care Policy and Research. We are not. However, you would take out \$2.4 million. We provided a modest amount of funding for AHCPH at the request of our own authorizing committee chairmen.

The gentleman from California [Mr. THOMAS] and the gentleman from Florida [Mr. BILIRAKIS] sent us a letter saying the President's request for AHCPH represents barely the minimum level of commitment needed for AHCPH to carry on its critical research activities. I believe, in fact, that the gentleman from Oklahoma [Mr. COBURN] serves on that subcommittee that is chaired by the gentleman from Florida [Mr. BILIRAKIS]. I am surprised the gentleman would propose to cut a program that

the subcommittee chairman strongly supports.

Mr. Chairman, in the end, I believe that we have done everything that we possibly can to provide funding for people who are HIV infected. We would never think of not providing the funding that is needed for protease inhibitors. We have provided everything in the bill that is necessary. There are additional funds available under title I, title II, and certainly under Medicaid.

I think the gentleman's amendment is simply superfluous. But I would say to the gentleman, I am very flattered that he would like to increase an account that we have already increased by 600 percent.

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

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

Mr. COBURN. Mr. Chairman, I guess I would just like to inquire, is it the gentleman's belief that there are not people in our country today under the funding proposal we are putting forward who are not going to get treatment for HIV that cannot afford triple drug therapy?

Mr. PORTER. Mr. Chairman, reclaiming my time, I believe we will do everything necessary to provide the funds that are needed for anyone that is HIV infected and is entitled to be served under Ryan White, and that we are providing funds, as I say, from at least four different sources for these drugs.

Mr. COBURN. Mr. Chairman, if the gentleman will yield further, according to the National ADAP monitoring project, there will be 280,000 individuals eligible for this. The cost is \$6,000. So what we are really talking about is we need well over \$1 billion, if we are going to truly offer it to everyone that needs it.

The CHAIRMAN pro tempore. The time of the gentleman from Illinois [Mr. PORTER] has expired.

(On request of Mr. COBURN, and by unanimous consent, Mr. PORTER was allowed to proceed for 2 additional minutes.)

Mr. PORTER. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. COBURN].

Mr. COBURN. Mr. Chairman, so the question that comes is, are there people that are going to be out there that are not going to have available treatment?

Mr. Chairman, the gentleman from Illinois, Chairman PORTER has done a wonderful job in increasing this, there is no question. But I do not think we have gone far enough.

I am willing to join with the other side to find further ways to fund it. If we could transfer money from the B-2 bomber to do this, I will vote for it. Unfortunately, as you all well know, we cannot do that.

So I would say this is not cynical. This is not some sleight of hand. The fact is there are people out there that are not going to get treated, and we ought to rise to the occasion and do it.

Mr. PORTER. Mr. Chairman, reclaiming my time, obviously, this amendment will cost States and localities \$23 million in additional mandated costs for refugees. I think that this is our responsibility. As I said, if funding for AIDS is not sufficient through any of the four different accounts I mentioned, Members can be assured that we will do everything possible to provide it.

Mr. Chairman, I urge the amendment's defeat.

Mr. NEUMANN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will be brief and probably will not use all my time. I want to keep this whole thing brought back into perspective a little bit.

I have been sitting listening to this debate for the last couple of days, talking about spending dollars here and spending dollars here. I just want to remind everybody in this place that that is dollars that we are spending coming from the hard-working families out there in America. The institution we are in is going to collect those dollars out of the paychecks of hard-working families out there in America in order that they can spend those dollars on all the different programs.

For all of my colleagues listening today, I want them all to remember and to understand that there are a lot of us here that have not forgotten that all of these dollars that they are talking about spending are coming from hard-working people out in America.

We are very concerned when we see a spending increase in a particular bill of \$5.2 billion, or 7 percent, in one portion of the budget. Many of us out here are concerned that the overall spending level is too high, but that is what was agreed to in the budget agreement, and that is what has brought on this debate about which programs the money should be spent on.

Mr. Chairman, for my colleagues, I would like them all to know many of us are very, very concerned, and remember through all of these debates that this is the people's money that we are spending, and these dollars that they are talking about spending on various programs are coming from the people through their hard-earned work that are collected in taxes and brought out here to Washington, DC.

Mr. Chairman, I just rise because we have been going on in these debates for quite some time, and it has all been about what we are going to spend the people's money on. We have not forgotten these are tax dollars collected from the people.

Mr. Chairman, I support the amendment.

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

Mr. NEUMANN. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I think it is also well to remind ourselves that this bill in fiscal year 1996 carried the

greatest level of deficit reduction in the House of any piece of legislation; \$9 billion in cuts on a \$70 billion base. The reason that there is an increase in this year's bill of the magnitude the gentleman has just described is that this increase was part of an agreement between the majority and the minority, between the Congress and the White House. In that agreement the majority got tax cuts that it sought and restraints in entitlement increases in the future that it sought, in return for certain agreements to provide for priorities that the minority sought.

So the reason that the allocation for this account is as high as it is, is simply because it is carrying out a balanced budget agreement. We are bringing this bill to the floor within the context of bringing the budget into balance, which is, I know, your No. 1 priority, but also for all the time I have been in Congress, my No. 1 priority.

Mr. NEUMANN. Mr. Chairman, reclaiming my time, I certainly respect the Chairman [Mr. PORTER]. I did not rise to object to what the gentleman is doing, but rather, after listening to this debate about spending money so long out here, I felt it was time somebody stood up and reminded everyone this is the taxpayers' money being spent, and we are still very, very concerned about the level of spending.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Oklahoma [Mr. COBURN].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 141, noes 282, not voting 10, as follows:

[Roll No. 377]

AYES—141

Aderholt	Crane	Hilleary
Archer	Crapo	Hobson
Armey	Cubin	Hoekstra
Bachus	Cunningham	Hostettler
Baker	Deal	Hulshof
Ballenger	DeLay	Hunter
Barr	Doolittle	Hutchinson
Bartlett	Doyle	Istook
Barton	Dreier	Johnson, Sam
Bass	Duncan	Jones
Blunt	Dunn	Kasich
Boehner	Ehrlich	Klink
Bonilla	Emerson	Largent
Bono	Engel	Lewis (KY)
Brady	English	Lucas
Bryant	Ensign	Manzullo
Bunning	Ewing	McInnis
Burr	Forbes	McIntosh
Burton	Gallely	McKeon
Calvert	Ganske	Mica
Camp	Gibbons	Moran (KS)
Canady	Gillmor	Myrick
Cannon	Goode	Nethercutt
Chabot	Goss	Neumann
Chambliss	Graham	Norwood
Chenoweth	Granger	Nussle
Christensen	Hansen	Pappas
Coble	Hastert	Parker
Coburn	Hastings (WA)	Paul
Collins	Hayworth	Paxon
Combest	Hefley	Peterson (PA)
Cook	Herger	Pickering
Cooksey	Hill	Pitts

Pombo	Shadegg
Radanovich	Shuster
Ramstad	Smith (MI)
Redmond	Smith (OR)
Riley	Smith, Linda
Rogan	Snowbarger
Rohrabacher	Solomon
Royce	Souder
Ryun	Spence
Salmon	Stearns
Sanford	Stump
Scarborough	Stupak
Schaffer, Bob	Sununu
Sessions	Talent

NOES—282

Abercrombie	Furse
Ackerman	Gejdenson
Allen	Gekas
Andrews	Gephardt
Baessler	Gilchrest
Baldacci	Gilman
Barcia	Goodlatte
Barrett (NE)	Goodling
Barrett (WI)	Gordon
Bateman	Green
Becerra	Greenwood
Bentsen	Gutierrez
Bereuter	Gutknecht
Berman	Hall (OH)
Berry	Hall (TX)
Bilbray	Hamilton
Bilirakis	Harman
Bishop	Hastings (FL)
Blagojevich	Hefner
Bliley	Hinchev
Blumenauer	Hinojosa
Boehlert	Holden
Bonior	Hooley
Borski	Horn
Boswell	Houghton
Boucher	Hoyer
Boyd	Hyde
Brown (CA)	Inglis
Brown (FL)	Jackson (IL)
Brown (OH)	Jackson-Lee
Buyer	(TX)
Callahan	Jefferson
Campbell	Jenkins
Capps	John
Cardin	Johnson (CT)
Castle	Johnson (WI)
Clay	Johnson, E. B.
Clayton	Kanjorski
Clement	Kaptur
Clyburn	Kelly
Condit	Kennedy (MA)
Conyers	Kennedy (RI)
Costello	Kennelly
Cox	Kildee
Coyne	Kilpatrick
Cramer	Kim
Cummings	Kind (WI)
Danner	King (NY)
Davis (FL)	Kingston
Davis (IL)	Klecza
Davis (VA)	Klug
DeFazio	Knollenberg
DeGette	Kolbe
Delahunt	Kucinich
DeLauro	LaFalce
Deutsch	LaHood
Diaz-Balart	Lampson
Dicks	Lantos
Dingell	Latham
Dixon	LaTourrette
Doggett	Lazio
Dooley	Leach
Edwards	Levin
Ehlers	Lewis (CA)
Eshoo	Lewis (GA)
Etheridge	Linder
Evans	Lipinski
Everett	Livingston
Farr	LoBiondo
Fattah	Lofgren
Fawell	Lowey
Fazio	Luther
Filner	Maloney (CT)
Flake	Maloney (NY)
Foglietta	Manton
Foley	Markey
Ford	Martinez
Fowler	Mascara
Fox	Matsui
Frank (MA)	McCarthy (MO)
Franks (NJ)	McCarthy (NY)
Frelinghuysen	McCollum
Frost	McCrery

Tauzin	Smith (TX)
Taylor (MS)	Smith, Adam
Taylor (NC)	Snyder
Thornberry	Spratt
Thune	Stabenow
Tiahrt	Stark
Upton	Stenholm
Wamp	Stokes
Watkins	Strickland
Watts (OK)	Tanner
Weldon (FL)	Tauscher
Weller	Thomas
White	
Wicker	

Thompson	Weldon (PA)
Thurman	Wexler
Tierney	Weygand
Torres	Whitfield
Trafiacant	Wise
Turner	Wolf
Vento	Woolsey
Visclosky	Wynn
Walsh	Yates
Waters	Young (AK)
Watt (NC)	Young (FL)
Waxman	

NOT VOTING—10

Carson	Hilliard	Towns
Dellums	Owens	Velazquez
Dickey	Schiff	
Gonzalez	Serrano	

□ 1619

Messrs. RODRIGUEZ, GREENWOOD, HALL of Texas, MURTHA, BILIRAKIS, GUTKNECHT, WEYGAND, SAXTON, and INGLIS of South Carolina changed their vote from "aye" to "no."

Messrs. HUNTER, CRAPO, GOSS, HUTCHINSON, and HILLEARY, and Ms. DUNN changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. PORTER. Mr. Chairman, I ask unanimous consent that the remainder of title II be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN pro tempore (Mr. BEREUTER). Is there objection to the request of the gentleman from Illinois?

There was no objection.

The text of the remainder of title II is as follows:

GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed \$37,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 202. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated under this Act may be used to implement section 399L(b) of the Public Health Service Act or section 1503 of the National Institutes of Health Revitalization Act of 1993, Public Law 103-43.

SEC. 204. None of the funds appropriated in this Act for the National Institutes of Health and the Substance Abuse and Mental Health Services Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of \$125,000 per year.

SEC. 205. None of the funds appropriated in this Act may be expended pursuant to section 241 of the Public Health Service Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in the Department of Health and Human Services, prior to the Secretary's preparation and submission of a report to the Committee on Appropriations of the Senate and of the House detailing the planned uses of such funds.

SEC. 206. None of the funds appropriated in this Act may be obligated or expended for the Federal Council on Aging under the Older Americans Act or the Advisory Board

on Child Abuse and Neglect under the Child Abuse Prevention and Treatment Act.

(TRANSFER OF FUNDS)

SEC. 207. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act, as amended) which are appropriated for the current fiscal year for the Department of Health and Human Services in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided*, That the Appropriations Committees of both Houses of Congress are notified at least fifteen days in advance of any transfer.

(TRANSFER OF FUNDS)

SEC. 208. The Director of the National Institutes of Health, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes, centers, and divisions from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: *Provided*, That the Congress is promptly notified of the transfer.

(TRANSFER OF FUNDS)

SEC. 209. Of the amounts made available in this Act for the National Institutes of Health, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of NIH and the Director of the Office of AIDS Research, shall be made available to the "Office of AIDS Research" account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the Public Health Service Act.

SEC. 210. Funds appropriated in this Act for the National Institutes of Health may be used to provide transit subsidies in amounts consistent with the transportation subsidy programs authorized under section 629 of Public Law 101-509 to non-FTE bearing positions including trainees, visiting fellows and volunteers.

SEC. 211. (a) The Secretary of Health and Human Services may in accordance with this section provide for the relocation of the Federal facility known as the Gillis W. Long Hansen's Disease Center (located in the vicinity of Carville, in the State of Louisiana), including the relocation of the patients of the Center.

(b)(1) Subject to paragraph (2), in relocating the Center the Secretary may on behalf of the United States transfer to the State of Louisiana, without charge, title to the real property and improvements that as of the date of the enactment of this Act constitute the Center. Such real property is a parcel consisting of approximately 330 acres. The exact acreage and legal description used for purposes of the transfer shall be in accordance with a survey satisfactory to the Secretary.

(2) Any conveyance under paragraph (1) is not effective unless the deed or other instrument of conveyance contains the conditions specified in subsection (d); the instrument specifies that the United States and the State of Louisiana agree to such conditions; and the instrument specifies that, if the State engages in a material breach of the conditions, title to the real property and improvements involved reverts to the United States at the election of the Secretary.

(c)(1) With respect to Federal equipment and other items of Federal personal property that are in use at the Center as of the date of the enactment of this Act, the Secretary may, subject to paragraph (2), transfer to the State such items as the Secretary determines to be appropriate, if the Secretary makes the transfer under subsection (b).

(2) A transfer of equipment or other items may be made under paragraph (1) only if the State agrees that, during the 30-year period beginning on the date on which the transfer under subsection (b) is made, the items will be used exclusively for purposes that promote the health or education of the public, except that the Secretary may authorize such exceptions as the Secretary determines to be appropriate.

(d) For purposes of subsection (b)(2), the conditions specified in this subsection with respect to a transfer of title are the following:

(1) During the 30-year period beginning on the date on which the transfer is made, the real property and improvements referred to in subsection (b)(1) (referred to in this subsection as the "transferred property") will be used exclusively for purposes that promote the health or education of the public, with such incidental exceptions as the Secretary may approve.

(2) For purposes of monitoring the extent to which the transferred property is being used in accordance with paragraph (1), the Secretary will have access to such documents as the Secretary determines to be necessary, and the Secretary may require the advance approval of the Secretary for such contracts, conveyances of real or personal property, or other transactions as the Secretary determines to be necessary.

(3) The relocation of patients from the transferred property will be completed not later than 3 years after the date on which the transfer is made, except to the extent the Secretary determines that relocating particular patients is not feasible. During the period of relocation, the Secretary will have unrestricted access to the transferred property, and after such period will have such access as may be necessary with respect to the patients who pursuant to the preceding sentence are not relocated.

(4)(A) With respect to projects to make repairs and energy-related improvements at the transferred property, the Secretary will provide for the completion of all such projects for which contracts have been awarded and appropriations have been made as of the date on which the transfer is made.

(B) If upon completion of the projects referred to in subparagraph (A) there are any unobligated balances of amounts appropriated for the projects, and the sum of such balances is in excess of \$100,000—

(i) the Secretary will transfer the amount of such excess to the State; and

(ii) the State will expend such amount for the purposes referred to in paragraph (1), which may include the renovation of facilities at the transferred property.

(5)(A) The State will maintain the cemetery located on the transferred property, will permit individuals who were long-term-care patients of the Center to be buried at the cemetery, and will permit members of the public to visit the cemetery.

(B) The State will permit the Center to maintain a museum on the transferred property, and will permit members of the public to visit the museum.

(C) In the case of any waste products stored at the transferred property as of the date of the transfer, the Federal Government will after the transfer retain title to and responsibility for the products, and the State will not require that the Federal Government remove the products from the transferred property.

(6) In the case of each individual who as of the date of the enactment of this Act is a Federal employee at the transferred property with facilities management or dietary duties:

(A) The State will offer the individual an employment position with the State, the po-

sition with the State will have duties similar to the duties the individual performed in his or her most recent position at the transferred property, and the position with the State will provide compensation and benefits that are similar to the compensation and benefits provided for such most recent position, subject to the concurrence of the Governor of the State.

(B) If the individual becomes an employee of the State pursuant to subparagraph (A), the State will make payments in accordance with subsection (e)(2)(B) (relating to disability), as applicable with respect to the individual.

(7) The Federal Government may, consistent with the intended uses by the State of the transferred property, carry out at such property activities regarding at-risk youth.

(8) Such additional conditions as the Secretary determines to be necessary to protect the interests of the United States.

(e)(1) This subsection applies if the transfer under subsection (b) is made.

(2) In the case of each individual who as of the date of the enactment of this Act is a Federal employee at the Center with facilities management or dietary duties, and who becomes an employee of the State pursuant to subsection (d)(6)(A):

(A) The provisions of subchapter III of chapter 83 of title 5, United States Code, or of chapter 84 of such title, whichever are applicable, that relate to disability shall be considered to remain in effect with respect to the individual (subject to subparagraph (C)) until the earlier of—

(i) the expiration of the 2-year period beginning on the date on which the transfer under subsection (b) is made; or

(ii) the date on which the individual first meets all conditions for coverage under a State program for payments during retirement by reason of disability.

(B) The payments to be made by the State pursuant to subsection (d)(6)(B) with respect to the individual are payments to the Civil Service Retirement and Disability Fund, if the individual is receiving Federal disability coverage pursuant to subparagraph (A). Such payments are to be made in a total amount equal to that portion of the normal-cost percentage (determined through the use of dynamic assumptions) of the basic pay of the individual that is allocable to such coverage and is paid for service performed during the period for which such coverage is in effect. Such amount is to be determined in accordance with chapter 84 of such title 5, is to be paid at such time and in such manner as mutually agreed by the State and the Office of Personnel Management, and is in lieu of individual or agency contributions otherwise required.

(C) In the determination pursuant to subparagraph (A) of whether the individual is eligible for Federal disability coverage (during the applicable period of time under such subparagraph), service as an employee of the State after the date of the transfer under subsection (b) shall be counted toward the service requirement specified in the first sentence of section 8337(a) or 8451(a)(1)(A) of such title 5 (whichever is applicable).

(3) In the case of each individual who as of the date of the enactment of this Act is a Federal employee with a position at the Center and is, for duty at the Center, receiving the pay differential under section 208(e) of the Public Health Service Act or under section 5545(d) of title 5, United States Code:

(A) If as of the date of the transfer under subsection (b) the individual is eligible for an annuity under section 8336 or 8412 of title 5, United States Code, then once the individual separates from the service and thereby becomes entitled to receive the annuity, the



pay differential shall be included in the computation of the annuity if the individual separated from the service not later than the expiration of the 90-day period beginning on the date of the transfer.

(B) If the individual is not eligible for such an annuity as of the date of the transfer under subsection (b) but subsequently does become eligible, then once the individual separates from the service and thereby becomes entitled to receive the annuity, the pay differential shall be included in the computation of the annuity if the individual separated from the service not later than the expiration of the 90-day period beginning on the date on which the individual first became eligible for the annuity.

(C) For purposes of this paragraph, the individual is eligible for the annuity if the individual meets all conditions under such section 8336 or 8412 to be entitled to the annuity, except the condition that the individual be separated from the service.

(4) With respect to individuals who as of the date of the enactment of this Act are Federal employees with positions at the Center and are not, for duty at the center, receiving the pay differential under section 208(e) of the Public Health Service Act or under section 5545(d) of title 5, United States Code:

(A) During the calendar years 1997 and 1998, the Secretary may in accordance with this paragraph provide to any such individual a voluntary separation incentive payment. The purpose of such payments is to avoid or minimize the need for involuntary separations under a reduction in force with respect to the Center.

(B) During calendar year 1997, any payment under subparagraph (A) shall be made under section 663 of the Treasury, Postal Service, and General Government Appropriations Act, 1997 (as contained in section 101(f) of division A of Public Law 104-208), except that, for purposes of this subparagraph, subsection (b) of such section 663 does not apply.

(C) During calendar year 1998, such section 663 applies with respect to payments under subparagraph (A) to the same extent and in the same manner as such section applied with respect to the payments during fiscal year 1997, and for purposes of this subparagraph, the reference in subsection (c)(2)(D) of such section 663 to December 31, 1997, is deemed to be a reference to December 31, 1998.

(f) The following provisions apply if under subsection (a) the Secretary makes the decision to relocate the Center:

(1) The site to which the Center is relocated shall be in the vicinity of Baton Rouge, in the State of Louisiana.

(2) The facility involved shall continue to be designated as the Gillis W. Long Hansen's Disease Center.

(3) The Secretary shall make reasonable efforts to inform the patients of the Center with respect to the planning and carrying out of the relocation.

(4) In the case of each individual who as of October 1, 1996, was a patient of the Center and is considered by the Director of the Center to be a long-term-care patient (referred to in this subsection as an "eligible patient"), the Secretary shall continue to provide for the long-term care of the eligible patient, without charge, for the remainder of the life of the patient.

(5)(A) For purposes of paragraph (4), an eligible patient who is legally competent has the following options with respect to support and maintenance and other nonmedical expenses:

(i) For the remainder of his or her life, the patient may reside at the Center.

(ii) For the remainder of his or her life, the patient may receive payments each year at

an annual rate of \$33,000 (adjusted in accordance with subparagraphs (C) and (D)), and may not reside at the Center. Payments under this clause are in complete discharge of the obligation of the Federal Government under paragraph (4) for support and maintenance and other nonmedical expenses of the patient.

(B) The choice by an eligible patient of the option under clause (i) of subparagraph (A) may at any time be revoked by the patient, and the patient may instead choose the option under clause (ii) of such subparagraph. The choice by an eligible patient of the option under such clause (ii) is irrevocable.

(C) Payments under subparagraph (A)(ii) shall be made on a monthly basis, and shall be pro rated as applicable. In 1999 and each subsequent year, the monthly amount of such payments shall be increased by a percentage equal to any percentage increase taking effect under section 215(i) of the Social Security Act (relating to a cost-of-living increase) for benefits under title II of such Act (relating to Federal old-age, survivors, and disability insurance benefits). Any such percentage increase in monthly payments under subparagraph (A)(ii) shall take effect in the same month as the percentage increase under such section 215(i) takes effect.

(D) With respect to the provision of outpatient and inpatient medical care for Hansen's disease and related complications to an eligible patient:

(i) The choice the patient makes under subparagraph (A) does not affect the responsibility of the Secretary for providing to the patient such care at or through the Center.

(ii) If the patient chooses the option under subparagraph (A)(ii) and receives inpatient care at or through the Center, the Secretary may reduce the amount of payments under such subparagraph, except to the extent that reimbursement for the expenses of such care is available to the provider of the care through the program under title XVIII of the Social Security Act or the program under title XIX of such Act. Any such reduction shall be made on the basis of the number of days for which the patient received the inpatient care.

(6) The Secretary shall provide to each eligible patient such information and time as may be necessary for the patient to make an informed decision regarding the options under paragraph (5)(A).

(7) After the date of the enactment of this Act, the Center may not provide long-term care for any individual who as of such date was not receiving such care as a patient of the Center.

(8) If upon completion of the projects referred to in subsection (d)(4)(A) there are unobligated balances of amounts appropriated for the projects, such balances are available to the Secretary for expenses relating to the relocation of the Center, except that, if the sum of such balances is in excess of \$100,000, such excess is available to the State in accordance with subsection (d)(4)(B). The amounts available to the Secretary pursuant to the preceding sentence are available until expended.

(g) For purposes of this section:

(1) The term "Center" means the Gillis W. Long Hansen's Disease Center.

(2) The term "Secretary" means the Secretary of Health and Human Services.

(3) The term "State" means the State of Louisiana.

(h) Section 320 of the Public Health Service Act (42 U.S.C. 247e) is amended by striking the section designation and all that follows and inserting the following:

"SEC. 320. (a)(1) At or through the Gillis W. Long Hansen's Disease Center (located in the State of Louisiana), the Secretary shall without charge provide short-term care and

treatment, including outpatient care, for Hansen's disease and related complications to any person determined by the Secretary to be in need of such care and treatment. The Secretary may not at or through such Center provide long-term care for any such disease or complication.

"(2) The Center referred to in paragraph (1) shall conduct training in the diagnosis and management of Hansen's disease and related complications, and shall conduct and promote the coordination of research (including clinical research), investigations, demonstrations, and studies relating to the causes, diagnosis, treatment, control, and prevention of Hansen's disease and other mycobacterial diseases and complications related to such diseases.

"(3) Paragraph (1) is subject to section 211 of the Department of Health and Human Services Appropriations Act, 1998.

"(b) In addition to the Center referred to in subsection (a), the Secretary may establish sites regarding persons with Hansen's disease. Each such site shall provide for the outpatient care and treatment for Hansen's disease and related complications to any person determined by the Secretary to be in need of such care and treatment.

"(c) The Secretary shall carry out subsections (a) and (b) acting through an agency of the Service. For purposes of the preceding sentence, the agency designated by the Secretary shall carry out both activities relating to the provision of health services and activities relating to the conduct of research.

"(d) The Secretary shall make payments to the Board of Health of the State of Hawaii for the care and treatment (including outpatient care) in its facilities of persons suffering from Hansen's disease at a rate determined by the Secretary. The rate shall be approximately equal to the operating cost per patient of such facilities, except that the rate may not exceed the comparable costs per patient with Hansen's disease for care and treatment provided by the Center referred to in subsection (a). Payments under this subsection are subject to the availability of appropriations for such purpose."

SEC. 212. None of the funds appropriated in the Act may be made available to any entity under title X of the Public Health Service Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on resisting attempts to coerce minors into engaging in sexual activities.

This title may be cited as the "Department of Health and Human Services Appropriations Act, 1998".

AMENDMENT NO. 3 OFFERED BY MR. ISTOOK

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 printed in House Report 105-214 offered by Mr. ISTOOK:

At the end of title II, insert after the last section (preceding the short title) the following section:

SEC. . (a) Notwithstanding any other provision of law, no provider of services under title X of the Public Health Service Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

(b) None of the funds appropriated in this Act or any other Act for any fiscal year may be made available to any provider of services

under title X of the Public Health Service Act if such provider knowingly provides contraceptive drugs or devices to a minor, unless—

(1) the minor is emancipated under applicable State law;

(2) the minor has the written consent of a custodial parent or custodial legal guardian to receive the drugs or devices;

(3) a court of competent jurisdiction has directed that the minor may receive the drugs or devices; or

(4) such provider of services has given actual written notice to a custodial parent or custodial legal guardian of the minor, notifying the parent or legal guardian of the intent to provide the drugs or devices, at least five business days before providing the drugs or devices.

(c) Each provider of services under title X of the Public Health Service Act shall each year certify to the Secretary of Health and Human Services compliance with this section. Such Secretary shall prescribe such regulations as may be necessary to effectuate this section.

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

Mr. ISTOOK. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I ask unanimous consent to limit the time for the debate.

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

Mr. MANZULLO: Mr. Chairman, I object.

The CHAIRMAN pro tempore. Objection is heard.

Mr. ISTOOK. Mr. Chairman, this is an amendment that goes to the heart and soul of what happens in the families in the United States of America, what happens with our most precious possessions and involvements, our children and the role between parent and child.

Mr. Chairman, this goes to the heart of what families do with their children, what we teach our children, and the role that we undertake as parents, and, unfortunately, how one of the major programs in this bill interferes with that.

One of the most important things that most of us teach our children is that certain things should be reserved for marriage. We are talking, of course, about the sexual conduct of teenagers. We are talking about the fact that the out-of-wedlock teenage birth rate has doubled since the adoption of a particular Federal program, a program that allows counseling and contraceptives and condoms and IUD's and birth control pills and other chemicals to be given to youngsters.

Mr. Chairman, I am talking about people as young as 13 and 12 years old even, and their parents never know about it and their parents are never notified, they are never involved. Two million dollars a year of our tax money goes to this program. One and a half million teenagers a year go to the so-called title X clinics. A third of the caseload that they handle is teenagers.

Now, if my child is involved in something they should not be, if they were using drugs illegally, if they were in-

involved in a gang activity or something against the law, I would be notified. Yet, even though for any other type of medical treatment a teenager is required to get the consent of their parent, Federal law creates an exception if they are going to go into a federally funded clinic and get birth control and contraceptives.

Now, Mr. Chairman, what happens is very fascinating. Some people try to paint a picture that teenagers do what they have always done. But what is not known is since Federal law has cut teens off from so much of the advice and counsel of their parents, it is not just teens and teens.

Mr. Chairman, look at some of the headlines from Charleston: "Bus driver guilty in teen seduction"; from Austin: "Older fathers and teen mothers and tougher laws"; Omaha: "Going after men who prey on minors"; the Rocky Mountain News in Denver: "Adult men blamed in teen pregnancies"; Chicago: "Older men who impregnate teens targeted."

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The Washington Post, "California cracks down on men to curb underage pregnancies."

You see, studies in recent years have shown that 60 percent of young women who have sex before the age of 15 were coerced by males an average of 6 years older than them, and that two-thirds of births to teenage girls across the country is a situation where the father is not a teenager but they are 20 or older.

Sexual predators who prey on young women have the opportunity given to them to give them that extra little bit of reassurance and keep the relationship going because they simply take them to a title X clinic, a Federal clinic, where they are given the contraceptives and their parents are never told about it. A situation that under the laws of almost any State in the country would be illegal, that might be labeled sexual abuse or child abuse or molestation or statutory rape, is totally ignored.

We have laws on the books in just about every State saying that if there is this kind of activity involving a minor, you are supposed to report it. But we have a Federal regulation that says what they do in the title X clinics is absolutely confidential and cannot be shared with anyone, not law enforcement, not the parents.

This amendment fixes that. It says, if there is a situation, such as I described, involving an underage child, title X providers must report that and comply with State law the same as anyone else who deals with services to our young people. It says, before any contraceptives are going to be given to a minor in a title X program, their parent will be notified 5 days before that is disseminated.

Mr. Chairman, this is not a requirement for parental consent, but it is a requirement of notification to fix this problem.

Mr. Chairman, I would certainly urge adoption of the amendment.

AMENDMENT OFFERED BY MR. CASTLE AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. ISTOOK

Mr. CASTLE. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment offered as a substitute for the amendment.

The text of the amendment offered as a substitute for the amendment is as follows:

Amendment No. 4 printed in House Report 105-214 offered by Mr. CASTLE as a substitute for the amendment offered by Mr. ISTOOK:

At the end of title of the bill, insert after the last section (preceding the short title) the following section:

SEC. . . None of the funds appropriated in the Act may be made available to any entity under the title X of the Public Health Service Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

Mr. CASTLE. Mr. Chairman, ironically enough, considering the discussion which we have going on today pursuant to a Republican amendment, title X of the Public Health Act, the National Family Planning Program, was enacted in 1970. It was sponsored by then-Congressman George Bush and it was signed into law by then-President Nixon, two good Republicans.

The program, as we know, provides grants to public and private nonprofit agencies who support projects which provide a broad range of family planning and reproductive services as well as screening for breast and cervical cancer, sexually transmitted infections, and high blood pressure. It also supports training for providers and information and education programs, and a research program which focuses on family planning service delivery improvements.

More than 4.3 million clients were served through a network of over 4,200 centers funded, in part, by the program. Almost 60 percent of the health care providers are operated by State, county, and local health departments.

By law, none of the funds provided under the National Family Planning Program may be used for abortions. Today, we have an amendment before us, presented by the gentleman from Oklahoma, which would require parental notification with a 5-day waiting period, or consent.

I know all of us would like to think that every teenager out there has a wonderful relationship with loving parents, but the fact of the matter is that many teenagers simply do not. There are young people out there who are afraid of their parents. There are young people out there who do not have parents. There are young people out there who, frankly, have nobody who they can turn to if a circumstance

arises in which they need help in the kind of parlance that we are talking about with respect to title X.

So there are young people who unfortunately would rush out and have unprotected sex if they knew practicing safe sex would come at the price of having a parent or their parents find out.

Studies show, and this is important, that if parental involvement were mandated, 80 percent of teens would no longer seek care at facilities, but fewer than 1 in 100 would discontinue sexual relations. That is an incredible ratio when we consider it. This would, obviously, lead to higher pregnancy rates and more abortions.

I know the gentleman from Oklahoma feels very deeply about this issue and cares as much as I do about young people. But his parental notification/consent amendment would effectively drive a stake in the heart of the family planning program and it would encourage even more irresponsible behavior.

I understand the desire to get parents involved in their kids' decisions. I could not agree more with that. My amendment does that. It encourages family planning providers to encourage the involvement of parents when teens seek contraception and other family planning services. I think that is a very important step.

Mandated parental notification/consent would scare teens into doing something stupid, like having unprotected sex in secret, rather than having their parents find out that they wanted to do the right thing, they wanted to be safe.

Leading medical groups, including the American Medical Association, the American College of Obstetricians and Gynecologists, the American Academy of Pediatrics, and the American Academy of Family Physicians, all oppose mandatory parental notification for young people seeking family planning services.

I believe that the substitute will do nothing to prevent the victimization of children.

First, currently, if evidence of rape, sexual abuse, incest or any other crime is uncovered, title X personnel direct the client to appropriate care providers and notify appropriate legal authorities. It has always been the law that recipients of title X funds are in no way exempt from State-imposed criminal reporting requirements. Our substitute amendment strengthens the Federal role in stopping the sexual predators who prey on minors.

Under my amendment, title X grantees must counsel their clients on how to resist and avoid such coercive sexual relationships. This will not only help young people avoid such situations, but it will also help more counselors identify these situations and provide the proper assistance to end them.

As I have indicated, we agree on the goal of parental involvement. We all want children to abstain from sexual relations at a young age and feel like

they could approach their parents on this and every other subject. We would like to think that they all have good and open relationships, but that is not reality. Reality is that that is not the way it is. And the truth of the matter is that a lot of these kids need help. And if they do not get that help, the problems are going to be a lot greater than if they do get that help.

So my judgment is that we need to listen carefully to this debate. I think it should be a full and extensive debate. But we need to understand the import of what the Istook-Manzullo amendment would do. It would lead to a situation in which children are simply going to refuse to go for planning, in which case there is going to be unwanted pregnancies and more abortions.

Mr. HYDE. Mr. Chairman, I rise in support of the Istook-Manzullo amendment.

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

Mr. HYDE. Mr. Chairman, I do not expect to use the full 5 minutes. This is essentially a rather simple question. It is not a simple subject but the question is simple.

When I first came to Congress, 1975, it is a long time ago, the fashion in political advocacy was to use the word "defense." Everything that had a "defense" in it was going to have a leg up in passage. The Defense Education Act.

In the Clinton era, the key phrase was "change." We all campaigned as agents of change.

Lately, family values has become a universal aspiration. We all stand four-square for family values. One family value is parental responsibility. Any program that deliberately bypasses parents to provide birth control devices to minors, in my judgment, is an egregious violation of family values.

It is little less than legitimating promiscuity. What kind of a lesson do we teach? We teach youngsters, young ladies in particular, young women, to conceal from their parents the fact that they are engaged in sexual activity and we, the clinic, will facilitate, if not condone, that activity by providing condoms, drugs, or pills.

We legislate as though every family or most families are dysfunctional. I submit there are dysfunctional families but they are the minority and not the majority. Sexual activity has serious, serious consequences, the movies on cable television notwithstanding.

We frustrate family values by legitimating the concealment from parents of a child's participation in activity of the most sensitive, intimate, and consequential nature. We should be strengthening parental rights, not diminishing them.

I suggest a vote for the Manzullo and Istook amendment is the appropriate one. I think if you vote for Istook and Manzullo and vote against the Castle amendment, a gentleman for whom I have boundless admiration but do not

agree with him in this situation, oppose the substitute and vote for Istook and Manzullo, and then if you do that, you can campaign for family values with a straight face.

Mr. OBEY. Mr. Chairman, I rise in support of the Castle amendment.

Mr. Chairman, first of all, let me say that there is virtually no Member of this House, certainly on that side of the aisle, for whom I have more respect than the gentleman from Illinois [Mr. HYDE]. I have a great deal of fondness for him personally as well.

I want to say that I very much enjoyed the opportunity to work very closely with him just a couple of weeks ago in fashioning a new compromise on this bill which expands the effect of the Hyde amendment to cover HMO situations. I think that the gentleman from Illinois [Mr. HYDE] correctly indicated that there was a problem with HMO's who tried to get around the Hyde amendment, and I am pleased that we were able to work with him to expand that amendment. I think that should help unify the House behind this bill.

In this instance, however, I differ with the gentleman's judgment, although I did not on the other question, because I think here the issue is not what we want our children to do but how we think we can best affect what it is they do. This is not a question about goals. It is a question about approaches. It is a question of what you think works, at least in my view.

I think the virtue of the Castle amendment, and I would urge Members to just read the language, because what the Castle amendment says is that none of the funds in this bill may be used unless clinics certify that they encourage family participation in the making of these decisions and that they also provide counseling to their clients on how to resist efforts at coercive sex from adults.

I think that is important. If there are sexual predators walking around communities, the answer is not to screw up the ability of these clinics to provide needed services. Those services which will, in my judgment, help to prevent abortions. The answer is to throw the book at those sexual predators and keep them in jail.

Now, I thought that when we passed legislation such as the welfare reform bill that we were trying to send a message that we expect people to recognize personal responsibility. I do not believe we ought to take off the hook the predators who engage in the kind of acts cited by the gentleman from Oklahoma by saying: "Oh, it was the fault of the clinics because they did not have the right procedures." It was the fault of the individuals who engaged in that conduct!

Let me simply say that I wish that every family in America worked in a way that enabled young people to talk to their parents. The problem is, and I run into a lot of them, the problem is that there are a lot of families that do not work that way. These youngsters

on some occasions are going to wind up engaging in inappropriate sex either with consultation with some adult or they are going to engage in it with consultation with no adult at all.

□ 1645

If, for those children, that is the choice, then I would prefer that they at least have some opportunity to talk to an adult, because the consequences are not only unwanted pregnancies, there are also unwanted abortions and an increase in sexually transmitted diseases.

I would also like to make a point that the American Hospital Association and the American Public Hospital Association have reviewed the text of this amendment and they indicate that their reading of it is that the parental consent requirement applies not just to title X funds, but to all funds used to provide contraceptives, including State and privately raised funds. That means if a hospital or clinic fails to abide by the parental consent requirements, they believe that they would have to forfeit all Federal funds.

I do not think we want to see that happen, and so I would respectfully urge that we support on a bipartisan basis the Castle amendment.

Mr. WELDON of Florida. Mr. Chairman, I move to strike the last word, and before I get to the meat of my comments, I want to point out that that amendment that I rise in support of calls for a parental notification, not consent. So we need to debate the facts here.

I encourage all my colleagues to support the Istook-Manzullo amendment and reject the Castle amendment. If we really do support family integrity, the United States, and indeed going back into history, British law has a long-standing tradition of parental rights where parents have the authority and control over raising their kids.

We, in this country, beginning with this program as it began in 1975, began in a direction that is in direct violation of that principle in the sense that now the Federal Government is funding a program that will allow minor children, females, to go in and see a physician and get contraceptive services, to include injections of medications, placement of IUD's, without parental consent, with absolutely no knowledge of their parents.

Some of these interventions are not without risks. As many of my colleagues know, prior to coming here, I was a full-time practicing physician. One of the drugs that is dispensed, for example, in these clinics, is injections of a drug called Depo-Provera, a drug that has associated with it the potential complications of thromboembolic disease, which is blood clots, blood clots in the legs, blood clots traveling to the lungs.

These clinics can place IUD's. IUD's are associated with a tremendously enhanced risk of infectious complications, and all of this can be done without parental consent.

Our children cannot get aspirin from a school nurse without parental consent; our children cannot get their ears pierced, but they can go into a title X clinic and get access to these medical services.

The supporters of this policy as it has existed for the past 20 years claim that, oh, it is necessary because these young girls are sexually active and they have to have access to these services; and if they have to tell their parents, it is going to cause a lot of conflict, and some of them come from difficult homes, et cetera.

There used to be a time in this country where the kinds of conflict that would be introduced by these young girls talking to their parents about this issue would be considered healthy, it would be considered good. But now we want to intervene and say no, no, no, we just want to give them these services.

Now, I would, perhaps, be somewhat sympathetic to the supporters of the existing policy if, indeed, this program was having some kind of a positive impact, but we all know what the impacts have been. Actually, the teen pregnancy rate in this country has gone up dramatically, and, indeed, probably what is more significant is the incidence of venereal disease and the long-term complications of those venereal diseases, such as infertility, which has just gone up 5-, 10-, 15-fold over the last 25 years. If we talk to any practitioner who engages in that practice, he will tell us that is a tribute to the high rate of promiscuity.

Let me close by just saying this. We cannot have our cake and eat it too. We cannot say, I support family values, I am opposed to all this sexual activity for teenagers, but, yes, we have to fund contraceptive services to be done in a fashion where parents do not even know.

I just want to point out that this amendment calls for parental notification. And, in addition, I just want to add one more important thing, a point that was made by the gentleman from Oklahoma, in that many, many of these girls are having sexual activity with men who are over the age of 18. In most States that is statutory rape, and in some instances, these children have been seduced and are, in effect, being abused.

As a matter of fact, I believe we are going to hear the story about a specific case of that occurring in the district of the gentleman from Illinois [Mr. MANZULLO], where a young girl was seduced and was being sexually abused and getting contraceptive services with the assistance of this man who was abusing her.

In my opinion, this policy, as it has existed for the past 20-plus years, is a direct affront to the principle of standing up for family values and believing in the rights of moms and dads to have a role to play in the care of their children; and I would encourage all my colleagues to support the amendment of

the gentleman from Oklahoma and oppose the Castle substitute.

Mrs. MORELLA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Castle substitute and in strong opposition to the Istook amendment.

The Istook amendment would do great harm to our efforts to lower the number of unintended pregnancies and abortions and to our efforts to reduce the incidence of sexually transmitted diseases, including HIV/AIDS in our young people.

On the face of it, it may seem reasonable to require parental consent and notification for contraceptive services, but the Istook amendment ignores the realities of the young people who seek care at these clinics. The vast majority of these teens are already sexually active, have been for almost a year, on average. Most end up seeking services because they are afraid that they may be pregnant or that they have a sexually transmitted disease.

Minors who go to clinics are strongly encouraged to involve their parents and many do bring a parent with them on subsequent visits.

Much has been made of the new Istook amendment, with some confusion as the true impact of the latest modifications. Today's version would require parental consent or written notification with a 5-day waiting period before minors could receive contraceptive services. It is clear that the effects of this amendment would be the same as in the original version.

If teens are required to obtain written parental consent or notification for any title X services, many of them are going to avoid the program completely. It is important to remember that some contraceptives provide protection from STD's, sexually transmitted diseases. The opportunity to provide accurate, potentially life-saving education on the transmission of HIV and other STD's could also be lost if teens avoid these services because of parental consent requirements. And delays in services will only lead to unintended pregnancies, more abortions, and higher rates of STD's and HIV.

As has been mentioned, the medical community is also overwhelmingly opposed to parental consent and notification requirements for minors. The American Medical Association, the American College of Obstetricians and Gynecologists, the American Academy of Pediatrics and the American Public Health Association all agree that contraceptive services should be available to adolescents without their parents' consent or knowledge.

Now, the Castle substitute properly requires that title X programs encourage parental involvement when teens seek family planning services. It also provides counseling to minors to prevent coercive sexual activity. In its letter endorsing the Castle substitute, the American Medical Association states,

We believe that the substitute amendment properly balances the need for a strong patient-physician relationship with parents', families', and society's overwhelming concerns with preventing unintended pregnancies among minors.

That is a direct quote.

So, Mr. Chairman, I urge my colleagues to vote "yes" on the Castle substitute and to vote "no" on the Istook amendment. Let us act responsibly by encouraging parental involvement while also protecting the health of our Nation's youth.

Mr. PORTER. Mr. Chairman, I now ask unanimous consent that debate on this amendment and the Castle amendment thereto close in 3 hours; that half of that time be allocated to the gentleman from Oklahoma [Mr. ISTOOK] and the gentleman from Illinois [Mr. MANZULLO] or their designee; that the other half be allocated equally to the gentleman from Delaware [Mr. CASTLE] or his designee and the gentleman from Wisconsin [Mr. OBEY] or his designee.

The CHAIRMAN pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Illinois?

Mr. ISTOOK. Mr. Chairman, reserving the right to object.

For clarification, the gentleman phrased it as 3 hours from now. By that, does the gentleman mean 1½ hours per side? If there is something else delaying the business, it would not be counted against either side; so that 1½ hours, divided, would be the time the gentleman mentioned?

Mr. PORTER. Yes, Mr. Chairman.

Mr. ISTOOK. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN pro tempore. This amendment will be debated for 3 hours divided, 1½ hours controlled by the gentleman from Oklahoma [Mr. ISTOOK] or his designee, 45 minutes controlled by the gentleman from Delaware [Mr. CASTLE], and 45 minutes controlled by the gentleman from Wisconsin [Mr. OBEY].

Mr. PORTER. Or their designees in each respective case, Mr. Chairman.

The CHAIRMAN pro tempore. Or their designees. That has been stated.

Mr. ISTOOK. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. WATTS], my corepresentative.

Mr. WATTS of Oklahoma. Mr. Chairman, across our Nation parents are engaged in a daily struggle for the hearts and minds and souls of their children. Their struggle is with an American culture which, under the protection of our constitutional freedoms, too often expresses these freedoms in a message of moral, ethical and sexual liberation that reaches even our youngest children.

Through television and advertising, through the Internet and other sophisticated methods of communication, our children are bombarded with these

messages, sometimes subtle, sometimes overt; messages which celebrate immoral behavior, messages which promote promiscuity, messages over which we, as parents and adults, have little or no control.

The struggle against these influences is particularly difficult to working parents who have discovered that between the hours of 3 p.m. in the afternoon, when school lets out, and 6 o'clock in the evening, when they get home from work, we have allowed the development of an adult-free, supervision-free culture. Studies have shown this is the time when teenagers experiment with drugs, commit juvenile crime, and engage in sexual activity.

In this battle, one would think the Government should be an ally for the family, but in the case of the title X program, it most certainly is not. On the contrary, title X allows the child to lead an independent sexual life without any regard for the rights and responsibilities that parents have to intercede to counsel, to guide, to protect, and to raise their own children. The Government usurps that function and legitimizes the chasm between parent and child.

In this regard, the Istook-Manzullo amendment seeks only to allow parents to be informed of their child's decision concerning this critical part of their development as a human being. This seems to me such a minimal request when one considers the extraordinary responsibilities of parenthood. If we expect individuals to be responsible as parents, we must guarantee them their rights as parents.

I confess that it amazes me that this fact is subject to debate considering that if my daughter's school nurse wanted to give her an aspirin, it is mandatory that they notify the parents or the guardian.

□ 1700

However, if a health clinic wants to give her birth control pills, the parents do not have to be notified or if some adult man is having sexual activity with my daughter, something happens, again they do not have to notify the parents. I think that is crazy for Government to intervene and take the rights of parents and say that their parent or guardian, the person that is responsible for that child, they should not be notified.

I commend my colleagues from Oklahoma and Illinois for their leadership on this issue. This is a vote to help American families regain control over their lives. I encourage a "yes" vote on this very, very important amendment.

Mr. CASTLE. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. HORN].

Mr. HORN. Mr. Chairman, I rise to strongly oppose the Istook-Manzullo amendment and to support the Castle-Porter substitute. The United States has a teen pregnancy rate of twice as high as England, France, Wales, and Canada. One million young women

under the age of 20 become pregnant each year. This costs our fellow taxpayers and ourselves \$7 billion annually. Only 36 percent of sexually active teens seek services from family planning clinics after they suspect pregnancy. Requiring parental consent or parental notification for contraceptive services will lower the number of teens seeking this service and therefore increase the cost of unplanned pregnancies, increase the incidence of sexually transmitted diseases and increase the rate of abortions.

This is pro-abortion legislation of my good colleagues, the gentleman from Oklahoma [Mr. ISTOOK] and the gentleman from Illinois [Mr. MANZULLO], because that is what the result of their proposal is going to be. Twenty-three States, including California, have laws that explicitly allow contraceptive services for teens without parental consent. As one can see, the results of this amendment would be to violate States rights, which surprise me, coming from these two gentlemen, and increase the cost to the taxpayers, which also surprises me. This would be hypocritical at a time when Congress is working to give more power to the States and reduce the strain on taxpayers.

From every perspective, the Istook-Manzullo amendment is simply bad public policy and to overcome bad public policy, I urge my colleagues on both sides of the aisle to strongly support the Castle-Porter substitute and to get around to solving the problem rather than simply have ideological issues that make no sense in the real world.

Mr. OBEY. Mr. Chairman, I yield 7 minutes to the gentlewoman from New York [Mrs. LOWEY], a member of the subcommittee.

Mrs. LOWEY. Mr. Chairman, let me begin by saying how disappointed I am that the gentleman from Oklahoma [Mr. ISTOOK] is violating the agreement that our chairman and ranking member agreed to in order to keep the bill free of controversial and extreme amendments. Mr. Chairman, the Istook amendment represents the latest attack by family planning opponents against our Nation's flagship program. Two years ago family planning opponents tried to zero out funds for the title X program. Fortunately, they failed. Last year family planning opponents, led by the gentleman from Oklahoma [Mr. ISTOOK], offered an amendment very similar to today's. Thankfully the amendment also failed.

We must defeat the Istook amendment once again. The Istook amendment would deny contraception to minors unless they have the consent of their parents or waited 5 days after their parents were notified before obtaining contraception. Some of my colleagues are making a distinction between notification and consent, but who is kidding whom? The 5-day waiting period before contraception can be obtained is no different than parental consent. That is why the AMA, the

American Academy of Pediatricians, Child Welfare League, Public Health Association, Social Workers and Nurses Association all oppose the mandatory parental notification restrictions in the Istook amendment. Because they know, they understand that parental notification laws drive minors away from seeking basic health services. But the Istook amendment does not just prohibit the use of title X funds for contraceptive services to minors. It could also bar programs from using any Federal, State, or private funds for this purpose. This is so important, Mr. Chairman, that 24 States have passed laws assuring that minors can get access to contraceptives.

Furthermore, hospitals, community health centers, and other organizations that receive title X funds could face the loss of all Federal funding if they provide contraception to minors without abiding by the Istook parental notification consent restriction regardless of which funds they use. That is why the American Hospital Association and the National Association of Public Hospitals are opposed to the Istook amendment.

Let me say as my colleagues did, as a mother of three, a grandmother of one, soon to be, please God, a grandmother of 2, we would like all youngsters to have parents such as many who spoke this evening. It would be wonderful if all parents had that kind of relationship with their youngsters. Unfortunately, it just does not exist in this country. In fact, we would prefer that teens would abstain from having sex altogether. But unfortunately we understand that minors will not change their behavior. There is a lot of work we can do to help them move to change their behavior, but what we are going to see if this is passed, many teenagers will forgo contraception rather than facing their parents, and that is unfortunate but it is the fact, and in fact studies show that 80 percent of teens seeking family planning services have already been sexually active for nearly a year. In fact, my colleague said that Federal law cuts children off from contact with parents. What the substitute does is encourage the contact with parents, but we have learned that mandating it just does not work. What we are going to create is more teenage pregnancies unfortunately.

By denying contraceptive services to tens of thousands of teens, the Istook amendment will simply result in higher rates, not only of teen pregnancy, of STD's and more abortions. If teens are required to obtain parental consent for contraceptive services, they will also avoid STD and HIV screening and routine gynecological exams.

Our Nation already leads the Western world in teen pregnancies. Millions of teens have some kind of STD and the incidence of AIDS among teens is alarming. We need to address these problems, but not by making title X services more difficult to obtain.

Mr. Chairman, we have a real teen pregnancy crisis in this country, and

the Istook amendment will only make it worse. Opponents of family planning are exploiting a tragic situation in Illinois to gather support for their position. If the 37-year-old teacher in question is found guilty of carrying on an illegal and amoral relationship with a teenager, he should be prosecuted to the full extent of the law. We are in agreement on that. Let us not exploit that situation for this purpose, because there is no connection. If school authorities knew about the relationship, they should be held responsible. We should not be blaming the title X program for this man's actions.

Title X clinics are now required to report cases of rape, child molestation, and abuse. Clinic personnel would have been required to report this illegal relationship had they known about it. Let us stop exploiting this tragedy in the name of national policy. I urge my colleagues to support the Porter substitute instead. The Porter substitute will require that title X programs encourage the involvement of parents when teens seek contraception and other family planning services. By encouraging parental involvement rather than mandating it, we can ensure that teens will not pass up necessary health care services. This is the same language that passed the House last year.

The Porter substitute also requires that young women seeking title X services receive counseling on how to resist and avoid coercive relationships with male sexual predators. We cannot be tough enough on sexual predators and by voting for the Porter substitute, we can help to stop them. Let us remember, Mr. Chairman, if the Istook amendment passes, teens will not stop having sex but they will have more unintended pregnancies. Let us not make the teen pregnancy crisis in this country worse.

Mr. ISTOOK. Mr. Chairman, I yield myself 30 seconds in response.

Mr. Chairman, contrary to what the speaker has represented, there is not any requirement for title X providers to report these situations. The Congressional Research Service, which provides the information for us in Congress, double checking the laws for us, confirmed that in writing to me, and I have it if anyone would want to look at it.

Further, when we talk about the escalation of teen pregnancies, actually, Mr. Chairman, it is since the adoption of title X that the teen pregnancy rate out of wedlock has exploded in this country. Slow increases turned into a doubling after title X was adopted.

Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. CRANE].

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

Mr. CRANE. Mr. Chairman, I thank the distinguished gentleman from Oklahoma for yielding me this time. I want to compliment him and my distinguished neighbor, the gentleman

from Illinois [Mr. MANZULLO]. The case that the gentleman from Illinois will get into in some detail occurred in a portion of my old district that I lost apparently just on the eve of the molestation of that little girl by that pervert teacher. But a thing that I think is important as a father of seven daughters is, I certainly would want to be notified and communicated with in a similar type circumstance. I think as a parent I have an absolute right to be notified, and that I make that kind of a decision for a minor child. I think a minor child, as in the case that the gentleman will elaborate on more fully later, a minor child involved in this kind of situation at the age of 13 is hardly in a position to be making any kind of significant judgments about what is proper behavior. One needs the parental consultation and involvement.

I would urge my colleagues, because it does not sabotage the remainder of title X, but it does put that important qualification in there, and I would urge my colleagues to support the Istook-Manzullo amendment.

Mr. ISTOOK. Mr. Chairman, I yield 6 minutes to the gentleman from Illinois [Mr. MANZULLO].

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

□ 1715

Mr. MANZULLO. Mr. Chairman, all laws have faces, and every statute we pass in this body has a consequence. Let me tell you about a consequence as a result of title X that has occurred in the district that I represent.

She was 13 when she was first molested by her 37-year-old teacher. The relationship went on for a year and a half. He, tired of using condoms, took her to the McHenry County Illinois Health Department, at that time she was 14, where, without the knowledge of her parents, she was injected, her arm pierced by a hypodermic needle containing the powerful drug Depo-Provera.

This happened on at least two or three occasions at the age of 14. Under no circumstances could she consent to sexual relations, so the people who gave her the shots knew that she was being statutorily raped, and there was no report of that made.

She became anorexic and her parents finally asked her what happened, and today she is in therapy 5 days a week, because, for a year and a half, this little girl's incident was not reported to the authorities because of the confidentiality requirement under title X.

All acts have consequences. Depo-Provera, the very chemical that is used in the State of California for sexual predators who voluntarily want to be chemically castrated, Depo-Provera, the very chemical whose side effects include blood clotting. Depo-Provera, the controversial hormonal agent injected into her arms, without the knowledge of her parents. Depo-Provera, drugs being ingested, given to

children as young as 12 years old, and it happened 6,500 times in the past 2 years in the State of Illinois.

This is what is happening in these title X clinics. And I do not blame the health providers. I blame the U.S. Congress, which has said over the past several years that parents have absolutely no role to play in their children's sexual involvement.

A child being injected with such a powerful drug. In fact, the ACLU said that they objected to the California prisoners who wanted voluntary chemical castration based upon the cruel and unusual punishment because of the tremendous side effects of that drug. That is what is going on in America today.

This amendment does two things: No. 1, it restores the parent as the person in charge of the household. No. 2, it sends a message, that the confidentiality requirements of title X do not shield health care providers from reporting that children that young are involved in sexual activities.

That is what this amendment is about. If, as they say, well, the title X providers are already covered by this particular reporting law, then do not worry about it, the next State may not. If it applies, it applies; if it does not apply, it does not apply.

But we guarantee under Federal mandate that the rape that is taking place in this country, that the Guttmacher Institute, which is the research arm of Planned Parenthood, is saying that little girls are becoming younger in age and their sexual partners are becoming older in age.

We have wholesale rape going on in this country. We are saying the U.S. Congress should make it a policy that whoever takes Federal funds is bound by the State reporting laws.

Yes, if she had gone to a high school clinic or principal or teacher, that person, under penalty of 1 year in jail, would have had to report that to the authorities.

What this law does is very simple: It allows for unrestricted information and counseling. It requires a title X clinic to provide notification to the parent or legal guardian for minors seeking contraceptive services and devices. It allows for judicial bypass as an exemption for emancipated minors. It attempts to include parents in the conversation.

In McHenry County, IL, where there is no requirement for parental notification, 52 percent of the children receiving these services already have parental involvement, and included in that 48 percent was this precious 14 year old who was in daily counseling because nobody reported that, at age 14, it is illegal for her to have sex in the State.

What the amendment does not do, it does not prevent the treatment of or testing for sexually transmitted diseases. That answers the question of the gentlewoman from New York [Mrs. LOWEY]. Parental notification is not required for minors to be treated for STD's. It does not deny services to

teens, and it does not require parental consent.

This is a very reasonable amendment. This amendment says the following: Who is in charge of the children of this Nation? Is it the U.S. Congress or is it the parents?

The amendment says something else, that anybody who receives one dime of Federal dollars is bound by the same State reporting laws as the States are.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Chairman, teenage pregnancy is indeed a serious problem, and many of us have been engaged in efforts to resolve that problem. The approach you take depends on where your own perspective is in assessing this critical issue. Teenage pregnancy not only is a problem for the teen parents and their immediate family, but it is, indeed, a problem for society. Some of us have been engaged in this for years.

Yes, teenage pregnancy has gone up over the years, but to blame the title X program is really not to understand the complexity of teenage pregnancy. Teenage pregnancy is the result of a premature act just like any other premature act that teens may involve themselves in where the consequences are less detrimental. It engages not only the family, it also engages the church and the community. Until we understand that young people want something to say yes to, they will always say yes to something, perhaps to whatever comes along, sometimes the wrong thing. We must provide positive options for them to choose.

To try to correct this problem by blaming title X as the reason for the failure of society, the failure of parents to be engaged with the child, is certainly not to understand the complexity of the problem. We all should be concerned, all of society, just as there are things that all of us should do.

I support parents being involved. I encourage family involvement. I am a mother of four, a grandmother of four, and I hope to be a grandmother of five soon, and I have had now some 8 teenage forums where I bring people together to say we have a collective responsibility.

I am here to say that the Istook amendment does not respond to that collective responsibility. It is very narrowly focused, though well-intended.

Yes, parents should be involved. Good parent relationship is the right way to go. But if we believe this we are in denial of reality, particularly if you want to engage young people.

My heart goes out for the situation in Illinois. I would be enraged, too. But should I blame the whole society for the perverted act of one individual? How cruel of me to condemn all of the people, because indeed one made a mistake.

Title X is not perfect, but it certainly cannot be given credit for the

large increase in teenage pregnancy. All of us collectively should take our share of the responsibility for this problem as well as providing ways to resolve it.

The latest statistics for my State show that the teen pregnancy rates are down. This includes lower rates in the counties I targeted for my teen pregnancy prevention forums.

Mr. Chairman, let me say, as has been spoken before, I think there would be some consequences that even the sponsors of the Istook amendment would not like, if it were enacted into law. Indeed, you are trying to get parents to be notified. Notification and parental consent are not one and the same, however to a teenager they are usually synonymous.

The hospitals are interpreting that the effect of this amendment would mean that they would be denied funding for Medicaid and other Federal programs. Hopefully, that is not the case.

Already there are 24 States where, indeed, the violation of the law requires consent of contraceptives for minors. So what would this bill do in those 24 States?

The unintended consequences also show that you are pushing your young people to abortion. There are no good answers to teen pregnancy. The good answers are to get engaged with young people early, by providing positive options and not just focusing on where they can get contraceptives.

Certainly, we want to all be for preventing teenage pregnancy, but this is the wrong way. I urge a strong "no" vote on the Istook amendment.

Mr. CASTLE. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN].

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

Mr. Chairman, I rise in opposition to the Istook amendment and in support of the Castle-Porter amendment. We all want parental involvement in the critical issues of family planning, but I fear that enactment of a policy requiring parental notification or consent for some title X services may well just have the opposite effect.

Confidential access to reliable and timely information regarding family planning and other primary care services is crucial for young people. Studies indicate that requiring parental notification for young people receiving family planning services would mean that many teens would delay or avoid altogether perhaps seeking these services and would be derived of a reliable source of information.

I fear by requiring parental notification, Congress may unintentionally increase the number of unintended pregnancies, sexually transmitted diseases, and AIDS cases.

Mr. Chairman, leading medical groups with the best credentials, including the American College of OB-GYN's, the American Academy of Pediatrics, and the American Academy of



Family Physicians oppose mandatory family notification, and all for good reasons. Whatever a family's economic or social background, many teenagers are unable to speak to their parents about these issues. What we all want is for our children to make smart and informed decisions and involve us as parents in every stage of their physical and intellectual growth.

However, if they do not, and some may not, I think that we would all agree that we want them to have access to means that would protect their health and their futures and provide them with reliable information.

I urge my colleagues, Mr. Chairman, to adopt the language of the Committee on Labor, Health and Human Services, as included in the bill, and most specifically support the Castle-Porter amendment.

Mr. ISTOOK. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I think it is important to note, and this has not been mentioned by the speakers, that this amendment clearly permits the judicial bypass that is typical for States when they say a child needs a service which the parent is not providing, to get around the problem of parents that may not be responsible.

But, Mr. Chairman, I would submit that we should not be presuming that the parents of 1½ million teenagers per year are irresponsible and, therefore, nobody should get parental notice.

Certainly also the amendment only applies to providing contraceptives. It does not prohibit, for example, disseminating information or treatment for sexually transmitted diseases.

Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina [Mr. JONES].

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

Mr. Chairman, I rise in strong support of the Istook-Manzullo amendment. This common sense approach simply requires parental notification before a title X clinic can distribute contraceptive drugs and devices to a minor.

I am one that has always believed that a parent should be notified of their child's health-related needs. A majority of parents in my district and throughout this country are in strong support of this amendment.

We are not denying a minor's choice in visiting a clinic. We are simply requiring a parent to be notified. Unfortunately, some of my colleagues have misinterpreted the amendment and believe it requires parental consent for children to visit title X clinics. That is absolutely wrong.

Americans are increasingly enraged with the breakdown of the social institutions of our society. I believe this is evident with the recent case in Illinois.

As you have just heard, a young female student was taken to a title X clinic by her junior high schoolteacher to receive numerous injections of a contraceptive drug. Further, this

teacher had been sexually molesting the child for 18 months. This is sick and this is outrageous. Rightfully so, the child's parents were horrified and are pursuing legal action.

Unfortunately, I believe this is just the tip of the iceberg when it comes to the breakdown of our social structure and, more importantly, the loss of parental involvement. In my opinion, the Istook-Manzullo amendment is very much needed to help repair the social fabric of this country by allowing parents to be involved in their child's life.

□ 1730

Mr. Chairman, this Nation was founded on Judeo-Christian values. Family ties and values have been a part of this foundation. This amendment strengthens that tie. I encourage my colleagues to support this amendment, and help restore the rights of parents across this Nation.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentleman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Chairman, I thank the gentlewoman for yielding time to me.

Mr. Chairman, teenage sex is wrong. That is the message I carry to my district. I stand with those who have called for total abstinence. That is what I taught my children.

I only wish that were the rule. I have to think beyond my own middle-class upbringing and paradigm, the values that I live by. I am forced every day, because of the people I represent, to think AIDS, think HIV, think STD's, think teen pregnancy.

By the time many youngsters get to the title X clinic, they have already had a pregnancy. A third of them got there because they already thought they were pregnant. I am glad they got there in time. Most who come have been active for almost a year, sexually active for almost a year.

We simply have to face the extraordinary, varied nature of family life today. Most families do not look like yours and mine. Increasingly they do not. In my district there are families that are deeply religious, and for whom sex before marriage is simply unimaginable. There are others for whom sex before marriage is the rule. The Istook amendment wants me to forget about the most troubled, the most vulnerable to pregnancy.

Mr. Chairman, in my district, AIDS, which used to be characterized as a gay disease, is becoming a black disease. I cannot sit by and let that happen. Seventy-two percent of the reported cases in 1996 were of black people in my district, many of them teens. It is impossible to pretend today that families need only to get together and they can straighten this out. I wish, how I wish.

There is no family life for many I represent, much less communication within a family. Dozens of organizations in the field understand this. That is why they oppose this amendment. Mr. Chairman, I ask Members to op-

pose it as well, and to vote with the Porter amendment.

Mr. ISTOOK. Mr. Chairman, I yield 5½ minutes to the gentleman from Oklahoma [Mr. COBURN].

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

Mr. COBURN. Mr. Chairman, I think everybody involved in this debate is genuinely concerned that we reduce transmission of sexually transmitted diseases, that we reduce teen pregnancy in this country. We all want the same thing. We want a result. What our debate is about is how do we get there.

As somebody who has delivered 1,500 teenagers, I hope Members will take the time to hear what I have to say. I am not talking about opinions, I am talking about the experience of 15 years of dealing with teenagers. This weekend I delivered two 16-year-old girls. I delivered babies for them.

I want to tell the Members what the real truth is. First of all, out of those million teenage pregnancies that occur in this country, over half occur because of statutory rape; people, adult men, having intercourse with minors, illegally violating the law in every State in this country. So half of them result because we have not decided that we are going to enforce that regulation. That is No. 1.

No. 2, if you have a teenager who goes to any type of family planning clinic, 12 percent within the first year will be pregnant, with the best training, the best conditioning, because teenagers uniformly are irresponsible. Even if they have been taught what we know about how to prevent pregnancy, they do not concentrate as hard as they should. Many of them fail to remember to brush their teeth, let alone to take the birth control pill that was given to them at that clinic.

For those young women who are going to be sexually active, we should provide it. But there are some other things we ought to know. As we do that, we have over 12 million new cases of sexually transmitted diseases in this country every year. Last year NIH released that data. Of that, 3 million occur in our adolescent teenagers in this country. Two-thirds of those diseases are incurable.

A condom offers no protection against human papilloma virus, the No. 1 sexually transmitted disease. CDC cannot even get a handle on it, it is so pervasive. At California, Berkeley, they did a study just of the coeds there. Forty percent of the women there are infected with this disease. That was in 1992. That was in 1992.

So we have a big problem. I do not want to challenge anybody's motivation in how we solve this. I think we need to redefine the debate. Let us redefine this debate on how we solve this problem, and look at the different components of this. Part of it is we need to start enforcing the statutory rape laws. We ought to talk about that.

Should the Government be in the place in terms of alcohol consumption? Should we start an alcohol consumption clinic funded by the Federal Government to prevent our children from consuming alcohol as adolescents, because some parents are not going to do a good job of that?

I do not like title X because I do not think it is effective. As a doctor who asks patients who come into my practice when they are teenagers, I had a 14-year-old I saw Saturday morning, pregnant. I asked her, had she used anything. She had been to the health department and had gotten everything they had wanted her to, but she still got pregnant.

But regardless of that, we are going to have title X. This body has decided that. But should we not say, parents, your child has made a decision to become sexually active, and we are going to help them? But we want them to know that. So we have a great opportunity for intercedence in a parent.

Will it always be positive? No. Is there opportunity for negative, that they might not come back? Yes. Is there a greater opportunity that we might help those children? I think there is. I think we should decide on the side of doing, at least having the faith to give the parents the opportunity to do it. If it does not work, we can always change it. We can change it in 1 year.

In 1996 we said, we were going to do a study to find out if family planning works. Guess what, it is 2 years later from the 1995 debate. We all talked about it and said we will do this. We have not done a study, so everybody is going on the basis of opinion. There is not a study.

The gentleman from New Jersey [Mr. FRELINGHUYSEN] mentioned a study. I said I wanted to see the study. I wanted to read it. I have read everything I can on sexually transmitted diseases and teenage pregnancy. I have never seen any study like that, not in a reputable journal anyway.

Everybody's intentions are the same thing. No matter what happens on this vote, let us resolve to all get together on this debate and design something so we know what the facts are, rather than go on our opinion or our gut or whatever.

I may be dead wrong because my patient population may be wrong, but let us get together. Let all of us get together and work together to solve this problem. We can do it, and we should.

Mr. CASTLE. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. GILCREST].

Mr. GILCREST. Mr. Chairman, I thank the gentleman for yielding time to me. I would like to start off by making a comment about America in general, what makes this country successful.

I would say the hallmark of the Nation, of this democracy, is human initiative using good judgment. It is not the Government dictating any policy. I

say that as a general rule of thumb for individuals across this great Nation, in the diversity of situations they find themselves in.

Most are very positive, very loving, filled with commitment, compassion, humility, and discipline. But there are exceptions to that. It is the initiative, that we want people to take responsibility to solve their problems.

All of us here want to solve the problems of unwanted pregnancy, of statutory rape, of sexually transmitted diseases, and all of these things. Everybody on the House floor right now is committed to do that. None of us have all the right answers. None of us are absolute in our knowledge and absolute in our certainty how to resolve those human issues that will be around for generations and generations and generations to come. This is just a small, little piece of the puzzle.

This discussion is going to do some positive good to help resolve the nightmare that some people go through. But human initiative, in my judgment, is the key: How do we resolve this problem?

I would say to my good friend, the gentleman from Oklahoma [Mr. COBURN], the doctor, who is a very knowledgeable person, and I take a lot of his advice home to my family, that teenagers are not uniformly irresponsible. Many of them are. Many of them come from very irresponsible homes, irresponsible communities, but especially irresponsible homes. Teenagers are on the brink of beginning to reflect the nature of their home life.

So what we are trying to do here is to discuss the difficult issue of raising children, and that is very difficult. Parents, we would hope every single one of them would be good parents by being responsible, by exposing their children to other adults that are responsible, by having a good home life with friends and neighbors and other family members from the extended family, and that is a wonderful environment.

The problem is, there are some homes that are not like that. As a school teacher for many, many years, I have had students come to me in desperate situations because they have been sexually abused by their parents, or parent, or physically abused or mentally abused. And the difficulty that the Istook amendment would place upon them is untenable.

All of us want to resolve this problem, and certainly we want the parents to be responsible, and certainly we want the parents, the responsible parents, notified; and the responsible parents are going to know about these situations because they are going to create around them an environment of support from the school to the church to the synagogue to the mosque to the neighborhood to the police department to you-name-it. Those are responsible people, exchanging their lives and information, and sharing things with other people.

It is the isolated situations, whether it is in a home that has difficulty with poverty or whether it is in the wealthiest of families, there are families where children are isolated from the community and need our help and need our judgment.

So the hallmark of America is human initiative, using good judgment. I encourage my colleagues to vote for the Castle amendment, because I think it begins the process of doing that.

Mr. ISTOOK. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky [Mr. LEWIS].

Mr. LEWIS of Kentucky. Mr. Chairman, I rise today in support of the Istook-Manzullo amendment. My question is, what did parents do, mothers and fathers do, before title X? What did they do before Congress got involved in trying to manage the raising of their children?

I just looked at the chart a little while ago, and it looks like since 1970, teenage pregnancy rates have doubled. Sexually transmitted diseases have exploded on the scene. So can we stand here today in the halls of Congress and pat ourselves on the back for title X, and for what a great job has been done in stopping teenage pregnancy, in stopping sexually transmitted diseases? Can we do that?

For 200-plus years mothers and fathers in this country were able to take care of their children. It is amazing that this great body can be so presumptuous to think that they can do a better job. I think the statistics prove that they have not been able to do a better job. It seems like that would be the face of it.

What is wrong with allowing parents to be put back in the decision-making process when it comes to their children? It is not your children, it is the children of the parents of this Nation.

□ 1745

Like I said, they were certainly able to do a pretty good job until we got involved in it.

Mr. Chairman, under current title X regulations, clinics across the country are free to provide contraceptive devices without notifying the parents, and this violates the most fundamental right of being a parent, the right to be involved in their children's life when making crucial decisions.

Yes, there are bad parents out there, but, lo and behold, the majority of parents in this Nation are good parents. But my colleagues are painting with a broad brush and saying that all parents are bad. All of them; that parents in this Nation cannot make good decisions for their children.

Mr. Chairman, I say for 200-plus years they were able to do a darn good job. But, no, big government, this Government had to get involved. What is wrong with taking a look now at where we are? Just like the gentleman from Oklahoma [Mr. COBURN], my colleague the doctor, a little while ago said, let us stop, let us take a look at it.

Mr. Chairman, I have just sponsored a bill, the Family Impact Act, that proposes when Federal agencies put forth new regulations, we stop and see how those regulations are going to affect the family. Do my colleagues not think we need to stop now just for a little while and see how title X has affected the family? How not notifying parents about particular problems, like those mentioned by the gentleman from Illinois [Mr. MANZULLO], mentioned a little while ago, has affected the family? Stop and say: What is wrong with this picture? What should we do now?

Mr. Chairman, I would like to think that if we are going to be helpful in this Nation to our children and our parents, that we would at least take a look when things are not going right and say what can we do to correct it?

Well, this amendment corrects the problem. It makes sure that parents are involved. It does not mandate that children must get their parents' permission to use contraceptives, but it does make sure that they are notified. What is wrong with that? It simply requires that they provide information to the parents if their child asks for contraceptive drugs or devices.

It also protects the child by requiring title X providers to report evidence of child abuse, child molestation, sexual abuse, rape, or incest to the proper State authorities.

Mr. Chairman, it is time that this Government makes sure that parents are once again involved in the raising of their children. Is that not the least parents should have? Like I said, I think they did a good job until this institution got involved. We need to look and see where we are and where we need to go, and I think this is a good step in this amendment.

Mr. Chairman, I urge Members to support the Istook-Manzullo amendment.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Chairman, in this body we are supposed to at least make sense. That is why I rise in support of the Castle amendment, which makes sense, and oppose the Istook amendment, which makes absolutely no sense.

Why does it make no sense? I believe that the Istook amendment will actually increase teen pregnancy. It seems to me pretty ridiculous to pretend that all homes are loving, supportive. We would all wish they were. But most of us know that not all homes are that way, that there are some homes where a child would be in actual physical danger of trying to get the parents' consent or knowledge.

We have heard some horrible, horrible cases here today. I want to remind my colleagues of a case in Oregon where the father of a young woman raped her. When she told her teacher of that rape, he killed her. So what about those families where the sexual predator is in the family?

Now, the Castle amendment makes absolute sense because it will reduce teen pregnancy. I want to talk a little bit about a program we have in Oregon called STARS. It teaches abstinence and it allows teenagers to talk about abstinence, but it also teaches teenagers how to say "no". No to sex. No to coercion. No to abuse.

Mr. Chairman, that program has been introduced into Oregon by our first lady, Sharon Kitzhaber. It is utilized in half of the counties in Oregon, but it has been in practice in Georgia for 5 years. Mr. Chairman, let me tell my colleagues what that program has done in 5 years. In 5 years, this program, which would be like one of the ones the gentleman from Delaware [Mr. CASTLE] is asking be included, that program has reduced teen pregnancy by 33 percent.

So if we want to make sense, if we want to reduce teen pregnancy, do like the gentleman from Delaware. If we do not want to make sense and we do not care about teen pregnancy, really, truly, then we would go with the gentleman from Oklahoma.

Mr. Chairman, I urge Members to support the Castle amendment, make sense, and reject the Istook amendment.

Mr. CASTLE. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I have been reading over the amendment offered by the gentleman from Oklahoma [Mr. ISTOOK] as to when a provider can provide contraceptive drugs or devices. It says if the minor is emancipated under applicable State laws, which is redundant as far as I can see; if the minor has the written consent of a custodial parent or custodial legal guardian, which is where that language came in; if a court of competent jurisdiction has directed that the minor receive the drugs or devices. I cannot imagine a minor going to court, a 14-, 15-, 16-year-old going to court. And then the key provision, and in fairness to them it says the provider has given actual written notice to a custodial parent or a custodial legal guardian notifying the parent or legal guardian of the intent to provide the drugs or devices at least 5 business days before providing the drugs or devices.

Mr. Chairman, I ask my colleagues to put themselves in the mind of a child. It could be a 16-year-old child or a 15-year-old child, whatever it may be. The studies show us that this child has been having sexual activity for a period of 1 year. This is a child almost inevitably that has not told the parents. This child has stated he or she will go on having sexual activity and they want some sort of protective devices, contraceptives or whatever they may be, and they go to Planned Parenthood, or they go to some sort of an outlet of a State, or whatever it may be. At that outlet they are counseled.

Mr. Chairman, by our legislation we would encourage family participation in the decision of the minors. It provides counseling to minors on how to

resist attempts to coerce minors into engaging in sexual activities, and that is how it should be. Frankly, that same child is simply not going to get into a situation in which it has to have written notice sent to a custodial parent. That is not going to happen. That means that that child is not going to receive any counseling whatsoever. The child is not going to receive any encouragement to see his or her family. The child is not going to receive any counseling with respect to coercion by an older person, such as the Illinois case, in the chances of sexually transmitted diseases, the chances of pregnancy occurring out of wedlock and the consequences of that become much greater as a result of this legislation.

It is a simple matter. We have to think this out very carefully. I do not have a single question in my mind about the authenticity of the feelings of the individuals involved, but I think they have reached the wrong conclusion and they have set up more difficulty than they have provided relief for. So I believe we should support the Castle-Porter amendment.

Mr. ISTOOK. Mr. Chairman, I yield myself 45 seconds.

Mr. Chairman, actually the points raised by the gentleman from Delaware [Mr. CASTLE] are already covered amply by the legislation. For example, counseling does not require any sort of parental notice nor consent. In fact, if the child has a sexually transmitted disease, it requires treatment. Also, there is no need of parental notice or parental consent because there is an immediate health care need. It is only when they are seeking contraceptives that it comes into play.

Furthermore, the urging of family involvement is already the law and has been for several years. The amendment adds nothing there. And, finally, the bill already contains language that says you are going to counsel minors on resisting sexual advances and so forth. The Castle amendment adds absolutely nothing to what is already in the bill.

Mr. Chairman, I yield 6 minutes to the gentleman from Colorado, [Mr. BOB SHAFFER].

Mr. BOB SHAFFER of Colorado. Mr. Chairman, I find it surprising, frankly, that this debate takes place to the extent that it does and with the passion that it does.

Mr. Chairman, I wish to address a number of points. The credibility that really eludes the arguments of the opponents of the Istook amendment is rooted in a number of points that I wish to address.

First of all, Mr. Chairman, I ask that Members remember this is an appropriations bill. One would think that this was a bill over a particular activity or another piece of legislation. But what this really is about is about cash and about funding and about funding a particular activity through the title X clinics.

One of the comments that was made by the opponents of this amendment

was that if adopted, it would, quote, deny contraceptive services. Mr. Chairman, I point out that this amendment only ensures that public funds are not spent in a way that undermines parental authority. In fact, contraceptive services to children, for those who support that kind of thing, can continue on with the Istook amendment.

In fact the proponents of the substitute amendment, which favors contraception for children, suggests that the groups like the AMA, the American Academy of Pediatrics, the Hospital Association, the American Association of Public Hospitals, the American OB/GYNs all support the concept of contraception for children and oppose the Istook amendment.

Well, these groups are fine organizations. They are in many cases privately funded organizations. Let them pay for contraception for children if they really and truly do believe the importance of it.

What is at debate here today, again, is not whether this activity is legal or should or should not take place. What is in question is the extent to which our Federal Government should subsidize an activity that is so offensive to so many and does undermine the principal authority of parents and families throughout our country.

Mr. Chairman, in my district out in the eastern plains of Colorado, there are tens of thousands, perhaps hundreds of thousands for whom contraception alone is an offensive proposition. They believe that it in fact violates their religious precepts that they practice as a part of their daily life. Frankly, they are not asking to impose that belief on anyone else.

But just as there are those who hold those beliefs and ideals dear, and abide by them daily, there are others who believe that contraception for children is a good idea. Now, those individuals are in fact imposing their values, their brand of morality, on all of the rest. They are in fact taking the cash on April 15, the income taxes of hard-working individuals who find this activity abhorrent, they take their cash and they spend it in a way that violates that public trust.

Mr. Chairman, my wife and I are raising three daughters and a young boy, and if I ever found out that my government was providing advice and contraceptive services to my children without my knowledge, I can only say that it would be very difficult to forgive those who allowed that to take place. I believe I would find a way to do that eventually, but it would be difficult and it is difficult for every parent in this country to handle that as well.

Mr. Chairman, it is more difficult still to understand that it is possible today, in fact likely today, and in fact is occurring today, that that scenario will duplicate itself and repeat itself and the very parents who are offended by that activity are bearing the costs themselves.

Yes, right here in America, parents are paying as taxpayers for agents of

the Government to teach their children values that are contradictory to those which are taught in the home. We should not allow that to occur.

It has been said by those who are in favor of contraception for children that the United States leads the world in sexually transmitted diseases. That was not always the case. It has only been the case since we have allowed the Federal Government to intrude into the bedroom on children, to subsidize the sexual activities of children.

Mr. Chairman, how often have we heard that: Keep government out of the bedroom? We should not use taxpayer dollars to ease children into a bedroom. We should not use taxpayer dollars to equip them for an activity for which they are not fit to engage. We should not use taxpayer dollars to teach a false sense of security for an activity that can kill them, that can scar children, that can devastate their futures and which drives a wedge even further between children and their parents.

Mr. Chairman, if we want children to learn, we buy them books. If we want children to brush their teeth, we buy them toothbrushes and toothpaste. If we want them to obtain jobs, we teach them how to work. If we want them to be baseball players, we buy them baseballs and baseball gloves.

If we want them to stop fighting, we take away the clubs. If we want them to stop shooting, we take away the bullets. If we want them to stop taking drugs, we take away the needles. If we want them to have sex, all we have to do is give them the tools, as we do today, to have sex, to think that they are responsible, to treat them like married adults, when actually they are foolish children.

□ 1800

One other opponent of the Istook amendment said that in order to understand this issue and vote the way they think we ought to vote, we only need to put ourselves in the mind of a 15-year-old. As a Member of Congress, I say hell no. We are the U.S. Congress. We are sent here to represent a country and honor the values of this great Nation, not to think like children, not to pass foolish pieces of legislation that take cash from parents and use it to pry their authority away from their family obligation and their rights as parents. We should pass the Istook amendment and honor that sacred institution of our families.

Mrs. LOWEY. Mr. Chairman, I yield myself 30 seconds to respond to the gentleman.

I want to make it very clear that for those of us who strongly support family planning, we strongly support abstinence on the part of children and in no way are we encouraging sexual activity.

What we are trying to do is to prevent sexually-transmitted diseases. We are trying to prevent teenage pregnancy. That is why we are so strongly supportive of family planning, because

80 percent of the youngsters who go to these family planning clinics are already sexually active.

Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. DAVIS].

Mr. DAVIS of Illinois. Mr. Chairman, I rise today in support of the Castle substitute. I do so because I believe that the Istook-Manzullo reporting requirements are duplicative and unnecessary.

Furthermore, I have heard some strange logic here this afternoon. The logic that says, if individuals are already involved in sexual activity, and we know it, facing the truth is oftentimes painful, but the fact of the matter is, many of our young people today have already begun to become sexually active before seeking information, advice, or family planning information.

The real fact of the matter is, when we deny those individuals the services that they need, we are relegating them in many instances to a lifetime of poverty, of misery, of despair, of the inability to care for children that they have, in fact, produced. The reality is that we are increasing the need for welfare.

There is no way that young mothers, 18, 19, 20 years old, can take care of three or four children. And we would deny them information because we know that many teenagers are not going to share with their parents the fact that they are sexually active.

I support Castle because it is a vote for realism.

Mr. ISTOOK. Mr. Chairman, I yield 4 minutes to the gentleman from Utah [Mr. COOK].

Mr. COOK. Mr. Chairman, I rise in support of the Istook-Manzullo amendment to title X.

I am from Utah, a State with a reputation for strong families and meaningful parental involvement. Our laws recognize a parent's right to have a voice in the choices children make. Our elected officials ponder ways to strengthen the families, realizing that strong, healthy families are the best solution to most ills in our society.

Our public education system recognizes and respects the vital, clear voice of parents. And yet, our children can get birth control devices from federally funded agencies without the knowledge of their parents. This troubles parents in my district. This troubles me.

Whether Congress intended this or not, the current title X policy undercuts parental involvement in this most critical area of a youngster's life, their sexuality. In Utah, teens must have parental consent to play on sports teams or participate in field trips, yet they can obtain birth control devices without notifying their parents.

It is important to note here that we are talking about parental notification, not parental consent. I am a pro-life Congressman. I am anxious that Federal policy not subtly encourage abortions. Some have argued that notifying a parent of a child's request for

birth control will lead to more abortions. I disagree. I think alerting parents to their youngster's sexual activity will do more to halt unwanted pregnancies and abortions than just dispensing free birth control devices.

We have tried that. We have been trying it for decades. During the years we have freely dispensed birth control, teen pregnancy rates have doubled. The number of teens seeking abortions have soared accordingly. Sexually transmitted diseases have reached epidemic proportions.

What further proof do we need that our existing policy is not working? It is time to be doing what we should have been doing all along, bringing parents back into the loop.

I have been disappointed to hear the misleading rhetoric surrounding this bill. This bill is pro-children. This bill is pro-family. This amendment is pro-safety. We are requiring recipients of title X funds to report child abuse, molestation, rape, or incest. These crimes should never go unreported, regardless of the wishes of a frightened child. Failure to report these crimes is failure to protect a child. Just giving youngsters birth control and some pamphlets in those horrific circumstances is like putting a Band-Aid on a hemorrhaging wound. The crime must be stopped. The criminal must be punished. The victim must be helped.

This bill not only ensures responsible, caring parents a voice in their children's life; it also ensures youngsters meaningful protection against abusive parents and sexual predators. The full protection of the law, not just the protection of a birth control device.

I urge passage of the Istook-Manzullo amendment, Mr. Chairman.

Mr. CASTLE. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Pennsylvania [Mr. GREENWOOD].

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

I have to begin by saying that my heart is with, in many ways, the makers of this amendment. My heart is with the gentleman from Oklahoma [Mr. ISTOOK] and the gentleman from Illinois [Mr. MANZULLO], because I understand what they want to do. They want to protect our children from the elements of our culture that would undermine the values that we try to teach them at home. They do not want a world in which our kids are sneaking behind our backs and getting information that rightly ought to come from us.

As the gentlemen know, I have two daughters. They are 10 and 12. My wife and I are engaged in this struggle every single day. We are considered the fuddy-dufs in our neighborhood, I think, because my daughters are always saying, how come everyone has their ears pierced already and we cannot? How come everybody can wear makeup to school and we cannot? How

come you will not let MTV come into the house? I called the cable station and I do not let MTV come into the house. So that is pretty square, I guess.

We work real hard in our family on communications with our kids because we know that if we can establish communications about these issues, I stayed up late the other night with my daughter, 12-year-old, on the question of makeup. And I said, it is bigger than makeup. I will tell you what I am afraid about. I am afraid that people on Madison Avenue and people in Hollywood, in order to sell a product, are trying to create an image. And kids your age feel that if they do not fit that image that is provocative, 12 or 13 or 14 years, that there is something wrong with you. I am afraid of these people stealing your childhood away from you.

That is why we have these discussions. We communicate like that every day in our family.

If we succeed at this level when we are talking about pierced ears and makeup, then I think we will succeed when the heavy issues come like sexuality, going out to parties, and dating, and all of those things that have me scared to death already.

The parents in America that succeed at doing this, for them this language is moot. It does not matter. We do not need the government, for those of us, for parents who have succeeded, we do not need the government establishing communications. We do not have to mail a letter, nobody has to mail a letter to me saying your daughter is over here because I am going to know what my daughter is doing, if I succeed.

But we also know that really good parents who try hard do not succeed at this. It is hard to talk about. It is hard for any kid. Think of it yourself. How many of us can honestly say that when we were 15, 16, and 17 we could sit down at the table and talk about sexuality over dinner? Let us not pretend, by the way, that that is what happened in this country for 200 years. Silence was the order.

But some parents will not succeed. And for those parents who also, just like I do, hope that our kids are abstinent and do not get involved in sexuality before they are mature enough to do it, we hope that they will be abstinent until they are 18, at least until they are married, that this is not an issue. But what we know is that 56 percent of young ladies under the age of 18 are already sexually active. And it is higher with the males, 73 percent.

So what are we going to do about that? We know that that is going on. There are a lot of variables that determine whether a teenager is sexually active. It has to do with how they communicate with their parents. It has to do with how they respond to peer pressure. It has to do with what kind of a situation they are in.

But do you know what does not have any influence on whether a kid is sexually active? The availability of birth

control. They do not refrain from being sexually active if they cannot get birth control, and they do not become sexually active because they can. That is not the way this works. That is not the way the birds and the bees work.

Kids become sexually active or they do not become sexually active for a lot of reasons. And the kids who can talk to their parents are in great shape. But if we tell kids who cannot talk to their parents and who are sexually active that we are going to send a letter home to mom and dad or you cannot come into this clinic and get contraceptive services, I wish that would solve the problem. I wish those kids would say, OK, no more sex. We are finished, cannot get the pill. I wish that that would work, because that is what the framers of this amendment hope happens. But it will not happen. That is not what happens. They continue to be sexually active.

We know the story. They become pregnant; they get sexually transmitted diseases. They have no one to talk to. They have abortions. That is the bottom line. That is what happens with this language. None of us wants that.

There has been a lot of criticism of family planning clinics in this country, a lot of talk about what has happened with the teenage pregnancy rate. It has gone down 8 percent since 1991. These clinics are working. We should protect the work that they do with the Castle amendment.

Mrs. LOWEY. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California [Ms. HARMAN].

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

Ms. HARMAN. Mr. Chairman, I rise in support of the Castle-Porter substitute.

Mr. Chairman, I rise in support of the Castle-Porter substitute and against the underlying amendment.

As a mother of four, including a young adult daughter and teenage daughter, I want my children to seek my advice, if not my approval on health-related matters, particularly those related to reproductive issues. But their willingness to talk to me or their father is based on trust and respect and cannot be mandated by law.

At the same time, as a policymaker, I want to reduce the instances of unwanted pregnancies and cases of sexually transmitted diseases. Would requiring parental consent for family planning services achieve that goal? Clearly not.

Instead, it would create a barrier and overturn statutes in 49 States by imposing a one-size-fits-all Washington policy. More importantly, studies show that 80 percent of sexually active teenagers would stop seeking family planning services if parental consent were required. The result would be more unintended pregnancies, possibly more abortions, and certainly more cases of sexually transmitted diseases.

The difficulty we face as parents and policymakers is finding the balance between policies that encourage the active involvement of parents in their children's decisions and policies

that reduce teen pregnancies. The substitute amendment offered by Messrs. CASTLE and PORTER is the preferable, though far from perfect, approach.

The Castle-Porter substitute requires that title X grantees encourage the involvement of parents when teens seek contraception and other family planning services. To be sure, some may claim that title X grantees could easily provide the certification required by the amendment without genuinely making the effort to encourage teenagers to discuss their situation with their parents.

But I have met with many title X grantees and I know that they share the concern which has been expressed by both the proponents of the Istook-Manzullo amendment and the Castle-Porter substitute—that only through strong family bonds and only by encouraging teenagers to seek contraceptive advice can we reduce unwanted pregnancies and some of the other health risks facing sexually active young people. And they all make a very concerted effort to achieve both goals.

Support the Castle-Porter substitute which will reduce unwanted pregnancies and cases of sexually transmitted diseases while encouraging to the greatest extent practicable family involvement in the decisions of our children.

Mr. ISTOOK. Mr. Chairman, I yield myself 40 seconds.

I think the thoughtful comments of the gentleman from Pennsylvania [Mr. GREENWOOD] deserve some response.

When he says good parents do not need this because this never happens in good families, of course it happens in good families. Good families want to get involved when something happens that is a surprise to them.

If we say that availability of birth control has no effect on sexual activity, I lived through the 1960's and the early 1970's. I know all the writings that are out there saying that the availability of the pill and so forth and birth control had a huge affect on sexual activity in America.

I do not think that we can say, here is a hammer, here is a nail, here is a board. But believe me, I am not encouraging you to have it. I do not think that would be realistic.

Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. HOSTETTLER].

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

Mr. HOSTETTLER. Mr. Chairman, I rise today in strong support of the Istook-Manzullo amendment and in opposition to the Castle substitute.

I am deeply concerned about the incident that occurred in Illinois, and even more concerned about current law allowing this type of atrocious behavior to continue to occur unless something is done and something is done soon.

I am distressed that it takes the exposure of such an atrocious situation for an issue such as this to receive appropriate attention. I am encouraged that this amendment is on the floor today, and I urge every Member to support the Istook-Manzullo amendment.

Currently, there are nearly 1.5 million teenagers using the title X pro-

gram. This means that the parents of 1.5 million teenagers receiving federally funded services pay taxes for those purposes. I think it is not rational to believe that those parents do not want to be informed when their children are being supplied with possibly potentially harmful contraceptives.

□ 1815

As the father of the two most beautiful little girls in the world and as a Member of Congress responsible for allocating taxpayer dollars, I find this issue extremely troubling.

This amendment is critical for parents to be just that, parents. Unfortunately, the title X program virtually eliminates the role of parents in their children's receipt of medical care, and potentially harmful medical care at that.

Opponents of this amendment claim this amendment would result in higher pregnancy rates and more abortions. I find this difficult to understand in light of the fact that teen pregnancy rates have doubled since the title X program was created. At best, there is no correlation between the funding of this program and a reduction in the teen pregnancy rates, and in fact, it may be concluded that this program has actually facilitated its increase.

Parents have been deleted from the picture and clinic employees are now responsible for providing contraceptives without any interest or legal procedure to actually question the teenager about his or her sexual activities.

This amendment, the Istook-Manzullo amendment, would simply require clinics to report to the proper authorities any abuse, rape, incest or molestation that title X clinic patients have experienced, and would allow parents to simply be informed of any contraceptives their minor child is receiving. This amendment does not prevent the treatment, counseling or testing for sexually transmitted diseases under current law. Parental notification is not required for minors to be treated for STD's.

In addition, it does not deny any services to teens. It does not even require parental consent, but it will at least let a parent know when their 13-year-old daughter is coming into a clinic for a Depo-Provera shot while some 25-year-old monster waits in the car. I think parents deserve at least that much.

Simply put, I encourage all of us to consider how much longer we will continue to allow child molesters and rapists to hide behind the Federal morass of title X regulations.

Mr. Chairman, it seems that in this body we continue to legislate based on the lowest common moral denominator. We are saying that because there are parents, a minority to be sure, a minority of parents that in some way cause problems for their children when they find out their children have been sexually active; or in the case of the lady from Oregon talking about the fa-

ther that killed his daughter when she reported the sexual molestation, that we must bring everyone in the country under that same concept of regulation.

Mr. Chairman, I would say that not every parent is like the parent in Oregon or not even close. Many of us as fathers and mothers want to know about these situations when they come into our children's lives. And the idea that we can set up this because we need this for the children is to say that, for example, we need to eliminate the status of minors altogether.

If we believe that there is a case in America or some cases in America whereby some parents may not act responsibly when informed of these things, why can we not extrapolate from this and say, let us do the same thing for alcohol abuse. Let us simply not notify the parents, but have a clinic operator inform the child and counsel the child. Or tobacco use, how about we not tell the parent that the child is involved in tobacco use because the parent may be averse to that?

No, Mr. Chairman, in this country we continue to recognize the importance of parents in the lives and decision-making of their minor children. This bill does not stop funding of a program that, at best, has no correlation to reducing pregnancy rates. This does not even talk about consent. We are not asking that I give my consent if my daughters receive Federal family planning.

Mr. Chairman, this is a responsible amendment, and I seek that the membership elect to accept the Istook-Manzullo amendment.

Mrs. LOWEY. Mr. Chairman, I yield 2½ minutes to the gentlewoman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER. Mr. Chairman, I want to take just a moment to answer a question one of my colleagues asked about, what did parents do before 1970? I was at the University of Kentucky in the 1950's, and I can answer that question. I think I should.

Women who got pregnant in those days died from botched abortions or they died from septicemia or they became sterile, unable to have children in the future, or they were sent away to what was called a Florence Crittenden home with other women who had, in the jargon of the day, "got themselves in trouble," to wait 9 months until their babies were born.

And their families told their friends and everybody else they had moved away with a relative for a little while. It was common. They had no opportunity again to go back and finish their education. They were from the "good" families. Poor women just had no options.

The men involved got off without any problem because it was a case of spontaneous generation, the woman had "gotten herself into trouble." They continued their education and lives, and had every opportunity to become titans of industry. The women were disgraced.

That has changed, and I am happy for it.

I wish that every child in America lived in an ideal home, but they do not. But even in ideal homes, in good homes, where 99.9 percent of everything is discussed, there comes a time every now and then when a child may not want to talk this over with their parents.

It is a tragic thing that happened in Illinois, it is a case of statutory rape, and of course it must be prosecuted. In my district we do that; and if my colleagues do not prosecute in their districts, I want to recommend it to them.

But this amendment has a far broader reach. It says that none of the funds in this act or any other act for any year can be made available to any title X provider if they do not fulfill this amendment. That means they risk the loss of Medicare funds, Medicaid funds, graduate medical reimbursement, disproportionate share payments, and everything else that we do for health care facilities in this country.

Because of the broad-reaching nature of this amendment, it has been strongly opposed by the American Medical Association and the hospitals.

Now, let me say one thing that is very important here. I think this law would preempt State laws on this issue because 24 States have laws that mandate confidentiality between providers and adolescents. What we say here over and over again on this floor, what I hear is, we should never enforce anything from Washington; the States know best, the local areas know best. In this case we are saying, no, that is not the case. No, no, Washington knows best on this issue after all.

Now, States deserve to have their considered laws on doctor-patient communications remain intact, and I urge my colleagues in the strongest possible terms to reject the Istook-Manzullo amendment, as well-meaning as it may be, and to support Castle-Porter.

Mr. ISTOOK. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. MANZULLO].

Mr. MANZULLO. Mr. Chairman, I want to respond that the Congressional Research Service has supplied a memo dated July 28, 1997, stating the title X regulations do not require that title X providers report cases of incest or statutory rape.

We are trying to change that law. We are trying to make it mandatory on the part of title X providers, that they have the same reporting requirements as State people do. It is just that simple.

So it is incorrect to state, as many Members on the other side have said, that title X providers are already required to report these violations.

Mr. ISTOOK. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. LARGENT].

Mr. LARGENT. Mr. Chairman, let me say first of all that I am really proud to call myself a Member of Congress. It is a privilege and an honor, and with

that privilege comes a great deal of responsibility.

But I also have to tell my colleagues that I am even more proud to be known as a father, a dad. I have four children, three of them teenagers. And with that privilege of being called a dad come even greater responsibilities.

I have to tell my colleagues that it really saddens me that we even have to debate this issue. As a Member of Congress, in fact, I am embarrassed; as a parent, I am offended.

Let me just say flat out what this debate is about. This is about, is it right to notify parents when their children receive counseling, contraceptives, sexually transmitted disease inspections or testing; is it right?

Just think about that, as a parent. To use tax dollars that moms and dads from all over this country are sending to Washington, DC, should we use those tax dollars to do those things to our children and not let their parents know about it? Just on the very surface of the debate, it is laughable. And I want to tell my colleagues again that, as a parent, I am offended.

If we listen, just below the surface of the debate, of those that are opposed to letting parents know what is happening to their children, the message, the underlying message is that we cannot trust parents.

That is the message: We cannot trust parents. So the debate is really about this.

Who cares the most about my children? Is it people here in Washington that want to hand my children contraceptives or examine them or offer these services to them or is it me? Who can protect my children the best, me or my fellow colleagues?

I want to tell my colleagues, I do not believe any of them care or love my children as much as I do. I do not care who they are, there is nobody here in Washington that loves my children more than I do. And yet there are many people that are trying to impose what they think is right for my children and other people's children in this country on us as parents, and that is wrong. And that is what this entire debate is all about.

Understand, this is about just letting parents know. This is not about asking for their consent.

I get calls all the time. I cannot say all the time; I have often received calls from my children's school, from the school nurse. The school nurse will call to say that my daughter has a headache, and the nurse needs to get my consent to give her two aspirin. The nurse thinks she should administer those to her, but she needs my consent. Is it OK with me.

Not only do they have to notify me, they have to get my approval to give her two aspirin. And yet my daughter could go to a federally funded clinic, be tested for sexually transmitted diseases, be given condoms, given counseling, and I would not even know about it. They would not have to call and ask

for my permission, not even notify me; and that is wrong.

I want to tell my colleagues what is happening all across our country to a lot of different institutions of authority, and I want to say that the family institution is an institution of authority, but what is happening is not hammer blows against those institutions of authority. Whether it is the Government or our schools or law enforcement or families, it is not hammering against those institutions of authority; it is a slow erosion.

This is one of those ways to slowly erode away the authority of parents in their children's lives, their ability to direct their children's lives, to counsel them, as parents, to provide protection for them. This is one of those things that is slowly eroding that authority away. And when we erode authority away, we erode respect away from parents.

It is no wonder we have the problems with teenage crime and violence and pregnancy that we have today, because we continue to erode the authority of all parents.

So the question is this, and I will finish by saying the question is this, and I want to say up front that I do not question the motives of anybody involved in this debate on either side. I really do not, because I believe in my heart that every Member of Congress is seeking the answer to this question. And that question is this: How can we best help kids in our country today?

I believe every Member of the Congress is trying to answer that question in this debate that we have before us; and I will tell my colleagues that the conclusion that I have reached, and the reason that I support the Istook-Manzullo amendment is this: I have concluded that the best way we can protect the children of our country today is to involve their parents, because I believe parents care the most for their children. So we need to help those parents by at least allowing them to know what is happening to their children.

I urge support for the Istook-Manzullo amendment.

Mrs. LOWEY. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina [Mr. HEFNER].

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

Mr. ISTOOK. Mr. Chairman, may I inquire how much time remains on each side?

The CHAIRMAN. The gentleman from Oklahoma [Mr. ISTOOK] has 43½ minutes remaining; the gentleman from Delaware [Mr. CASTLE] has 29½ minutes remaining; the gentlewoman from New York [Mrs. LOWEY] had 26½ minutes remaining before yielding.

The gentleman from North Carolina [Mr. HEFNER] is recognized for 3 minutes.

Mr. HEFNER. Mr. Chairman, I have a tremendous amount of respect for the gentleman from Illinois [Mr. PORTER]



and for the gentleman from Delaware [Mr. CASTLE], and it has been interesting to listen to this debate. And I listened to the gentlewoman from Kentucky, who comes from a rural district as I come from a rural district in North Carolina, and she talked about what has changed, and she was right.

Back when we were growing up, and I am a lot older than most people here, but when a girl got herself in trouble, it was always a woman that got herself in trouble. The guy was not particularly involved in it. It was always the woman that got herself in trouble and she bore the brunt of it for the rest of her life, if she was even allowed to live in the community.

□ 1830

We are not here today to encourage people to be promiscuous. We are not here to say that family planning is telling our children to be promiscuous, to go out and have sex with everybody that comes along. It is obvious that family planning centers, and I have talked to the people that work there, and they strongly urge people to have abstinence. They do not say every time that you go to a family planning clinic you have got to go have an abortion.

The gentleman from Oklahoma said that the people that were talking about supporting the Castle amendment are urging people, the kids, not to trust their parent. I have four grandkids. I love them just as much as he loves his kids. But these kids I am talking about are the ones that have parents or families that are split, maybe they are living with an aunt or a grandmother, and can you imagine the frustration and the fear in a 14-year-old when they come to a problem where they do not know what to do? They want to go someplace and talk to somebody. It is terrible. And the kid says, "I don't have anybody to go home and talk to. I don't have anybody to notify." What are you going to do? Are you going to give a waiver and go through the courts?

This is a serious business that we are talking about. If everybody was raised in a good, solid home where the mom and dad loved everybody and you could talk about it, it would be one thing, but I am concerned about the ones that do not live in this environment. They are the ones that bother me.

We are certainly not encouraging people to be promiscuous. We are certainly not doing that. We love our kids just as much as you do. But this amendment in my view is wrong-headed. The Castle amendment addresses it in an absolute, rational way, and this is what we are trying to get, to the point that we are trying to get to. But I just want Members to know that all family planning institutions are not folks that advocate abortion. I might say this. Most of the people that are supporting the Istook amendment do not support family planning. Let us get that straight right now.

Mr. CASTLE. Mr. Chairman, I yield myself 3 minutes.

I would just like to make a point. I thought the gentleman from Oklahoma [Mr. LARGENT] made a very good point. He said he does not question anyone's motives and I certainly do not either. This has been a fair debate. I certainly do not even begin to question anyone's motives. But he raised the issue, and I think this is at the heart of it. How can we best help kids today? We may be talking about kids from good families but for some reason have a tremendous fear of talking to their parents about this at all. We may be talking in many instances about kids who have troubled circumstances in one way or another or are afraid to talk to parents. Do we want them in a situation in which they get no professional guidance whatsoever with respect to what they might do sexually for the remainder of their lives? Or do we want them to get some sort of guidance?

We have to understand that in the State clinics, which I have seen, and I assume in Planned Parenthood and other places, that the advice that I have seen is generally one of counseling, of trying to persuade kids to practice abstinence, to get away from sex in every way possible, and any kind of a device or whatever is always something that is only done at the end and that is the way it should be, and I think often these kids need counseling and help, to talk to their parents, to talk to guidance counselors in school or whatever it may be. I wonder what a kid would think. Would a kid go to a clinic if indeed that clinic has some sort of a notification provision? Admittedly, the notification provision is for the supplying of certain equipment in this circumstance and not just counseling, or would it go to a circumstance where the child, he or she, would feel welcome and could get some help? I would judge that that child is much, much more likely to go to a clinic in this circumstance. And I think most parents, even though they would rather be notified themselves and be the ones giving the guidance, they would probably rather have them have good advice and counseling than have nothing whatsoever.

For those reasons, I still believe strongly that the provisions in the Castle-Porter amendment are the ones which should prevail but are also the ones that are in the best interests of the young people of this country.

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

Mr. CASTLE. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. I appreciate the comments of the gentleman from Delaware [Mr. CASTLE]. I think when we talk about some parents being responsible and some parents not being responsible, we know it is true. I believe the vast majority of parents are responsible. So much of the concern is that in order to provide what we see as help to those who have irresponsible parents, that standard is applied in the case of responsible parents and provides an in-

ducement, an incentive, if you will, that can help draw their children into that. It is the fact that the current law does not distinguish.

Mr. CASTLE. Mr. Chairman, let me reclaim the few seconds that are left. I believe in the case of responsible parents in most instances we are going to find those children are never going to go to any of these clinics or receive that advice, they are going to go to their parents or get help otherwise. In certain circumstances that could happen, but for the most part it is in more troubled circumstances. We are going to see this child reach out for help. That is my belief. I think it is documented. I admit that I have not seen a lot of studies on it, but I think by common sense we can reach that conclusion.

Mr. ISTOOK. Yielding myself 15 seconds, Mr. Chairman, I can certainly relate that from experience. I know of parents who I personally know are extremely responsible parents, and yet their children have been drawn into that nevertheless. I do not think we could make that assumption. But I appreciate the opinion of the gentleman, as I know he appreciates mine.

Mrs. LOWEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. BENTSEN].

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

Mr. BENTSEN. Mr. Chairman, I rise in opposition to the Istook amendment and in support of the Castle substitute.

Mr. Chairman, I rise to oppose the Istook amendment to deny important health care services and information to young people who may have no other way to get the help they need and in support of the Castle substitute.

I believe we all share the goal of reducing teen sexual activity and teen pregnancy. We all agree that achieving this goal begins in the home and is the primary responsibility of parents. And we all agree that abstinence is the best approach to encourage young people to take. But let us not bury our heads in the sand and pretend we live in a perfect world where every teenager can turn to a parent for this assistance. The effects of mandating parental consent can have devastating results. Rather than promoting parental involvement, mandatory notification laws can have the unintended effect of increasing health risks to adolescents because many kids will avoid proper health concerns to avoid telling their parents.

Title X-funded clinics already encourage teens to talk with a parent about sex, health, and contraception. Requiring parental consent under all circumstances takes away the ability of medical personnel to exercise their judgment as to when family involvement would be inappropriate or nonexistent. The mainstream medical community including the American Medical Association agrees that contraceptive services, prenatal care, and HIV/AIDS diagnosis treatment should be available to teens on a confidential basis.

Family planning is a necessary investment. Each dollar spent on family planning saves about \$3 in medical care. Denying services to thousands of youth will simply result in higher rates of sexually transmitted diseases, more

unintended pregnancies, and more abortions. Right now, publicly funded family planning programs, including title X, help prevent 386,000 unintended pregnancies to teenagers annually. These programs help avoid 155,000 teenage births and 183,000 abortions. If teens are required to obtain the consent of parents for contraceptive services, they will avoid seeking any title X services.

I urge support for the Castle substitute which would require that title X programs encourage the involvement of parents when teens seek contraception and other family planning services. By encouraging parental involvement rather than mandating it, we will ensure that parents have the primary responsibility in these matters, but we will also ensure teens continue to have access to necessary health care services.

Mrs. LOWEY. Mr. Chairman, I yield 3 minutes to the gentlewoman from Colorado [Ms. DEGETTE].

Ms. DEGETTE. Mr. Chairman, each year publicly funded family planning prevents 386,000 unintended pregnancies to teenagers, it prevents 155,000 teenage births, and it prevents 183,000 abortions. If we are going to stand here and try to say with a straight face that parental notification of birth control is going to prevent teenagers from having sex, we are living in an Ozzie and Harriet world that has not existed in this country, if it ever existed, for 40 or 50 years. If we want to prevent these unintended pregnancies, if we want to prevent unintended disease and if we want to prevent all of these things from happening, we need to have family planning service.

I happen to believe, as all of us do, that children should not have sex as teenagers and that we should teach abstinence-based sex education to our teenagers. But let us be realistic. Parental notification is not going to stop teenagers from having sex. What it will do is take that chart that has been shown by the proponents of the Istook amendment throughout the afternoon and evening and it is going to take that line that shows increased unwanted teenage pregnancies and it is going to put that line right off the top of that chart. That is not what any of us want here today.

Just listen to some of the comments that teenagers themselves have made in my district when they were asked the question of what would happen if they had to talk to their parents before getting birth control. These are teenagers, some of them came from good homes, but did not feel they could talk to their parents, and some came from bad homes where they might have been victims of incest or child abuse.

One 17-year-old said: "I don't think it's a good idea, because more teens will do it unprotected rather than having their parents know that they are having sex."

Another honest girl told the surveyors that, quote, "I wouldn't have come here if I had to have a parent with me and I think a lot of other people wouldn't, either."

Let us listen to the word from the teenagers. I too have two young daughters,

and I care more about them than I care about anything in this world. I love my daughters, I talk to them every day. Luckily for me, they are not 12 yet, but they are 3 and 7. I am heartsick at the idea that one of them may have sex before they are ready, before they are an adult. I am even more heartsick at the thought that one of my precious girls might have an unintended pregnancy or, worse, a fatal disease because, for whatever reason, they did not feel that they could come to my husband or to me. For that reason, I urge Members' opposition to the Istook amendment.

Mr. ISTOOK. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. PITTS].

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

Mr. PITTS. Mr. Chairman, today we heard the tragic story of the 13-year-old girl from Illinois who was molested by her 37-year-old gym teacher for a period of 18 months while a title X family planning clinic provided the contraceptives. Mr. Chairman, we should not allow this tragic child abuse to happen again. Our current law aids and abets child molesters. This Congress must protect our Nation's daughters. Federal law requires that taxpayer-funded title X clinics provide contraceptives regardless of whether a child's parents know she is seeking birth control. If this 13-year-old's parents had been notified, her molester could have been stopped.

The Istook-Manzullo amendment will stop the use of Federal funds in the title X family planning program from being used by sexual predators to molest young girls. This amendment does two things. First, it requires title X clinic staff to follow State law when reporting any evidence they discover that a child is a victim of abuse, sexual molestation, rape or incest, and, two, it requires title X clinic staff to give parents notice, that is not consent, that is just informing the parents of the child's decision, before giving a child contraceptive drugs or devices only.

This year the California general assembly passed a law which requires parental consent for body piercing. By 73-3 in the general assembly, 26-4 in the Senate, they passed this law. This is the same girl who would be provided an IUD to be implanted or birth control pills or an injection with Federal funds. The Alan Guttmacher Institute reported that 6 out of 10 girls who had sex before age 15 were coerced by males an average of 6 years their senior. Mr. Chairman, I ask Members today, when is Congress going to stop supporting sexual predators? I urge Members to vote for this vital amendment to protect our Nation's daughters and oppose the Castle substitute.

Do not be fooled. The Castle substitute does nothing to stop the molestation of our daughters. The case in Illinois would still have happened under

the Castle language. Vote for Istook-Manzullo, vote to strengthen parental rights. Vote against legitimizing promiscuity.

Mr. CASTLE. Mr. Chairman, I yield 6 minutes to the gentleman from Illinois [Mr. PORTER], the chairman of the subcommittee.

Mr. PORTER. Mr. Chairman, I thank the gentleman not only for yielding the time, but most especially for his tremendous leadership in offering the substitute amendment and his leadership on these very, very critical issues.

Mr. Chairman, we should start out by admitting to ourselves that this particular amendment, this subject matter, does not belong in an appropriations bill. It is a matter that belongs before an authorizing committee. It is a matter that should not be taken up here, and it is a matter that, unlike an appropriation, would make under its terms a permanent change in the authorizing law, a permanent change in U.S. law.

Mr. Chairman, in my judgment, confidential access to family planning services is absolutely critical to providing teenagers appropriate medical care and timely advice. I believe that the Istook-Manzullo amendment would be destructive of that happening. It would create a barrier between teenagers and health care services, and would, in effect, destroy any chance to get the kinds of services that prevent pregnancies, help to prevent sexually transmitted diseases, and in the end help to prevent abortions.

Most teenagers that go to a family planning clinic, as has been said often here on the floor, are sexually active when they go there.

□ 1845

Some are pregnant, unfortunately. Others want to get contraceptives so that they do not get pregnant.

Ideally, all of these teenagers would talk to their parents about their health care decisions. Ideally, every parent should have an open and honest relationship with their children in which they can communicate about sexual matters and questions of sexual activity.

We would all hope that the world was an ideal place where this would obtain. Unfortunately, we know very well it is not. In the real world, many children cannot or do not talk to their parents. These children simply do not have an adequate relationship with their parents, and, in some cases, a parent is actually sexually abusing the child.

Unfortunately, the Istook-Manzullo amendment will not instantly turn a dysfunctional parent-child relationship into a positive, open relationship, and, unfortunately, we have to deal with the world as we find it, the real world, and not an ideal world.

If you are talking about title X clinics, you are talking about clinics that serve poor women. Yes, there are some women who go to title X clinics that are not poor, but the overwhelming

majority of them come from poor families and they are in poor areas. These clinics are not being accessed by people who have good relationships with their parents. In many cases they are from broken families, from families in poverty, from circumstances that simply do not work to provide for parental consent.

The proponents of the amendment talk about the circumstances of a 14-year-old girl. They talk about it as if the title X clinic were the cause of her relationship with a high school teacher 20 years older than she.

The fact of the matter is that this relationship existed for more than a year before the title X clinic was ever involved. The title X clinic did not cause this relationship; the title X clinic did not facilitate the relationship.

It is extremely unfortunate that this occurred, and obviously we all deplore it, but at the bottom line the title X clinic may have prevented a 14-year-old child from becoming pregnant.

I believe that, in the end, and while it is well-intended, the Istook-Manzullo amendment will increase sexually transmitted diseases, will increase unwanted pregnancies, will increase, therefore, abortion, and I believe, will not help the situation, however well-intended it is.

I believe that the amendment will drive teenagers away from seeking the kinds of counseling, the kinds of advice, the kinds of knowledge that they need to avoid sexually transmitted diseases, and it will not lead to the kind of results that the sponsors wish.

Mr. Chairman, I want to say one thing relating to the question of sexual abuse which has come up over and over again. There is not one State in the Union that does not require anyone with knowledge of a sexually abusive condition to report that to the authorities. If sexual coercion is going on, everyone, today, must report it to the authorities, and this amendment would add nothing to that requirement that already exists.

Unfortunately however well-intended the amendment is, it would not only not work, it would not only not help teenagers, but it would actually destroy any chance they have of coming to grips with becoming an adult in a responsible way.

I would urge Members to support the Castle substitute, which is well-drafted to provide exactly what is needed in these circumstances, and to oppose the Istook-Manzullo amendment.

Mr. ISTOOK. Mr. Chairman, I yield myself 1¼ minutes.

Mr. Chairman, I heard the gentleman from Illinois [Chairman PORTER] say, well, the program should not be done on an appropriations bill.

The problem is, title X has not been authorized by Congress. Its authorization expired 12 years ago, and there is no other opportunity except through appropriations bills to affect it.

We heard a claim that it is providing services to poor women. Actually, Mr.

Chairman, the so-called confidentiality requirement is used to provide services to any socioeconomic group, because they say, "Do you want us to tell your parents?" They say "no." "OK, then we cannot count your parents' income. We will only count your income as a teenager. What is it?"

Of course, it is not anything beyond the poverty level, because you are only talking about a young lady or a young man.

Finally, I know of no case in the entire country, despite the underage children that go in there, where a title X clinic has ever reported a case of incest, has ever reported a case of statutory rape, has ever reported a case of child molestation or abuse.

Mr. Chairman, they have never reported these. And that is the essence of the problem. They do not report them. I do not know of a single case. If the Chairman knows, I am sure he will advise us.

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Chairman, I would simply say I do not know of the statistics in that area, but I do not think people go into the title X clinic and say, "I am being sexually abused."

The Castle amendment would have people counsel young people about that exact question and see if they can determine that. So I think that it will accomplish a great deal more than would ever be accomplished under the amendment the gentleman has offered.

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

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

Mr. ISTOOK. Mr. Chairman, in response to that, the language of the Castle amendment only repeats what is already in the bill. The Castle amendment does not add anything or change anything. Those requirements are already in the bill.

As I say, I know of no case where a title X clinic has ever reported things. But they do know what their laws are on what is the age of sexual consent in their State, and they are not paying attention to them.

Mr. ISTOOK. Mr. Chairman, I yield 4 minutes to the gentleman from Kansas [Mr. TIAHRT].

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

Mr. TIAHRT. Mr. Chairman, I rise in support of the Istook-Manzullo amendment and in opposition to the Castle substitute.

The opponents of the amendment, the Istook-Manzullo amendment, sent out a "Dear Colleague" which reads:

Under the Istook amendment, a clinic must notify a parent in writing if a teen requests contraceptives. Five days later, the teen may return to the clinics for contraceptives. Parents who do not consent will prevent their teenagers from returning to the clinics.

Mr. Chairman, this is inaccurate. The parents do have the right to consent or

the right to do nothing, and the child still gets the contraceptives.

What it does require is that title X clinics report to proper authorities any child abuse, child molestation, sexual abuse, rape or incest, and that means that no parent involved in an incestuous relationship will receive notice. Rather, they will be reported to the proper authorities.

It does allow for unrestricted information and counseling, which is duplicative in the Castle amendment, and it requires the title X clinic to provide notification to the parents or legal guardians for the minor seeking contraceptives. It does allow for judicial bypass and an exemption for emancipated minors, but it does attempt to include parents in the process.

It does not prevent treatment or testing from sexually transmitted diseases. Parental notification is not required for minors to be treated for STD's, and it does not deny any services to teens. It does not require parental consent, only notification.

This is about trust really. It boils down to trust. Are we going to trust kids and parents or do we trust government?

This is not about somebody else. This is about us right here on the floor. It is about you, and it is about me, and it is about Jessica, my 16-year-old daughter, who some of you met in Pennsylvania at the Hershey retreat.

So I ask, how does this affect me? How does this affect the rest of America? I believe most parents would do the right thing when notified. They would talk to their kids.

I know that I love my children more than any clinic can. But will all parents react properly? Probably not, according to most people's judgment. But, you know, this is not a risk-free society. It never will be. But they will be faced with a very important issue, the reality of what is going on in their children's lives.

If you do not trust yourself or those parents, this amendment will cover that. It has already taken into account that they can consent, again, for the children to get contraceptives and counseling, or they can simply do nothing and allow the clinic to provide this.

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

Mr. TIAHRT. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I do not think notification would ever occur, because I think in almost every case the teenager would simply not go to the clinic. They would not get the counseling, they would not get the information, they would not know about sexually transmitted diseases, they would not get contraceptives. It simply would cause the clinic to stop functioning and stop providing those services.

Mr. TIAHRT. Mr. Chairman, reclaiming my time, what I think it will do, Mr. Chairman, is it will force the parents to deal with the issue, and the children too, and that is not a thing

that is occurring now. It is my hope the parents will do the right thing. They will talk to the kids about commitment, about personal responsibility, about the value of lasting relationships and abstinence. But if we do not notify the parents, we cannot give them a chance.

So let us put our trust in people and not in the Government. Let us trust ourselves, not some institution.

I know there is a great deal of concern about less than ideal families.

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

Mr. TIAHRT. I yield to the gentleman from North Carolina.

Mr. HEFNER. Mr. Chairman, if the gentleman would yield for a question, I am confused about this. One does not need consent, but one has to have notification. In what form would be the notice of notification? Would that be a card or a telephone call or what? Or would the kid be sent to take a letter home to their parents, or what?

Mr. TIAHRT. Mr. Chairman, reclaiming my time, I do not know how the regulation is written.

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

Mr. TIAHRT. I yield to the gentleman from Illinois.

Mr. MANZULLO. Mr. Chairman, the Secretary of HHS would be authorized to issue regulations as to the form of written notice.

Mr. HEFNER. A written notice to the last known address?

Mr. MANZULLO. That is correct.

Mr. TIAHRT. Mr. Chairman, reclaiming my time, I think that the real underlying issue here is who do we trust? Do we trust people or are we going to put our faith in government?

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Chairman, I rise in strong opposition to the Istook-Manzullo amendment, because, quite simply, this amendment puts the life and the future of young women all across this country in danger.

Mr. Chairman, it is time to stop pretending that unwanted pregnancies and sexually transmitted diseases just go away if we do not talk about them. It is time to recognize that teen pregnancy and teen abortion rates actually drop when young people have access to the preventive reproductive health care that they need.

Mr. Chairman, I find it ironic that those who call for greater responsibility from our youth are the same people who would deny young women the tools they need to be responsible. It is equally ironic that the Congress would consider interfering with young women's health care, when almost every major medical and public health organization in this country opposes the parental consent requirements in this amendment.

Mr. Chairman, who do we listen to? If the Istook amendment passes, who will

young women, those who do not have safe, supportive families, who will they turn to for sound medical advice? Who will help them avoid unwanted pregnancies and disease? Who will help them make responsible choices about their future?

Mr. Chairman, let us stop playing with the lives and the futures of young women. Let us defeat the Istook-Manzullo amendment and adopt the Castle substitute.

Mr. CASTLE. Mr. Chairman, I yield 2 minutes to the gentleman from New York, [Mr. HOUGHTON].

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

□ 1900

Mr. HOUGHTON. Mr. Chairman, we are really talking about title X. Title X goes back to 1970. This is something that George Bush was very much involved in, and President Nixon signed into law. It has been very successful, as Members know, not only in terms of the things we have been talking about, but in terms of testing for breast and cervical cancer and infectious diseases. It really has been an extraordinary program. The thing I hate to do is to sort of tamper with it.

I am a grandfather of 15 children. I identify with the parental understanding and consent and all things like that; but I think the thing that bothers me is that when you thrust the Government right in the middle and say, "This is mandatory," it destroys the very fabric of the family. It destroys the thing which we have been trying to do. It destroys, undercuts the very statistics we are all so proud of.

It seems to me that if we are going to march down this road, we want to do it in a practical, in a sensitive, in a really profamily way, so we let the families and the churches and the friends and the communities work their will and their influence on children. And therefore, I am very much in favor of the Castle amendment.

Mr. MANZULLO. Mr. Chairman, I yield 3 minutes to the gentleman from Mississippi [Mr. PARKER].

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

Mr. Chairman, I have enjoyed this debate today. I do not question the motive of anyone on either side. For in excess of 30 years we, as a society, have done everything in our power to try to change the look of this country. We have tried with social engineering to do everything that we could to make people act in a different way. I submit that we have failed miserably.

The status quo that we are talking about today says that what we want to do is continue the same process, the same path we have been walking down, and if we continue to do that, we are going to get the same results.

It would seem to me that somewhere along the way we, as a body, should try our best to take the families that we

have in this country and strengthen them. It seems to me we should be supportive of families, that we should uplift them, that we should be able in some way to help them in such a way that they can make it through rough times.

It seems to me it is a very odd scenario that we, as a body, have made the determination that what we should do is interject lies and deceit in this family relationship. There are those who say, well, there are a lot of families out there that are dysfunctional. That is true. But if we expect the worst of people, that is exactly what we are going to get.

I will tell the Members this: This amendment cannot do anything nearly as bad as what we have had happening for the last 35 years. We have gotten more pregnant teenagers, we have gotten more people pregnant out of wedlock, we have gotten more communicable, sexually transmitted diseases in this country than at any other time in our history. It is getting worse every year.

I think it would be a wise move on our part to move away from the lies and deceit that we have interjected in these relationships and we want to constantly interject in these relationships, and do something positive for a change. The moral relativism that has occurred with the advancement of the policies that are in place now is ridiculous. It has been hurtful for every family.

I think we should do something revolutionary. We should put some truth into relationships. We should allow the truth to be told to parents, and then we would, I think, see a positive difference. I must tell the Members that what we are doing now has been the most hurtful thing to our families of any other policy we have ever advocated.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 3½ minutes to the distinguished gentlewoman from California [Ms. PELOSI], a member of the subcommittee.

Ms. PELOSI. Mr. Chairman, I thank the gentlewoman for yielding me the time.

Mr. Chairman, I rise in strong opposition to the Istook-Manzullo amendment and in strong support for the Castle-Porter amendment, and commend them for their leadership in bringing this very important amendment to the floor.

Listening to the debate, it is clear that an amendment of this kind and a discussion of this kind of issue goes right to the heart of American families. It strikes fear into our hearts, we who are parents, and I am the proud mother of five children.

The very idea that our children may be sexually active before they are married is something that is not anything that we would support, so we all promote abstinence and support building families and truth in relationships; and where there is truth in relationships, where parents have engendered that

truth, there probably is not a problem. But where there is a problem, title X is an answer.

Listening to the debate and listening to my colleagues sincerely put forth their ideas, it is clear to me that it is time for this House of Representatives to have a discussion of the facts of life, because they are being ignored in this debate.

The facts in relationship to this issue are these: There are effective methods to reduce adolescent sexual activity and pregnancy, but sticking our heads in the sand is not one of them.

The restrictive amendment proposed by the gentleman from Oklahoma [Mr. ISTOOK] will deny many teenagers contraceptive services. It will not cause them to be less sexually active. The fact is, it will cause them to be less responsible in their sexual activity. Certainly we promote abstinence, but certainly we recognize that not all young people follow that lead, and they need more advice and counseling.

Studies show that if restrictive parental involvement of this kind, and not of the kind very smartly put forth by the gentleman from Delaware [Mr. CASTLE], studies show if the restrictive parental involvement were mandated, 80 percent of teens who do seek contraceptive care now would no longer seek that care, and less than 1 in 100 would stop sexual activity. The National Center for Health Statistics recently reported that the birth rate among teenagers has fallen since 1991, due both to fewer teenagers having sex and better contraceptive use among those who are.

There are reasons why the medical community is firm in its opposition to the Istook amendment. The American Medical Association, the American Academy of Pediatrics, and the American Academy of Family Physicians all oppose mandatory parental consent.

The substitute, the Castle-Porter substitute offered today, encourages parental involvement which is appropriate and helpful for many teens. It recognizes that mandatory notification or consent does nothing to prevent either sexual activity or unintended pregnancies.

I call the Istook amendment the classic law of unintended consequences, the consequences of more sexually transmitted diseases, more teen pregnancies, and more abortions, unfortunately. And of course, the other services that are provided at title X clinics would not be provided, as well.

I urge my colleagues to support the Castle-Porter substitute and oppose the Istook amendment.

Mr. MANZULLO. Mr. Chairman, I yield 4 minutes to the distinguished gentlewoman from Idaho, Mrs. HELEN CHENOWETH.

Mrs. CHENOWETH. Mr. Chairman, I thank the gentleman for yielding time to me.

I listened very carefully to the gentlewoman from California as she put forth her very eloquent debate on this

issue. She is right, because the crux of this whole issue really is truth in relationships. It is a very, very important thing in this day and age.

I think one of the reasons why I am so strongly supportive of the Istook-Manzullo amendment is because the relationship between the parent and the child, as far as how the Government interacts in that relationship, must be strengthened.

The Government needs to take a position of showing ultimate respect for the parents with regard to their relationship with the children, unless there is reasonable cause to believe that that relationship is horribly abusive. And in many cases the relationship is abusive; we always want to stand guard against an abusive relationship like that.

Mr. Chairman, it is a very sensitive thing for young women to have to approach their parents and say, gosh, Mom, I am pregnant. That is a very difficult moment in a family's life together. But being a woman who before coming to Congress was engaged in counseling other women in other situations, I have found time and time again that once that hurdle is overcome, that the relationship between mother and daughter or the relationship between father and son or father and daughter or daughter and father actually strengthens.

Nine times out of ten the parents, of course, after finally getting their breath and realizing, yes, this is taking us off into a new passage, rally around with all the natural instincts of parents with that child to help them through this very difficult time.

Mr. Chairman, let us run this picture back again. When teenagers may approach their parents and say, I want to become more sexually active and I feel that I am ready for this, the fact is that the parents then have the chance to be able to counsel with their own child as to what their best judgment would be as parents.

The fact is, and I so agree with the gentlewoman from California about the fact that our young people need to understand that there are consequences to actions, yes, they do, but they need to understand that within the context of what is being taught in the home and in the churches, as well as in society and in the schools.

So I very strongly support the Manzullo-Istook amendment because I strongly believe it does two very, very important things: First, it strengthens States' rights in that it says, it simply says, notwithstanding any other provision of law, no provider of services under title X of the Public Health Services Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest. So again, the Federal Government should, under its rightful responsibilities, uphold State law.

I find this amendment to be somewhat benign, except in the fact that I do believe that it strongly enhances

the ability of parents and children to handle their problems as a family.

Mr. CASTLE. Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut [Mr. SHAYS].

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

Mr. Chairman, this is not a debate I was eager to get involved in, because it is a very sensitive issue. You are always afraid you might say the wrong thing when you speak from your heart. But that is the way I want to speak.

I know our children are having children. I have conducted a number of hearings on my Subcommittee on Human Resources. I know that 82 percent of all teen pregnancies are unintended. I know that more than half of the unintended pregnancies end in abortion. I know the teen birthrate in the United States is the highest of any industrial nation.

I also know that I wrestle with, as I think all Members do, the issue of values. I want our children to have values and want our society to have values. I strongly disagree with people in this country who think we cannot teach values. I think a decision to not have values is a decision not to teach values.

So I stand before the Members as someone who really wants our children to know what to do and what not to do. I want our Government to contribute to that, and not to be conflicting with it.

But I rise in support of the Castle-Porter substitute amendment to the Istook-Manzullo parental notification amendment because, with all my heart and soul, I believe that if the amendment stands without the substitute, we are going to have more sickness, we are going to have more disease, we are going to clearly have more pregnancies, and we are going to have more abortions. I think that is ultimately the result.

I support family planning assistance. The Istook amendment will not prevent young people from having sex. We are not going to outlaw sex. It is still going to happen.

□ 1915

But the Istook amendment will deter teens from seeking contraceptive services. Approximately 86 percent of teens coming to title X clinics for family planning services have already had sex. Title X family planning clinics offer a wide range of services, including contraceptive, socially transmitted disease screening and treatment, HIV screening, and routine gynecological examinations. Requiring parental notification for contraception will deter too many teens from seeking these very important services.

So I do not reluctantly oppose the Istook amendment; I strongly oppose it. I believe the Castle substitute to the amendment is essential if we want less sickness, less disease, less pregnancies, and less abortions.

Mr. Chairman, I really believe that what we are trying to talk about in

values really begins with what a parent teaches his or her child. And this is an area that gets a little more dicey, but frankly those children who have been involved in sexual activity are in a circumstance where they need help. Unfortunately, in many cases they do not think they can turn to their parents.

Mr. MANZULLO. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Michigan [Mr. HOEKSTRA].

Mr. HOEKSTRA. Mr. Chairman, this is a core, gut issue. As a father, I can only echo the thoughts of the gentleman from Oklahoma who spoke earlier tonight, that it is embarrassing and disappointing that this Congress will insert itself between a parent and a child.

Listening to the debate, I am frustrated. I get to the boiling point of anger, believing that there are those in this House who believe that it is this Congress' responsibility and right to intervene between a parent and a child and that this Government is better at teaching values and better at solving these kinds of problems than what a parent, a family, a church can do. It is actually a frightening thought.

Mr. Chairman, all this amendment does is say that as these decisions are made, a parent has a right to be notified before the Government starts handing out contraceptives, before the Government starts handing out advice.

Mr. Chairman, my kids going into this type of an agency, they do not know my kids' names, they do not know the background, they do not know the parental values, they do not know the issues going on at home. Heaven forbid that they would start dealing with this issue with my kids.

What makes us believe that this government was ever given the right to raise our kids and teach them about these issues? There is absolutely no right for the Federal Government to become involved in these issues.

Mr. Chairman, all we are asking for is parental notification. What we have today is a relationship and a process which destroys the relationship between a parent and the child. It encourages a veil of secrecy between children and their parents.

If title X is so good, and if title X solves so many problems, why do we not change the focus of title X and instead of focusing on the kids, let us go to the parents? What makes us afraid of taking this approach and selling it to parents and saying here is a program, here is a set of values, here is a set of issues that we think your kids ought to know about. Sign them up today and we will help you raise your kids. Why do we start with the kids and go to the kids and break the relationship?

If we are worried about the families, why are we engaged in activities of breaking down the family structure rather than going to the parents and saying, you know, we know a lot about these issues. There are programs in the

Federal Government that are here to help. They are so good, we are not ashamed to come to you as parents and to talk with you as parents to help you get the kind of advice and the information necessary to raise your kids.

But instead of going to the parents, no, we are afraid to go to the parents because we know that most American parents do not support this kind of an approach and this kind of intervention with their kids.

It is time for us to be building families, not to be putting programs in place that destroy families and tear down the relationships between parents and kids. It is no surprise to me that this administration also is the administration that eliminated the parental impact statement or the family impact statement.

Mrs. LOWEY. Mr. Chairman, I yield myself 30 seconds to respond.

Mr. Chairman, I just want to say to the gentleman from Michigan [Mr. HOEKSTRA] that many of us are very frustrated and angry at the rising rate of teenage pregnancy. And if the relationship between the parents and the children were so good, then there should not be any concern about those children going to the title X clinics.

So let us work together to promote abstinence, because I share the gentleman's concerns and I am very angry at the rate of teenage pregnancy, which is now escalating over the last 10 years.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman from New York [Mrs. LOWEY] for her leadership, and I thank my colleagues who have come to the floor.

Mr. Chairman, I want to make a simple statement. First of all, as a parent of a daughter, I would offer to say that all of us would hope our family relationships, our ability to communicate and show nurturing and love to our children, leaves the door open for those children to come to us with their most intimate secrets. All of us as parents pray every day that we will never have the tragedy that faced the young lady at her prom in New Jersey, the tragedy of the young couple who are now being charged for a tragedy that occurred with an alleged stillborn baby. Those are the end results, the tragedies of America.

Mr. Chairman, this amendment would require that a minor attain the consent of a custodial parent or legal guardian before receiving contraceptive drugs or devices from a provider receiving funds under title X. Notice that I said parent or legal guardian. That means that the legal guardian may not have a blood relationship with that child.

There are issues of incest and poor relations and frustration and fright. If there is a good relationship, we can be

assured that our child will be there to ask us for advice and guidance. More importantly, we will be there to talk to our child about what happens in life as they move toward maturity and the feelings in their body.

But yet now we are asking for the long hand of the government to intrude in a process that is confidential. Title X is a confidential provider and a confidential process. In fact, the Federal law requires that parents are encouraged to participate, but yet there is this confidentiality that allows that child to be protected away from incest and threat.

Mr. Chairman, I would encourage my colleagues to defeat this amendment and support the Castle-Porter substitute to encourage our children to be protected.

I rise today to voice my opposition to the Istook amendment to H.R. 2264, the Labor-HHS-Education appropriations bill. The Istook amendment requires that a custodial parent or legal guardian be notified before their child receives contraceptive drugs or devices from a provider receiving funds under the title X family planning program. The amendment also contains a provision permitting the courts to give consent for a minor to receive such drugs or devices if parental consent cannot be obtained.

I agree with my colleague, Mr. ISTOOK, that adolescents should be encouraged to seek their parents' advice and counsel when facing difficult choices regarding family planning and prevention. Indeed, Federal law already requires title X providers to encourage family participation in reproductive health decisions. The Government, however, cannot mandate healthy family relations where they do not already exist. While many teens do discuss their situation with a parent, not every teen is able to speak openly with his or her parents.

This amendment will prove harmful to teens by deterring them from seeking needed health care to prevent teen pregnancy. Studies confirm that when parental involvement is mandated by law, particularly in the case of family planning, adolescents are likely to delay or avoid seeking needed care.

In one of these studies, it was revealed that if parental involvement were mandated, 80 percent of the adolescents surveyed would no longer seek care. However, less than 1 in 100 of those same adolescents would discontinue sexual relations. In another such study, 58 percent of high school students surveyed in three public schools in central Massachusetts reported having health concerns they wished to keep from their parents. Approximately 25 percent of the students said they would forgo seeking certain types of medical treatment if there was a possibility of parental disclosure by physicians.

Every year, approximately 1 million teenagers in this country become pregnant, and 86 percent of births to unmarried teenagers are unintended. Such high rates of teen pregnancy are a burden to us all—to the teenagers, to their children, and to society as a whole. Fewer than 60 percent to teen mothers graduate from high school by age 25—compared to 90 percent of those who postpone childbearing. Further, teen mothers are four times as likely as women who have their first child after adolescence to be poor in their

twenties and early thirties and are more likely to have lower family incomes later in life. Additionally, teenage girls have a higher risk of pregnancy complications—including maternal mortality and morbidity, miscarriages and stillbirths, premature births and nutritional deficiencies—than adult women.

The personal impact of teenage childbearing is twofold, diminishing the opportunities of both the mother and the child for the children of teenage parents are more likely to become teenage parents themselves, thus perpetuating the cycle of poverty.

Given the reproductive health crisis currently facing American youth, it is clear that continued access to confidential reproductive health services is critical. Restricting access to these services will make it more difficult for at-risk teens to escape poverty and will put adolescents' lives, health, and future fertility at risk.

I urge my colleagues to join me in opposing the Istook amendment. We must not interfere with the goal of preventing teenage pregnancy.

Several organizations oppose the Istook amendment, they are:

American Hospital Association, American College of Obstetricians and Gynecologists, American Academy of Pediatrics, American Academy of Family Physicians, American Public Health Association, and American Medical Association.

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

Mr. Chairman, I have been concerned about this issue for some time as a Governor. When I became Governor of Delaware, we had the highest infant mortality rate of any State in the country. This is a State that is reasonably wealthy.

I am the cochairman, with the gentlewoman from New York [Mrs. LOWEY], of the Congressional Advisory Panel for the National Campaign to Reduce Teen Pregnancy. It is a tremendous concern.

One point that I just want to discuss here tonight is the correlation that we are hearing between the advent of family planning and the increase in teenage pregnancy and sexually transmitted diseases, and sex in general, in this country. I just do not happen to believe that.

Mr. Chairman, I do not have the percentages, quite frankly, of how many people actually go to these clinics. But I imagine it is a very small percentage of young teenagers who are involved in sex or who become pregnant in any way whatsoever. But obviously with permissiveness in society across the board, with a greater disregard of marriage than we have had heretofore, we have some tremendous societal problems that we have to address.

Mr. Chairman, so to say that these two are directly related to each other I think is really going too far. And when you think about that and realize what is the best way to deal with our poorest children, because basically the title X clinics are for poor children, they charge fees if you have income above a certain level. It is for our poor children, a lot of whom have family problems.

Do we want to encourage the kids to go in there and get advice and help? And the answer is yes. We want to do everything we can to get the kids in the door, to get the advice of these counselors and the help of these counselors. It is that simple.

Again, Mr. Chairman, I cannot stress enough how much I believe in the faith and the intent of those on the other side of this particular issue. But I believe with all my heart that the way we are going to help teenagers the most, the way we are going to help them with respect to dealing with this problem, is to make this an inviting and a warm circumstance. The best way to do that is to pass the Castle-Porter amendment which will address the issue that way.

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

Mr. MANZULLO. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas [Mr. DICKEY].

Mr. DICKEY. Mr. Chairman, I have four children. All of them are boys, except for two. It is "except for two" that bothers me now, even though they are of age. They are grown. Laura and Rachel are very fine, well-adjusted kids, and I am thankful for this. Their mother and I both are.

But what I see here is that the parents have all the responsibility, but our government is trying to take the authority away, so that if there is something wrong, it is the parents. But we are taking the authority away and showing no respect that the kids can give to them as parents.

Look at what we do in our schools. We thrust the government in between the parent and the child. Let us say on prayer in schools, at home and in church parents who choose to do so will talk to their kids about prayer. They send them to school and the people say no, your parents may do that, but that is not correct. That is not the thing to do.

We send our kids to school and we say to them, obey your teachers, obey the school officials. This is the way things are supposed to be done. The schools send the kids home and say disregard your parents.

Mr. Chairman, we are in an uphill battle now as far as trying to get more values back into our Nation and we cannot do it through the government. We cannot. And the circumstance we have right now is that we have circumstances where grown adults hear from kids without the parents knowing about it. They learn of things like statutory rape, and they stay quiet. They do not tell the parents, they do not tell the authorities, because they have this feeling that if they do, the kids will not confide in them later.

What we need to start having to happen is that for kids to start confiding in their parents. We need to stop thrusting the government in between the parents and the kids.

Mr. Chairman, I urge my colleagues to please vote for the Istook-Manzullo amendment.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Chairman, 10 years ago, when I was mayor of the city of Alexandria, which is just across the Potomac River from us, perhaps the toughest thing that I had to do was to establish a family planning clinic for teenagers. I say I felt I had to because of the intolerably high incidence of teenage pregnancies and abortions and sexually transmitted diseases.

So we availed ourselves of all of the data. We talked with the students and parents at length. We had this very same debate that we are having today, except that it lasted a year. Mr. Chairman, we came to the conclusion that if we required parental notification, we might as well save our time and effort and money, because the students were not going to use it.

Now, let me say, frankly, it has not been a panacea. We still have nearly 50 percent of the older teenagers who have had sexual intercourse at least once. The national figure is about 40 percent.

□ 1930

But what it has done is to reduce the number of teenage pregnancies. It has reduced the number of abortions. It has reduced the number of sexually transmitted diseases. It has improved the health of our student body. And although the information is only anecdotal, from talking with the parents, I know that there are far more parents who are communicating with their teenagers because of the existence of that family planning clinic, because the first thing they suggest is abstinence, and then the second thing they urge is to talk with their parents. It is working. That is what family planning clinics all over the country do.

One of the statistics that we have to bear in mind, and it was the case in Alexandria, is that nearly 90 percent of the teenagers that go to these family planning clinics are already sexually active. So we are not talking about encouraging any sexual licentiousness. What we are talking about is being responsible, doing what is in the best interest of our young people. Support the Porter-Castle amendment.

Mr. CASTLE. Mr. Chairman, I yield 4 minutes to the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise in support of the Castle amendment. I would say that this has been a worthy discussion. It is clear that we are all united in wanting good law and government to strengthen families. We are united in wanting trust and good communication between parents and children. We are united in wanting to reduce teen pregnancies, sexually transmitted diseases, and abortions.

It is, indeed, extraordinarily difficult to decide how to accomplish these goals from Washington, but what I want to point out to my colleagues



about this amendment is slightly different than that debate and dialogue that has proceeded here for the last hour and a half.

According to lawyers for the American Hospital Association and the National Association of Public Hospitals who have reviewed the text of the amendment, they believe it is written more broadly than was first thought. The parental consent requirement applies not just to title X funds but to all funds used to provide contraceptives, including State and privately raised funds. So if a hospital or a clinic fails to abide by the parental consent requirements in this bill, it forfeits all Federal funds which it might be receiving from title X, Medicaid, breast and cervical cancer screening funds, community health center funding or any State or private funding.

On the other hand, in 24 States it is a violation of State law to require a parent, guardian, or judge to consent to contraceptives for minors. Therefore, this amendment puts hospitals in between. They must violate State law or run the risk of losing their Federal funds in 24 States.

Now, that is the reading of the amendment by the lawyers for the American Hospital Association, the National Association of Public Hospitals.

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

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

Mr. MANZULLO. Mr. Chairman, the problem is that they have read it as parental consent. Ours is parental notification. The gentlewoman has used "consent" during the course of the argument. I am sure that is the way they phrased it.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I think that is probably my mistranslation of the dialogue that has been taking place over the course of yesterday and today. They mistake that because many of us believe that notification in this instance is essentially equivalent to consent. But if I may then correct my words to say "parental notification" requirement, it is still the same.

In other words, I believe that my central message is still accurate, that this amendment will put hospitals in 24 States in a very difficult position. They will either have to violate State law or run the risk of losing all of their Federal funds.

Mr. MANZULLO. Mr. Chairman, I yield 2 minutes and 15 seconds to the gentleman from Utah [Mr. CANNON].

Mr. CANNON. Mr. Chairman, the issue we face today is an emotional issue. Like my friend and colleague from Arkansas, I have several children, seven to be exact, all of whom but two are also boys. In my case, like my friend, the gentleman from Arkansas [Mr. DICKEY], I have a Laura and a Rachel. I also have a Jane, Emily, Elizabeth, and another possibly on the way.

As we consider the issue before us, it is in the context, of course, of this

growth in unmarried teens having pregnancies leaving us a legacy of single family homes, higher welfare costs, and extensive juvenile crime. Everyone agrees that something should be done.

On one side some believe that easy access to contraceptives will make the problem go away. Others, including me, believe that the fundamental problem is the diminished role of the family, not the lack of pharmaceuticals. Families are the building blocks of our society and even the best clinician can never be the equal to a caring parent when a child begins to think about sex. That is why I support the Manzullo-Istook amendment and why I oppose the Castle amendment. It sets forth a simple minimal standard when it comes to taxpayer-funded contraceptives for our children; that is, that parents must be at least notified before services are provided.

As legal and moral guardians of our children, we as parents have a right to know. We require parental consent before giving immunization or providing surgery to minors. We must at least notify one parent before a child is given birth control. Parents, not clinic workers, must be able to help their children with such sensitive decisions, and parents deserve the opportunity to make their views known to the child before the child makes a life altering decision.

This measure reaffirms and reinforces our central role as parents in the lives of our children. If this Congress believes that Government should strengthen families, not pull them apart, we will reinforce parental authority by supporting this amendment.

One of the unintended consequences of this law, title X, birth control funding, is that the Federal Government becomes the widely recognized schoolmaster who our children then look to in making decisions about morality. That is the impropriety of our current situation and why I support the Istook-Manzullo amendment.

#### PARLIAMENTARY INQUIRY

Mr. MANZULLO. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore (Mr. CRAPO). The gentleman will state it.

Mr. MANZULLO. Can the Chair advise as to who has the right to close?

The CHAIRMAN pro tempore. The gentleman from Wisconsin [Mr. OBEY] or his designee, the gentlewoman from New York [Mrs. LOWEY], would have the right to close.

Mr. MANZULLO. This is on the substitute amendment. It is not the committee position. Therefore, would not the person who provides the amendment have the right to close?

The CHAIRMAN pro tempore. At this point the debate has essentially become fungible between the amendments, and the Chair is perceiving the debate to be, therefore, on the first degree amendment. Therefore, a member of the committee in opposition to the first degree amendment would have the right to close.

Mr. MANZULLO. What does that mean, Mr. Chairman?

The CHAIRMAN pro tempore. It means that the gentlewoman from New York [Mrs. LOWEY], as the designee of the gentleman from Wisconsin [Mr. OBEY], would have the right to close.

Mr. MANZULLO. I thank the Chair.

Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. TALENT].

Mr. TALENT. Mr. Chairman, in 1965 the out-of-wedlock birthrate was 6 percent. Today, it is 32 percent. We have had an explosion of illegitimacy in the country at the same time as contraceptives have been widely available without restriction to children. All of the sociological data indicates that these kids are not having kids because they do not know the facts of life or do not have access to contraceptives. They are getting pregnant because they are choosing to get pregnant because our society has consistently sent them the message that they should do what is expedient ahead of what is right, precisely the kind of policy that the gentleman from Oklahoma [Mr. ISTOOK] is trying to change.

Mr. Chairman, these kids do not need condoms. They desperately need to be told the truth, that for them sexual experimentation is physically, emotionally, and spiritually dangerous. They are much more likely to get that message from their parents than they are from the Government. If we have not learned that lesson from the last 30 years, then experience has truly gone through us without stopping.

Support the Istook amendment. Oppose the Castle amendment.

Mrs. LOWEY. Mr. Chairman, I yield 5 minutes to the distinguished gentlewoman from Connecticut [Ms. DELAURO], a member of the subcommittee.

Ms. DELAURO. Mr. Chairman, I would like to begin by making my position clear. I think that parents should be involved in their children's lives and in their decisions. The Castle-Porter substitute ensures that clinics encourage teens to discuss these decisions with their parents, and I support that language.

I urge my colleagues to examine the Istook amendment, a misleading amendment. The gentleman from Oklahoma [Mr. ISTOOK] claims his amendment requires parental notification but not consent. He claims that under his amendment teens will have the same access to testing for sexually transmitted disease that they do now. But the facts show that he is wrong.

Despite protestations, the Istook-Manzullo amendment is a parental consent amendment. The bill requires parental notification in writing 5 days before a teen can return to a clinic and receive birth control. This is, in effect if not in name, a parental consent amendment. If teens think their parents will be told, they will not come to the clinic in the first place. This amendment will scare teens away from getting the contraceptives that they need to avoid pregnancy.

□ 1945

Medical organizations, including the American Medical Association, make no distinction between parental notification and consent. In fact, they oppose both. They point out that if parental notification or consent is required that the youngsters will not go to the clinics. Those are not my words, this is the American Medical Association.

Teens are screened for sexually transmitted diseases, many of which have no obvious early symptoms, especially for women, only after they go to a clinic for birth control. They do not go to clinics to be screened for sexually transmitted diseases, they go for contraceptives and are then persuaded to be tested. By the way, it is important to know that State law requires that the knowledge or incidence of rape that may be reported in that State clinic must be reported by the clinic. State law determines that.

That is why all six living Surgeons General, those who served under Presidents Nixon, Ford, Carter, Reagan, Bush, and Clinton, oppose parental consent. In 1994, the six Surgeons General wrote in opposition to a Helms parental consent amendment: "We support the efforts of public health professionals and health care providers to encourage minors to involve their families in all aspects of health education and health services. We would strongly oppose a Federal mandate that requires parental consent as a condition of receiving Federal funds."

In fact, the amendment is even more far-reaching. Lawyers for the American Hospital Association and the American Public Hospital Association who have reviewed the text of the amendment have pointed out that the parental consent requirement applies not just to title X funds but to all funds used to provide contraceptives, including State and privately raised funds. If a hospital or clinic fails to abide by the parental consent requirements, it would forfeit all Federal funds which it might be receiving, including Medicaid, breast and cervical cancer screening funds, et cetera.

But in 24 States, it is a violation of State law to require a parent, guardian or judge to consent to contraceptives for a minor, in 24 States. Therefore, hospitals must violate State law or run the risk of losing all of their Federal funds, even those which care for seniors, the disabled and others who, in fact, have nothing to do with family planning. Let me be clear once again, I support parents' rights to guide their children. The Istook amendment will undermine that objective.

As the six Surgeons General wrote, "there are data showing that adolescents will forgo counseling, education, and services if parental consent is required. A policy of this nature would sharply reduce the hope of reaching those teenagers who are most at risk and reduce the ability of health professionals to encourage family involvement or assist adolescents in taking responsible action."

Whether we call it parental consent or whether we call it parental notification, the Istook-Manzullo amendment will, in fact, increase teen pregnancy, teen abortion, and sexually transmitted disease.

I urge my colleagues to vote "yes" on the Castle substitute and to oppose the Istook-Manzullo amendment.

Mr. MANZULLO. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma [Mr. ISTOOK].

Mr. ISTOOK. Mr. Chairman, I hear people say, oh, they are already required to follow the law and report statutory rape or incest or child molestation or sexual abuse or whatever we want to call it. Title X is providing services to 1.5 million teens each year. It has been in existence for 27 years.

I have not heard of one single instance where any of these teens pulled into the program, adolescents as young as 12, 13 years old, has ever, ever, ever, in 27 years, had a title X provider report a case that it is statutory rape, it is child abuse, it is incest. Not a single instance in 27 years.

It is time we fix that. The amendment fixes it.

After all, title X was adopted in 1970. The birth rates for unmarried teens has doubled since title X because it provides a false sense of security that it is OK and safe for them to have sex.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York [Mrs. MALONEY].

Mrs. MALONEY of New York. Mr. Chairman, I rise in opposition to the Istook amendment.

This is a difficult issue for me. As the parent of two daughters, if one of my daughters were receiving advice from a family planning clinic, I would want to know. But a reality is that most of our young people do not consult their parents or any adult about their sexual activity. In fact, studies show that 80 percent of teens who currently seek family planning advice at clinics would stop going if they had to ask their parents. Only 1 percent of those kids would stop sexual relations.

This amendment would effectively increase the number of abortions, increase teen pregnancies, increase the spread of sexually transmitted disease and increase the spread of AIDS. Whether we are asking for parental consent or parental notification, the result is the same: Confidentiality is crushed and, with it, the intent of the program.

How many times a day do we ask our teenagers to act responsibly? Let us give them the freedom to do as we ask. We can encourage our young people to consult their parents, we can ask parents to be there for their children, but we as a government simply cannot mandate these sorts of relationships.

Mr. Chairman, I urge a "no" vote on the Istook amendment and a "yes" vote for the Castle amendment.

Mr. CASTLE. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. GREENWOOD].

Mr. GREENWOOD. Mr. Chairman, I thank the gentleman for yielding me this time and for his leadership on this issue.

When I was in school I learned that one of the worst ways to confound logic was to use generalizations. Whenever we generalize, we make a mistake, and there has been a lot of that in this debate.

My good friend, the gentleman from Michigan [Mr. HOEKSTRA], talked with great passion about his concern that this language, the Castle language, would undermine communications in the family; it would somehow spread itself into our families. And yet here we are on the other side of this argument saying that is not the case.

There has to be some reason why honorable people seeking the truth find themselves with a different perspective, and I think it is this: Roughly half of the teenage girls in this country are not sexually active before the age of 18. So if we take that population for starters, we are not having any effect on them. They are not sexually active, they are not going into clinics, and so the families are untouched by this.

Of those who are, most of them never find their way to a family planning clinic. They are sexually active, but they do not begin that process by going to a family planning clinic.

That is not how this process works. Usually what happens is, after they have been sexually active for about a year, they get scared, they think they are pregnant or they think they might have a sexually transmitted disease, and then they go into the clinics to find out. And when they are there, they find a counselor who says, let us talk about this and let us get your parents involved. And 55 percent of the teenagers who do go to the clinics, this relatively shrinking population of American teenagers, do involve their parents.

So what we are really talking about is a very small fraction of America's teenagers, and these are the kids who are sexually active, do go to a clinic, do not involve their parents because they cannot. We have to make that distinction.

Yes, most American families will not be touched by this. They do not need my help, they do not need the Istook-Manzullo amendment, they do not need Congress involved in this issue at all. But if there is any doubt in anyone's mind that there are teenagers in this country who are prematurely sexually active and have not the parental and family and church resources to guide them, let us take a walk out of this building and in 3 minutes we will find scores and scores and scores of those teenagers for whom the family values we have been talking about are nonexistent. The church resources, the community resources are nonexistent, and yet we know they are sexually active because all of the indicators show the results of the pregnancies and the sexually transmitted diseases.

So, for God's sake, for those kids, for those kids that are not like our kids, support the Castle amendment and give them a hand.

Mr. MANZULLO. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN. The gentleman from Illinois [Mr. PORTER] has 17½ minutes remaining, the gentleman from Delaware [Mr. CASTLE] has 6¾ minutes remaining, and the gentleman from New York [Mrs. LOWEY] has 3½ minutes remaining.

Mr. MANZULLO. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. ISTOOK].

Mr. ISTOOK. Mr. Chairman, one of the great blessings in my life is being the father of five children. Three of them are girls. All three of my daughters are teenagers. We have made the evolution from young teenagers to older teenagers.

I heard the gentleman from Pennsylvania [Mr. GREENWOOD] recount, for example, going through with his daughters situations like, can I get my ears pierced, when do I start wearing makeup, when can I get a driver's license. We go through all those experiences, and over and over, we run across situations where our children are told they have to have mom or dad's permission, they have to have the consent of a parent, whether it is piercing of ears or things such as that.

We can have a child that is involved in an automobile accident, and we find that for emergency medical care they have to have that parental consent. We have situations if a child is going to have aspirin at school, if they are going to be going on a field trip, these are just samples from some of our schools, from one in Virginia, authorization for medication, to be completed by a parent or guardian before they are going to give any sort of simple medicine to a schoolchild.

Field trip permission form. This particular one from the Fairfax County public schools. And then this one, which by the way is from the public schools which my children attend or have graduated from in Ponca City, administering medicines to students. It is the policy of the board that with written parental permission medicines can be administered to your child. Over and over we have that.

And here is a standard medical consent form, an allergy shot consent form. Here it says signature of patient or parent, "patient" if they are of legal age, "parent" if they are not.

Here we have the consent or even notice that was provided to the parents of the 14-year-old in Illinois who was lured and coerced and pulled into a sexual relationship with a 37-year-old man to get the shots of Depo-Provera, an extremely controversial drug with plenty of side effects. That is the consent that was required. That is the notice that was required. Nothing. It can have interactions with other health issues with our children, but we will never know about it.

We may make a decision that relates to giving our children some other medicine or some other treatment, and we do not know about potential interactions because title X avoids it.

So we have these things that are going on which are contrary to the way that people are trying to live their lives and instruct their children, and it all comes about because there is in the title X regulations a requirement of confidentiality. And it is Federal law; it supersedes State law.

I hear people say, what about the State law? The answer is, Federal law supersedes it. In fact, we just had decisions in Utah over parental consent on that. One came down about 2 weeks ago in Texas that Federal law controls over State efforts or interests in providing parental notice or parental consents.

And this confidentiality is used to declare a child eligible for title X, because then we do not consult the parents on the income so they can become automatically eligible. And in addition to that, the confidentiality is used to avoid turning things in.

We have a whole chart of what is the age of consent, what are the laws in the different States? And the youngest any State has, and there are only two of them, two States say that age 14, a minor, could give consent to sexual relations. Two other States say 15; 27 States say 16; five say 17; 14 say 18; and they all have different standards according to the State law on what is considered statutory rape or sexual abuse or child abuse or child molestation.

We think those laws are important. They ought to be followed. But title X, with this little confidentiality requirement, has been on the books for 27 years. It is now treating 1.5 million teenagers a year. We know that many, many, many, many, many of them are below the age of consent. They are at the age where the law says, we want to protect them, we want to protect them. Anyone that gets involved in a sexual relationship with them can go to jail.

Everyone else has requirements to report child abuse or sexual abuse, but out of the 1½ million treatments a year, 27 years, which is potentially, what, 40 million treatments, I do not know of a single case, not 1 for 27 years, where a title X provider has ever said, this is a situation where incest is going on, this is a situation where statutory rape or child molestation or sexual abuse is going on. They do not report it.

We hear from doctors in hospitals that say, oh, I do not want to have to report that. Everybody else in this country is responsible for protecting our children and reporting situations like that, but we have some people that do not want to get involved, and they are the ones that are making the judgment calls and the decisions on whether our children are receiving these treatments subsidized by hundreds of millions of dollars of taxpayers' money.

I think it is kind of common sense to say, I want my kids protected. Everyone wants their children protected. Let us say simply that if they become aware, they know what the age of consent is, if they become aware of these things, they should report it to the proper authorities, just like everybody else does.

Millions of cases with title X providers providing services to minors, no reports. They do not turn them in, even though it goes on. That is the first part.

The second part, of course, is notifying the parent, the parent that would have the consent to anything else involving the health and safety and well-being and counseling and guidance of their children.

But we cut them off. We isolate them. We say we have made a national decision that is more important than the decisions parents will make in their homes. We have made a national decision because some people, and they do, some people do have problems communicating with their parents to that degree; but because some have the problem, we are going to make it the law to cover 250 million Americans instead of saying, we are going to set up a system that only covers those that have a problem.

□ 2000

The amendment does that. It has the so-called judicial bypass language which tracks mechanisms that already exist in every State when a parent is not responsible and needs to be bypassed. We have got it in there. But instead we are told, Oh, let's vote for a substitute, a substitute that says, Well, let's counsel people on how to avoid sexual predation. The trick is that language is already in the bill. The requirement that they encourage teens to get their parents involved has been the law for years. The so-called substitute is just a figleaf, it is just something to try to hide behind because some people do not want to tell their constituents how they voted on parental notice, how they voted on requiring title X providers to report it if they know of a situation.

Title X was adopted in 1970. This is 1970. The birth rates for unmarried teenagers in 1970, 22.4 births per 1,000 teenagers. This is it now. This is the year title X was adopted, 1970, and created this bypass for parents involving guidance and direction for their children. Since then, the out-of-wedlock birth for teens has doubled: 44 per 1,000. Because after all if teens think they are being protected, "Oh, I've learned how to do this" and they forget to take the pill, forget the diaphragm, leave behind an IUD or whatever it may be, they make a mistake, they think they are protected, they are teens, they are still kids, they make the mistakes and they end up with more pregnancies. If you do things to make sexual activity by teens easier, there will be more sexual activity, there will be more out-of-

wedlock births and there will be more abortions, too. The thing to do is to try to diminish the number of teenagers having sex, not to subsidize it with hundreds of millions of dollars of our taxpayer money, which is what is happening now.

Please help me protect my children. I am going to have grandchildren someday, grandparents care, too. Let us protect our kids and our grandkids. Let us make a commonsense amendment to this Federal program and say, first and foremost, the parents have a role in their kids and Uncle Sam should never try to take that away. I urge defeat of the Castle substitute and adoption of the underlying amendment.

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. EDWARDS].

Mr. EDWARDS. Mr. Chairman, I only wish life were so simple. We pass the Istook amendment and magically parents and teenagers communicate on all personal issues. Teenagers stop having sex and dysfunctional families become close. Would it not be nice? I do not mind if some people choose to live in a dream world. But I mind greatly when some political dreams become a nightmare for thousands of young Americans.

Maybe this amendment will make some feel good in the comfort of their happy home this evening, but the reality is it will result in misery for thousands of young Americans. For me, Mr. Chairman, that is simply too high of a price for others to pay for me to feel good tonight. In the real world, the consequence of this amendment is more abortions and more unplanned pregnancies. If our moral message to teenagers is that they should face the consequences of their actions, maybe we in Congress should stop preaching and start practicing tonight on this amendment. Vote "no" on the Istook amendment.

Mr. CASTLE. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. PORTER], the chairman of the subcommittee.

Mr. PORTER. I thank the gentleman for again yielding me this time.

Mr. Chairman, I have heard the proponents of the amendment cite consent issues over and over again. Obviously, notification in this amendment is therefore equivalent to consent. What we are really talking about is consent and not notification. Beyond that, it is very clear that if you provide notification, the young people from dysfunctional families, the ones that cannot talk to their parents, are the very ones that will never get the services.

I have heard the gentleman from Oklahoma say over and over again, he does not know of any cases being reported of sexual abuse by title X clinics. It is not very convincing to me that that is a fact. The fact that he does not know it means nothing to me. I do not know that I have the statistics available, but let me say that the laws of 50 States require that sexual abuse

be reported and adding a Federal law to say the very same thing is not going to change whatever the result may be.

I have also heard a number of Members out here quoting the statistics from 1970 on and suggesting that we are far worse off in terms of teen pregnancies and the like. No doubt. But where would we have been without title X clinics? We have gone through a sexual revolution in this country where all the old taboos in the 1960's went out the window. At least title X clinics were there to provide some guidance and some responsibility and prevented, I think, in many cases many, many unwanted, unplanned pregnancies that otherwise would have occurred and many cases of sexually transmitted diseases.

We have heard over and over again this evening about a 14-year-old girl who was sexually abused by her high school teacher. The fact of the matter is that that is the use of innuendo, in my judgment, in the worst possible way. This relationship began a year before the victim ever went to the title X clinic. There is not any question about that. The clinic did not know about this relationship. It did not cause it. If anything, it prevented the 14-year-old from becoming pregnant. I urge Members to vote "aye" on the Castle amendment.

Mr. CASTLE. Mr. Chairman, I yield 30 seconds to the gentleman from Maryland [Mr. HOYER].

Mrs. LOWEY. Mr. Chairman, I yield 30 seconds to the gentleman from Maryland [Mr. HOYER].

The CHAIRMAN. The gentleman from Maryland is recognized for 1 minute.

Mr. HOYER. Mr. Chairman, before I left the floor I heard that the gentleman from Oklahoma [Mr. ISTOOK] has three daughters. I have three daughters of my own. They are no longer teenagers. Obviously they all were. Like all teenagers, they had problems. Their relationship with their mother and father was dictated more by the context of our family than it was by law. I suggest that the Castle alternative does what the American public wants done. That is, they want to encourage families to be involved with one another. That is obviously beneficial to the children, to the mother, the father, and to America. But they do not want to discourage young people from getting the health care that they desperately need from time to time. That is why I believe the Castle alternative is what the American public believes is a commonsense alternative, encouraging us to attain a worthy objective but not discouraging us from having healthy teens.

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

The CHAIRMAN. The gentleman from Illinois is recognized for 7½ minutes.

Mr. MANZULLO. Mr. Chairman, the purpose of this amendment is to involve parents in the conversation of

their children's sexuality, because the U.S. Congress has made a decision that parents are irrelevant when it comes to their sexuality. We are trying to reverse it. Because of the present law, parents are being denied the opportunity to protect their children from sexual predators in many cases, from giving advice on abstinence or getting out of a relationship once a parent is notified that his or her child is about to receive sexual devices. It denies the parents the opportunity to work with their children and contraceptives, if that is the choice, and in fact in over half the children visiting clinics, the parents are already involved in a conversation. Parents are being denied the opportunity to protect their children from being given a prescriptive medication that in itself could have harmful side effects, such as Depo-Provera, and parents are being denied the opportunity to protect their children from being given prescriptive medicine which could harm the child by mixing the drug with medication the child is already taking. In fact, before Depo-Provera is given, there has to be a complete medical history. But most of all parents are being totally excluded from their right to raise their children. There is no evidence to the claim that pregnancies and abortions will increase once parents are involved.

Let me give my colleagues a study. We have a study that shows the more involved a parent is with a child, the less likely the child will become pregnant. A study entitled Family of the America's Foundation, Fertility Appreciation for Families Program conducted by the University of New Orleans involved 3,600 adolescents and 2,500 parents from across the country. It was a special program designed to involve parents in discussing and counseling sexuality with their children. The purpose of the followup study was to determine the effect of the program which stressed parents involvement in sexual education and decisionmaking of their children and to see how that would affect adolescent premarital relationships. The conclusion, when parents are involved in discussing child sexuality, the rate of pregnancy of the children is 22 times lower than the national average. That means irrefutably that when parents exercise their right to raise their children, which this law denies them by putting a barrier of confidentiality between the child and the parent, that means the child is being protected.

Who protects the child? Not the State. It is the parent, because the parent becomes involved in it. In all this debate tonight, not one person has stood up and said, is it not terrible that a 14-year-old child in Crystal Lake, IL, was shot up with Depo-Provera. Look what Upjohn says about their drug which was injected into the veins of that precious little girl: "Patient should be counseled. This product does not protect against HIV/AIDS."

It is rubbish to say that when you give girls contraceptives, they are protected against infection of HIV. They are not. There is no female protection against HIV. In fact, when the boys stop using the condoms and the girls go on the pill or the other devices, that increases the opportunity for STD's with the kids. And Upjohn says it could affect bone mineral density changes, it could cause thrombotic disorders; that is, blood clots. It could cause temporary blindness. No 14- or 15-year-old child is capable of making an informed decision as to whether or not she should take that drug. That is the bottom question here. Do you believe a 14-year-old is capable of making an informed decision that she can take these drugs? If you do, let her have all the drugs she wants. Just throw the parents out of the equation, which it is now. But in America today, little girls as young as 12 years old are being injected, they are being implanted and they are ingesting very, very strong drugs.

In fact, this is the drug that is the drug of choice for the States such as California that allow chemical castration of convicted pedophiles who choose themselves voluntarily to undergo castration. Think about that, Members of Congress, that in their clinics today our precious little ones at the age of 12 are given the same drug that is used to give to convicted pedophiles for chemical castration. That is horrible. And what else goes on in these clinics? What is not going on is the fact that they are not reporting the cases of rape and incest and sexual abuse. If you are concerned about incest, you should vote for this bill. When the little kid goes there, the title X provider has to call the police and the father goes to jail.

□ 2015

That is how you protect the children. We have heard a lot of talk in the past several years about protecting the children. This is an opportunity to protect the children. This is an opportunity to allow children to receive STD protection, STD medication, without parental notification, because there is an epidemic going on.

All this says is this: If you believe that the parents of America have a right to be involved in the conversation of sexual activity with their children, then you must vote for Istook-Manzullo. If, on the other hand, you believe that the Federal Government knows better than the parents; if, on the other hand, you believe that we are to penalize all the parents in this country because of a handful of parents that cannot communicate with their children, then parents become irrelevant. Then you might as well say, Give them all the drugs they want. You might as well say, Give them all the alcohol they want. You might as well say, Give them all the tobacco they want.

But there a reason we have parents. The purpose of the parent is to protect

the children. Under title X regulations, a child is deprived of the opportunity to be counseled by his or her parents before receiving birth control devices.

Think about 12-year-old little girls around this country being implanted with Norplant. Think about 12-year-old girls being shot in the arm with Depo-Provera. Think about 12-year-old girls getting prescriptions for birth control pills, all without even the knowledge of their parents.

All this amendment says is give parents the right to know that their children are involved in sexual activity.

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

Mr. MANZULLO. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I do not know of any provisions of in title X or any other provisions that prevents parents from sitting down with their children and discussing sexual activity and the facts of life. Does the gentleman?

Mr. MANZULLO. That is right, parents can still talk to their kids.

Mr. PORTER. Parents today can talk to their kids.

Mr. MANZULLO. Except when the health department says they cannot.

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

The CHAIRMAN. The gentleman from Delaware is recognized for 3½ minutes.

Mr. CASTLE. Mr. Chairman, I listened to the arguments. I, frankly, think some of them are sensationalized, probably some are factually correct.

But the truth of the matter is that we are pretty united in our goals here tonight. There are some 4.3 million individuals who go to these clinics for help in some way or another.

We all, all of us, want to help our kids. There is nobody here who does not want to do that. We all would like to have parental involvement. I think the question is correct, is there always parental involvement? Generally, we are dealing with cases in which parents and kids cannot talk or identify with each other in any way whatsoever.

You have to put these two amendments on a scale and you have to determine what is best for our children, how best to help our kids and families. What should we do?

If you put down the Castle-Porter amendment, you will see that a child can go to a clinic and receive counseling, and be told that abstinence comes first, and be told that they should not be involved in sex in any way whatsoever. They will be encouraged to speak to their parents.

That clinic will deal with abusive or illegal relationships when they know about it, and they did not know about the one in Chicago, by the way. There will be a place to turn to for help and advice. They may be willing to go in and get that help, although I still suspect there are a lot of children who will not even bother to go in there at all, but at least we have someplace for them to go.

If we have a circumstance in which we are saying you have to have parental notification before they get there, that may be a fine law, but the consequences are that that number of children who would go to the clinic for help is going to diminish greatly. And when it diminishes, you are inviting the problems that come with it, which involve greater sexual activity, no discussion with parents whatsoever, it discourages responsible behavior, and it could result in more unintended pregnancies, and it could result in more abortions, which, of course, always follow from unintended pregnancies.

Nobody intends that and people can reach different conclusions as far as that is concerned, but I do not know how one can really with clear logic look at this and not realize the conclusion that you probably are talking about unintended pregnancies and possible abortions, and that is not helping kids the way we want to help kids in the United States of America.

Mr. Chairman, family planning is extremely important to make absolutely sure that we are bringing home the interests of all of those kids who just otherwise will not receive help, and the effect of the Istook amendment is to cut that off altogether. The effect of the Castle-Porter amendment is as it should be. By the way, it has always been the law that recipients of title X funds are in no way exempt from State-imposed criminal reporting requirements. They have to do that.

We strengthen the Federal role in stopping sexual predators who prey on children. They must counsel their clients on how to resist and avoid such coercive sexual relationships. As I have already indicated, it involves counseling, it involves urging them to talk to their parents, it involves dealing with the abusive relationships, and it involves a place where they may have some comfort in going to and not getting advice on the street. That is what it is all about.

We need to help our kids in every way we can. We have a tremendous problem in this country. Quite frankly, you cannot blame all teenage sex or pregnancy or maybe even any of it on family planning. It is a result of other social permissiveness that has come across this country, and I think we have to deal with it as best we can.

The only way to deal with it tonight, and the best way for this House to deal with it tonight, is to vote for the Castle-Porter substitute.

Mrs. LOWEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. OLVER].

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

Mr. OLVER. Mr. Chairman, I rise in favor of the Castle substitute and against the Istook amendment.

Mr. Chairman, I rise in opposition to the Istook amendment and in support of the Castle substitute.

The Istook amendment mandates parental notification, tantamount to parental consent, for birth control services under title X.

It is tough for a sexually active teenager to talk about contraception with a parent. Even for a teen who has a close, supportive relationship with her parents. For an adolescent with abusive parents, it can be downright dangerous.

Because they fear parental disapproval or punishment, many teenagers will only use confidential family planning services. When parental permission is required, these teenagers tend to delay or altogether avoid, reproductive health care at great danger to themselves rather than abstain from the sexual activity that leads to children bearing children.

We all would like to believe that requiring parental consent will reduce teen sexual activity. Unfortunately there is no such evidence.

We all agree that family participation is ideal and title X counselors are required to encourage teen clients to talk with their families about birth control.

But not all adolescents can involve their families in sexual decisions and the judicial bypass in this amendment for such teens is a farce.

I urge my colleagues to vote in favor of the Castle substitute. It is a reasonable proposal.

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

The CHAIRMAN. The gentlewoman from New York is recognized for 3 minutes.

Mrs. LOWEY. Mr. Chairman, the Istook amendment is a direct attack on the title X program. Parental consent and notification laws just do not stop teens from having sex. In fact, the Istook amendment will increase teen pregnancies, increase abortions, increase sexually transmitted diseases. That is why it is opposed by the doctors, the AMA, who treat and care for our teens.

Mr. Chairman, I urge my colleagues to vote for the Castle substitute. Under the Castle substitute, no funds can go to title X clinics unless they encourage families to participate in the decision of minors to seek contraceptive services.

The Castle substitute will help ensure that teens receive effective counseling, to behave responsibly, and avoid illegal and coercive sexual activities with adults.

Title X clinics do not encourage teens to have sex. Eighty percent of the teens who seek title X services are already sexually active when they walk into the clinic door. Title X clinics simply help teens who are already sexually active from getting pregnant or catching a sexually transmitted disease.

Mr. Chairman, our friends argue that the title X clinics come between the parent and the child and that they encourage deceit and deception. That is nonsense. Problems begin at home, not at the title X clinics. If there are problems, let us not scapegoat title X; let us work with our families, let us work with our communities. Our families and our communities must do more.

Mr. Chairman, supporters of the Istook amendment want to legislate an

“Ozzie and Harriet” world, where every family is a loving one and every parent is willing and able to speak with their teenage children. Unfortunately, too many of our teens come from broken homes where their parents neglect them, and that is the problem here, not the title X program.

As a mother, as a grandmother, I do believe that teens should remain abstinent, but I know that we cannot legislate abstinence from the floor. I believe teens should act responsibly, but I know that Congress cannot mandate responsibility.

For those teens who are desperately seeking help, who are struggling to remain responsible and take control of their lives in terribly difficult circumstances, I urge Members to vote against the Istook amendment and for the Castle substitute.

Mr. Chairman, these are very, very difficult decisions. As we struggle with them, we all try to do the right thing. We know that we have problems in this country because of the breakdown of families. Many of us are worried when we look at the charts and we see teenage pregnancy rising every year. That is why the gentleman from Delaware [Mr. CASTLE] and I are working with a national campaign to fight teenage pregnancy. We encourage Members to join us.

But mandating responsibility, telling the clinics that they cannot help those children who desperately need help, just does not make any sense. Our families need help. Our churches have to do more. Let us support the Castle-Porter substitute.

Mr. NADLER. Mr. Chairman, I rise in strong opposition to this amendment. How dare the opponents of choice force the most abhorrent restrictions on a woman's constitutionally protected right to choose into an appropriations bill and expect us to accept it?

This bill provides funding for breast cancer and AIDS research, Head Start, the Corporation for Public Broadcasting, and student loans—all programs that benefit millions of Americans every day. Without pernicious amendments stripping the rights of millions of Americans, this bill would pass in a strong bipartisan manner. And yet, now we see the opponents of choice hold all these programs hostage to promote their extreme anti-choice views. This is an outrage. It is inappropriate, unwarranted, and unacceptable.

The Istook amendment would essentially destroy the title X program which provides funding for those who seek health assistance, birth control, and help in fighting sexually transmitted diseases. Right now, reports indicate title X helps prevent 386,000 unintended pregnancies to teenagers annually. And yet, studies show that 80 percent of teens who don't already consult their parents would not seek care if they were required to. These restrictions, therefore, will deter young people from seeking any assistance at all, and, as a result, their diseases will go untreated, unwanted pregnancies and abortions will increase, and sexually transmitted diseases will spread unchecked. How can we possibly endorse risking the lives of these young men and women by forcing such onerous restric-

tions on their access to these programs? How dare you put their lives in jeopardy? We must not scare more teens away from responsible planning by eliminating the vital confidential component of these services.

Let me say further, that I am appalled that some Members of this body are using the unfortunate story of the 13-year-old girl in Illinois, to urge support for this provision by stating that our Government is funding sexual predators. That is a disgusting misrepresentation of a tragic story. In these materials, circulated to Members of Congress, a sad tale of sexual abuse of a young woman is recounted. The young woman obtained birth control to protect herself from pregnancy caused by repeated statutory rape committed against her by a 37-year-old man. The group, in a bizarre and disgusting twist of logic, claims that we are supporting sexual predators by making title X funds available. Sick men who take advantage of young girls are criminals, and our laws are designed to punish them, not support them. It is absurd to say that title X caused this young girl to be abused. Anyone making that argument should be ashamed. Furthermore, as the bill stands, it already includes language to help prevent sexual coercion, so this Istook amendment is unnecessary in that regard.

This legislation is one in a series of battles we have fought this year. These votes are not about particular Government programs or particular procedures, they are about the fundamental right to choose. I don't believe we need to vote on this issue at all—the Supreme Court has already spoken. Obviously, there are those in this body who feel differently. Still, a vote on whether or not to eliminate the right to choose ought to be a separate vote. No ban on abortion should proceed until there is a constitutional amendment to restrict the right to choose, which will never happen. But folks, by voting for this amendment we are undermining the Supreme Court, the President of the United States, and the American people by allowing vague language hidden in an appropriations bill to greatly restrict the right to choose. We cannot allow this abuse of the process, which is being manipulated in such a way to promote an extreme and unpopular position—repealing the right to choose.

I urge my colleagues to denounce these amendments so that we can have a clean appropriations bill that funds desperately needed programs. Reject the Istook amendment.

Ms. ESHOO. Mr. Chairman, I rise in support of the Castle substitute, which encourages teens to talk with their parents about sex, health, and contraception while safeguarding their access to family planning services at title X clinics.

Today, 82 percent of teen pregnancies are unintended, and over half of these pregnancies will end in abortion.

Each year, the family planning services provided by title X clinics prevent 386,000 unintended teen pregnancies, avoiding 155,000 births and 183,000 abortions.

Despite this progress, opponents of title X funding continue their attempts to dismantle the title X program, this time under the guise of protecting vulnerable teenagers.

The Istook amendment will not protect teenagers from sexual abuse. But it will ensure that more of the Nation's most vulnerable teens won't use birth control, more will get pregnant, and more will have abortions.

The Istook amendment places teens' health at risk. Teens who are prevented from seeking

family planning services at these clinics will no longer benefit from the other services these clinics provide, including screening and treatment for sexually transmitted diseases and HIV, routine gynecological exams, and breast and cervical cancer screening.

The castle substitute protects America's youth. It encourages family participation in the decision of minors to seek family planning services. It requires title X programs to encourage parental involvement when teens seek family planning services. And it requires these programs to counsel minors on how to resist and avoid coercive sexual relationships.

Mr. Speaker, assuring teens access to confidential family planning services reduces teen pregnancies, reduces abortions, and protects vulnerable teens. I urge my colleagues to support the castle substitute.

Mr. FAZIO of California. Mr. Chairman, I rise today in opposition to the Istook amendment and for the Castle substitute. What we have is another attempt to do away with the title X program, which provides funding for family planning services. Services provided under title X reach out to many of America's teenagers who are already at risk in their everyday lives.

Family planning services are one way that these teenagers can receive guidance and education about issues confronting them about sex, reproductive health, contraception, and prevention of disease. By requiring teens to obtain parental consent in order to receive family planning services, and by mandating clinics to notify parents that their children are seeking such services, the Istook amendment will have the effect of decimating the entire family planning system in our country.

The teens we need to be most concerned about—the teens we are trying to prevent from having unwanted pregnancies or contracting a sexually transmitted disease—would become even more endangered if this parental mandate were to take effect.

Perhaps many people are forgetting what it means to be an at-risk teen. At-risk teens are not the children of many of us in this room today. At-risk teens are not the children of parents they can talk to freely about many important issues and values that are affecting their everyday lives. At-risk teens are more often trying to escape sexual or physical abuses within their own homes—even from their own parents.

I encourage every teenager to talk with their parents about these very important issues and parents to talk responsibly with their children. That is why I am in support of a substitute amendment offered by my colleague, Mr. CASTLE.

Mr. Castle substitute will require that title X programs encourage the involvement of parents when teens seek family planning services. Encouraging parental involvement is important, and in an ideal world, all teens would have parents they could feel comfortable talking to and be able to sort out what kind of activity is appropriate. But in the real world, we can not take away an opportunity for at-risk teens to receive essential services, by forcing a mandate upon them that will not work in the real world.

I urge my colleagues to vote against the Istook amendment and support the Castle amendment.

The CHAIRMAN. All time on this amendment has expired.

The question is on the amendment offered by the gentleman from Delaware [Mr. CASTLE] as a substitute for the amendment offered by the gentleman from Oklahoma [Mr. ISTOOK].

PARLIAMENTARY INQUIRY

Mr. MANZULLO. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANZULLO. Mr. Chairman, does that mean that those Members who favor the Castle substitute amendment would vote "yes" on the first vote, and those who favor the Istook-Manzullo amendment would vote "no" on the first vote?

The CHAIRMAN. The Chair will merely state the question. The question is on the amendment offered by the gentleman from Delaware [Mr. CASTLE] as a substitute for the amendment offered by the gentleman from Oklahoma [Mr. ISTOOK].

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

RECORDED VOTE

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

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 2(c) of rule XXIII, the Chair announces that he may reduce to not less than 5 minutes the period of time within which an electronic vote, if ordered, may be taken on the Istook amendment.

The vote was taken by electronic device, and there were—ayes 220, noes 201, not voting 12, as follows:

[Roll No. 378]

AYES—220

- |              |               |               |
|--------------|---------------|---------------|
| Abercrombie  | DeFazio       | Hastings (FL) |
| Ackerman     | DeGette       | Hefner        |
| Allen        | Delahunt      | Hinchey       |
| Andrews      | DeLauro       | Hinojosa      |
| Baesler      | Deutsch       | Hobson        |
| Baldacci     | Dicks         | Hooley        |
| Barrett (WI) | Dingell       | Horn          |
| Bass         | Dixon         | Houghton      |
| Becerra      | Doggett       | Hoyer         |
| Bentsen      | Dooley        | Jackson (IL)  |
| Berman       | Edwards       | Jackson-Lee   |
| Berry        | Ehrlich       | (TX)          |
| Bilbray      | Engel         | Jefferson     |
| Bishop       | Eshoo         | John          |
| Blagojevich  | Etheridge     | Johnson (CT)  |
| Blumenauer   | Evans         | Johnson (WI)  |
| Boehlert     | Farr          | Johnson, E.B. |
| Bonior       | Fattah        | Kanjorski     |
| Borski       | Fawell        | Kaptur        |
| Boswell      | Fazio         | Kelly         |
| Boucher      | Filner        | Kennedy (MA)  |
| Boyd         | Foglietta     | Kennedy (RI)  |
| Brown (CA)   | Foley         | Kennelly      |
| Brown (FL)   | Ford          | Kilpatrick    |
| Brown (OH)   | Fowler        | Kind (WI)     |
| Buyer        | Frank (MA)    | Klecza        |
| Campbell     | Franks (NJ)   | Klink         |
| Capps        | Frelinghuysen | Klug          |
| Cardin       | Frost         | Kolbe         |
| Castle       | Furse         | Kucinich      |
| Clay         | Ganske        | Lampson       |
| Clayton      | Gejdenson     | Lantos        |
| Clement      | Gekas         | LaTourette    |
| Clyburn      | Gephardt      | Lazio         |
| Condit       | Gibbons       | Leach         |
| Conyers      | Gilchrest     | Levin         |
| Coyne        | Gilman        | Lewis (CA)    |
| Cramer       | Gordon        | Lofgren       |
| Cummings     | Green         | Lowe          |
| Danner       | Greenwood     | Luther        |
| Davis (FL)   | Gutierrez     | Maloney (CT)  |
| Davis (IL)   | Hamilton      | Maloney (NY)  |
| Davis (VA)   | Harman        | Manton        |

- |                    |               |             |
|--------------------|---------------|-------------|
| Markey             | Pastor        | Skaggs      |
| Martinez           | Payne         | Skeen       |
| Mascara            | Pelosi        | Slaughter   |
| Matsui             | Pickett       | Smith, Adam |
| McCarthy (MO)      | Pomeroy       | Snyder      |
| McCarthy (NY)      | Porter        | Spratt      |
| McDermott          | Price (NC)    | Stabenow    |
| McGovern           | Pryce (OH)    | Stark       |
| McHale             | Ramstad       | Stokes      |
| McKinney           | Rangel        | Strickland  |
| McNulty            | Regala        | Stupak      |
| Meehan             | Reyes         | Tanner      |
| Meek               | Riggs         | Tauscher    |
| Menendez           | Rivers        | Thomas      |
| Millender-McDonald | Rodriguez     | Thompson    |
| Miller (CA)        | Roemer        | Thornberry  |
| Miller (FL)        | Rothman       | Thurman     |
| Minge              | Roukema       | Tierney     |
| Mink               | Roybal-Allard | Torres      |
| Moakley            | Rush          | Turner      |
| Moran (VA)         | Sabo          | Upton       |
| Morella            | Sanchez       | Vento       |
| Neal               | Sanders       | Waters      |
| Ney                | Sandlin       | Watt (NC)   |
| Obey               | Sawyer        | Waxman      |
| Olver              | Schumer       | Wexler      |
| Owens              | Scott         | Weygand     |
| Oxley              | Shays         | Wise        |
| Pallone            | Sherman       | Woolsey     |
| Pascrell           | Shuster       | Wynn        |
|                    | Sisisky       | Yates       |

NOES—201

- |              |               |               |
|--------------|---------------|---------------|
| Aderholt     | Goodling      | Packard       |
| Archer       | Goss          | Pappas        |
| Armey        | Graham        | Parker        |
| Bachus       | Granger       | Paul          |
| Baker        | Gutknecht     | Paxon         |
| Ballenger    | Hall (OH)     | Pease         |
| Barcia       | Hall (TX)     | Peterson (MN) |
| Barr         | Hansen        | Peterson (PA) |
| Barrett (NE) | Hastert       | Petri         |
| Bartlett     | Hastings (WA) | Pickering     |
| Barton       | Hayworth      | Pitts         |
| Bateman      | Hefley        | Pombo         |
| Bereuter     | Herger        | Portman       |
| Bilirakis    | Hill          | Poshard       |
| Bliley       | Hilleary      | Quinn         |
| Blunt        | Hoekstra      | Radanovich    |
| Boehner      | Holden        | Rahall        |
| Bonilla      | Hostettler    | Redmond       |
| Bono         | Hulshof       | Riley         |
| Brady        | Hunter        | Rogan         |
| Bryant       | Hutchinson    | Rogers        |
| Bunning      | Hyde          | Rohrabacher   |
| Burr         | Inglis        | Ros-Lehtinen  |
| Burton       | Istook        | Royce         |
| Callahan     | Jenkins       | Ryun          |
| Calvert      | Johnson, Sam  | Salmon        |
| Camp         | Jones         | Sanford       |
| Canady       | Kasich        | Saxton        |
| Cannon       | Kildee        | Scarborough   |
| Chabot       | Kim           | Schaefer, Dan |
| Chambliss    | King (NY)     | Schaffer, Bob |
| Chenoweth    | Kingston      | Sensenbrenner |
| Christensen  | Knollenberg   | Sessions      |
| Coble        | LaFalce       | Shadegg       |
| Coburn       | LaHood        | Shaw          |
| Collins      | Largent       | Shimkus       |
| Combest      | Latham        | Skelton       |
| Cook         | Lewis (KY)    | Smith (MI)    |
| Costello     | Linder        | Smith (NJ)    |
| Cox          | Lipinski      | Smith (OR)    |
| Crane        | Livingston    | Smith (TX)    |
| Crapo        | LoBiondo      | Smith, Linda  |
| Cubin        | Lucas         | Snowbarger    |
| Cunningham   | Manzullo      | Solomon       |
| Deal         | McCollum      | Souder        |
| DeLay        | McCrery       | Spence        |
| Diaz-Balart  | McDade        | Stearns       |
| Dickey       | McHugh        | Stenholm      |
| Doolittle    | McInnis       | Stump         |
| Doyle        | McIntosh      | Sununu        |
| Dreier       | McIntyre      | Talent        |
| Duncan       | McKeon        | Tauzin        |
| Dunn         | Metcalf       | Taylor (MS)   |
| Ehlers       | Mica          | Taylor (NC)   |
| Emerson      | Mollohan      | Thune         |
| English      | Moran (KS)    | Tiahrt        |
| Ensign       | Murtha        | Trafficant    |
| Everett      | Myrick        | Visclosky     |
| Ewing        | Nethercutt    | Walsh         |
| Forbes       | Neumann       | Wamp          |
| Fox          | Northup       | Watkins       |
| Galleghy     | Norwood       | Watts (OK)    |
| Gillmor      | Nussle        | Weldon (FL)   |
| Goode        | Oberstar      | Weldon (PA)   |
| Goodlatte    | Ortiz         | Weller        |



White Wicker Young (AK)  
Whitfield Wolf Young (FL)

NOT VOTING—12

Carson Gonzalez Schiff  
Cooksey Hilliard Serrano  
Dellums Lewis (GA) Towns  
Flake Nadler Velazquez

□ 2045

Messrs. ARMEY, COX of California, WICKER, PICKERING, LAFALCE and SHAW changed their vote from "aye" to "no."

Mr. CUMMINGS and Mr. THOMAS changed their vote from "no" to "aye."

So the amendment offered as a substitute for the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. ISTOOK], as amended.

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

RECORDED VOTE

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

A recorded vote was ordered.

PARLIAMENTARY INQUIRIES

Mr. SOUDER. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SOUDER. My parliamentary inquiry is that since the second-degree amendment passed, is it true that no longer does the Istook-Manzullo amendment include a parental notification?

The CHAIRMAN. The gentleman does not state a parliamentary inquiry.

Mr. OBEY. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. OBEY. Mr. Chairman, is it not true that the Castle amendment having now been passed, we are voting in essence to adopt the underlying amendment as amended by the Castle amendment?

The CHAIRMAN. The gentleman is correct.

The vote was taken by electronic device, and there were—ayes 254, noes 169, not voting 10, as follows:

[Roll No. 379]

AYES—254

Abercrombie Borski Cramer  
Ackerman Boswell Cummings  
Allen Boucher Danner  
Andrews Boyd Davis (FL)  
Baesler Brown (CA) Davis (IL)  
Baldacci Brown (FL) Davis (VA)  
Ballenger Brown (OH) Deal  
Barrett (WI) Burr DeFazio  
Barton Buyer DeGette  
Bass Campbell Delahunt  
Becerra Capps DeLauro  
Bentsen Cardin Deutsch  
Berman Castle Dicks  
Berry Chambliss Dingell  
Bishop Clay Dixon  
Blagojevich Clayton Doggett  
Bliley Clement Dooley  
Blumenauer Clyburn Dreier  
Blunt Condit Dunn  
Boehlert Conyers Edwards  
Bonior Coyne Ehrlich

Engel Kingston Porter  
Eshoo Kleczka Price (NC)  
Etheridge Klink Pryce (OH)  
Evans Klug Ramstad  
Farr Rangel Rangel  
Fattah Kolbe Regula  
Fawell Kucinich Reyes  
Fazio Lampson Riggs  
Filner Lantos Rivers  
Foglietta LaTourette Rodriguez  
Foley Lazio Roemer  
Ford Leach Rothman  
Fowler Levin Roukema  
Fox Lewis (CA) Roybal-Allard  
Frank (MA) Lewis (GA) Ruysh  
Franks (NJ) Linder Sabo  
Frelinghuysen Lofgren Sanchez  
Frost Lowey Sanders  
Furse Luther Sandlin  
Gallegly Maloney (CT) Sawyer  
Ganske Maloney (NY) Schumer  
Gejdenson Manton Scott  
Gekas Markey Shaw  
Gephardt Martinez Shays  
Gibbons Mascara Sherman  
Gilchrest Matsui Sisisky  
Gillmor McCarthy (MO) Skaggs  
Gilman McCarthy (NY) Skeeen  
Gordon McCreery Slaughter  
Granger McDade Smith, Adam  
Green McDermott Snyder  
Greenwood McGovern Spratt  
Gutierrez McHale Stabenow  
Hamilton McIntyre Stark  
Harman McKinney Stokes  
Hastings (FL) McNulty Strickland  
Hefner Meehan Stupak  
Hinchee Meek Sununu  
Hinojosa Menendez Tanner  
Hobson Millender Tauscher  
Holden McHolden Tauzin  
Hooley Miller (CA) Thomas  
Horn Miller (FL) Thompson  
Houghton Minge Thornberry  
Hoyer Mink Thurman  
Hulshof Moakley Tierney  
Hutchinson Moran (KS) Torres  
Jackson (IL) Moran (VA) Traficant  
Jackson-Lee (TX) Morella Turner  
Jefferson Murtha Upton  
John Ney Vento  
Johnson (CT) Nethercutt Visclosky  
Johnson (WI) Ney Waters  
Johnson, E. B. Oberstar Watt (NC)  
Kanjorski Olver Waxman  
Kaptur Owens Weldon (PA)  
Kasich Oxley Weller  
Kelly Pallone Wexler  
Kennedy (MA) Pascrell Weygand  
Kennedy (RI) Pastor Wise  
Kennelly Payne Woolsey  
Kilpatrick Pelosi Wynn  
Kim Pickett Yates  
Kind (WI) Pomeroy

NOES—169

Aderholt Cook  
Archer Cooksey  
Armey Costello  
Bachus Cox  
Baker Crane  
Barcia Crapo  
Barr Cubin  
Barrett (NE) Cunningham  
Bartlett DeLay  
Bateman Diaz-Balart  
Bereuter Dickey  
Billbray Doolittle  
Bilirakis Doyle  
Boehner Duncan  
Bonilla Ehlers  
Bono Emerson  
Brady English  
Bryant Ensign  
Bunning Everett  
Burton Ewing  
Callahan Forbes  
Calvert Goode  
Camp Goodlatte  
Canady Goodling  
Cannon Goss  
Chabot Graham  
Chenoweth Gutknecht  
Christensen Hall (OH)  
Coble Hall (TX)  
Coburn Hansen  
Collins Hastert  
Combest Hastings (WA)

Mica Redmond Snowbarger  
Mollohan Riley Solomon  
Myrick Rogan Souder  
Neumann Rogers Spence  
Northup Rohrbacher Stearns  
Norwood Ros-Lehtinen Stenholm  
Nussle Royce Stump  
Ortiz Ryun Talent  
Packard Salmond Taylor (MS)  
Pappas Sanford Taylor (NC)  
Parker Saxton Thune  
Paul Scarborough Tiahrt  
Paxon Schaefer, Dan Walsh  
Pease Schaffer, Bob Wamp  
Peterson (MN) Sensenbrenner Watkins  
Peterson (PA) Sessions Watts (OK)  
Petri Shadegg Weldon (FL)  
Pickering Shimkus White  
Pitts Shuster Whitfield  
Pombo Skelton Wicker  
Portman Smith (MI) Wolf  
Poshard Smith (NJ) Young (AK)  
Quinn Smith (OR) Young (FL)  
Radanovich Smith (TX)  
Rahall Smith, Linda

NOT VOTING—10

Carson Hilliard Towns  
Dellums Nadler Velazquez  
Flake Schiff  
Gonzalez Serrano

□ 2057

Messrs. ISTOOK, COOK, LIVINGSTON, and COX of California changed their vote from "aye" to "no."

Mr. VISCLOCKY and Mr. BERRY changed their vote from "no" to "aye."

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

□ 2100

AMENDMENT OFFERED BY MR. FILNER

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

The Clerk read as follows:

Amendment offered by Mr. FILNER:

At the end of title II, insert after the last section (preceding the short title) the following section:

SEC. 213. Of the amounts made available in this title for the account "OFFICE OF THE SECRETARY—GENERAL DEPARTMENTAL MANAGEMENT", \$12,800,000 is transferred and made available under section 30403 of Public Law 103-322 for the Community Schools Youth Services and Supervision Grant Program Act of 1994.

Mr. FILNER. Mr. Chairman, I rise today to offer an amendment called the community schools preservation amendment. It is an amendment designed to stop crime before it happens.

The appropriations bill we are considering terminates funding for the Community Schools Youth Services and Supervision Program. Currently, that program funds 54 community schools and projects all around the Nation. My amendment would restore full funding to this valuable program.

Mr. Chairman, according to the Administration on Children and Families, because of their unique structure, the community schools projects around this Nation will not receive funding without a direct appropriation and they will close, community schools across the Nation will close.

Section 30403(a) of the 1994 Violent Crime Control and Law Enforcement Act authorized modest funding for these projects which are finding innovative solutions to the problems of

drug abuse, crime, and violence in our communities by working collaboratively with citizens, schools, and law enforcement.

Mr. Chairman, as my colleagues know, funding for this amendment must be offset by reduced spending in other areas. Reluctantly, I have chosen to try to transfer \$12.8 million from the administration of this department. I hope that is clear. I have a different amendment than what was earlier published. This transfers money from the administration account and not from the community schools block grant. Again, I am transferring money for this program from the administration account and not from the community schools block grant.

In San Diego, which I represent, the Mano a Mano program has been successfully addressing problems in Barrio Logan in San Diego. Children participating in services provided by Mano a Mano have higher school attendance rates, higher grades, and better classroom behavior. Conflict resolution and management skills provided have resulted in less suspensions from school and fewer visits to school administrators, stopping the behavior that leads to juvenile crime before it happens.

Additionally, the Federal funds provided to this project have allowed them to develop partnerships with other crime prevention organizations in the area. This project is so important that the city attorney of San Diego and other local officials have contacted me expressing the serious need for this community schools project.

I encourage my colleagues to support this amendment. It provides funding for local projects that are finding local solutions to problems of drugs, crime, and violence in our young people.

We are bringing, Mr. Chairman, long-term crime rates down, and we will keep them down with these local projects. It is imperative that we see our at-risk communities as a national priority. I hope my colleagues will join with me to save these truly community schools.

Ms. LOFGREN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, before the House recessed in July, we had a rather contentious deliberation over how to deal with updating our juvenile justice laws. One of the things that we all said, that we all agreed on, was the need to prevent crime among young children. That is what we are talking about in the funding of the community schools issue.

What is it? It is small funding for each school that really allows a community to invest in very poor children who need a future. We know that most juvenile crime occurs between the hours of 3 p.m. and 6 p.m., when parents are still at work and after children have been dismissed from school.

Mr. Chairman, last Congress this project was, once again, at risk and utilizing a bipartisan group of Members on both sides of the aisle. We moved together to salvage this program.

Let me tell my colleagues, because it is very typical of these projects throughout the United States, about the community school program in San Jose, CA.

When I went to this school, the after-school program is run primarily by Catholic charities in collaboration with the school district, the district attorney. I went to this meeting at 7:30 in the evening. There were the parents in their rough work clothes. They had just come back from work. There were tears in their eyes because their hope for their children was that their children would become good students.

This is a program that is oriented toward academic excellence, toward tutoring children so that they can achieve in math and in reading, to giving them hope for a future and giving peace of mind to hard-working parents who do not want their children out on the streets while they are still at work.

I will say that in the case of the Catholic charities project in my district, there is a 5-year plan for each child that the parents buy into, that the teachers buy into, so that at the end of 5 years not only will the child be law abiding but the child's academic achievement is intended to increase beyond grade level.

We are now in our third year. I am pleased to announce that our progress is good. Not only are children not getting into trouble, not only are children not being victimized in tough neighborhoods, not only are parents being relieved of their worry that their children may be victimized while they are waiting before they get home from work, but academic achievement is on the rise.

Lots of times Members may look at a line item in the budget and say, I do not know what that is; maybe it is disposable. But I am here to tell Members of the House, and there are certainly Members on both sides of the aisle who know it firsthand, that this is seed money that allows communities to invest in young people and their academic excellence. It is a prevention effort that works. I heartily recommend and endorse the gentleman's amendment and urge its passage.

I would like to reemphasize that the concern expressed by some Members that I understand and empathize, about the source of funding, has been altered. Legislating is about listening, learning, and improving. We did that. We learned that the source of funding was defective. The gentleman from California [Mr. FILNER], to his credit, has changed it. I believe that the Members who expressed concern have withdrawn their opposition to the amendment.

I would urge adoption of the amendment.

Mr. PORTER. Mr. Chairman, I move to strike the requisite number of words.

I will be very brief, Mr. Chairman. I want to explain what the committee did. This program we eliminated in fiscal year 1996 in the House bill, the Senate put it back in in conference.

We eliminated this program in the fiscal 1997 bill, and the Senate put it back in in conference. We eliminated this program in this bill, one of 25 programs this year that we have eliminated, and I think for a very good reason.

We have a program called After School Learning Centers that is funded at \$50 million, far in excess of the amount of money here. This is a program that was recommended by the President in his balanced budget agreement. We have \$556 million available through safe and drug-free schools that can be used for exactly the same purposes as the money in this program. There is even an argument, we can use community service block grant money for this purpose.

We felt under the circumstances that the program is redundant and unnecessary. We put the money that otherwise might have gone in it into battered women's shelters instead. This used up our crime trust fund allocation. I think it is a much better use of the money. There is money for exactly this purpose in a number of programs. The program simply is not needed.

Ms. STABENOW. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I certainly want to commend the leadership on both sides of the aisle who have put this bill together. I know there are difficult decisions to be made. But I also know that today we have been talking a lot about family, about encouraging parents and children to come together and communicate and to work together and that we all know, as the old adage goes, an ounce of prevention is worth a pound of cure.

What we have in this amendment is an ounce of prevention. It is well worth the dollars that were just committed, as the gentleman preceding me, the leader spoke about the other dollars in the budget which are important. These community school grants are equally important because of what they allow communities to do.

In the case of my community in Lansing, it is the schools and the city working together to form something called the focus center, a place where young people can come, where there is tutoring, learning of life skills and communications. They are able to spend time together.

These are young people who have not been encouraged to go to school, who are now going to school and grades are coming up. We talk about the need for education. This particular program has encouraged young people both to go to school; attendance is up. Grades are up. Parents are now involved themselves in parenting classes, getting their GED. This is the kind of program done through the community schools grant which makes a difference for a very small investment.

We have in our community young people participating in urban 4-H, learning leadership skills, going to the

county fair, exhibiting and having an opportunity to work together on projects and learn specific skills.

□ 2115

I had the opportunity to see their projects at the fair and to watch their excitement, and it was terrific to see.

The people who have put together this program in Lansing have done a marvelous job. The Lansing chief of police says that this program should be continued because of the positive effect on our neighborhoods as evidenced by a reduction in crime. Through the Community Schools Program parents are involved in the neighborhoods, children are involved, they are making choices not to get involved in sex and drugs and gangs but to go to school and to be a part of something that is positive. This is a very small investment to make for very, very large returns.

There is a young man who wrote to me, among many young people who wrote to me about this project, Bradley Wicks, who is a 17-year-old participant in our project. He said, "If it were not for this focus center, we as kids would have nothing to do and would turn to gangs and drugs. I was one of the lucky ones who found help here at the center and got the help I needed to change my life. I am not sure where I would be otherwise."

If, for a small investment, with all that we do, with all that the States are required to do in terms of the correctional system, all of the prisons that are built, and frankly, in my own State we have tripled the number of prison beds in the last 10 years and I do not feel three times safer, with all of that going on, this small ounce of prevention is well worth it. It is an investment in families and children and neighborhoods.

I would urge my colleagues, in this amendment, in the conference committee, in working together on the final budget, to make this small investment in Community School programs that work, that support families and children and neighborhoods and get the kind of results for our communities that we say we all want.

Mr. MCINTYRE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the Community Schools Preservation Amendment serves a critical purpose. It restores much-needed funds to an education grant program that really works. When we talk about failed programs, when we talk about concern for children and families, when we have something that works, we ought to proceed with it and stand by it.

As the old adage goes, if it is not broken, we should not try to fix it. This is a program that has been entirely successful. In southeastern North Carolina, in the Seventh District that I represent, we are home to one of these fine programs. The Communities in Schools Program of Robeson County is a shining example of how educators, local

community leaders, law enforcement officers, and students work together. This program works day in and day out. It is an opportunity where we can coordinate the delivery of existing health, social, education, and support services for troubled youth and their families. They are doing work that could not be done by existing agencies in Robeson County.

I have seen firsthand this program work in North Carolina. It keeps children in school, it works with families to make sure children have a healthy home, and in the end, helps make our Nation a better place to live as we do what we all want to do, and that is to strengthen our families.

Mr. Chairman, the Community in Schools Program staff has worked to earn the trust of their community and of their schools. They are able to point to past successes and to future efforts that are already in the works so that this program can continue. This program is an excellent way that we can steer children away from a life of crime.

In a recent survey, police chiefs around our Nation indicated that investments like the Community Schools Program was one of the best ways to resist crime and to help youth avoid risky behavior. Other studies have shown that these programs can reduce juvenile delinquency by as much as 80 percent. Please name another program that can do that to reduce juvenile delinquency by 80 percent.

Do we want to be responsible for eliminating a successful program such as this? We should not. We should not turn our backs on programs that are already helping our families, already helping our youth, already helping our teenagers, and guiding them in the direction that we all desire that they will be able to move forward in for a positive family environment, a positive environment in our schools and a positive environment for safe neighborhoods and safe schools.

The Community Schools Preservation Amendment is a program that works. Indeed, it is a small investment that gives a mighty big return.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. OBEY. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I thank the gentleman for yielding to me.

I have just been informed by the gentleman from Indiana [Mr. SOUDER] that he will not be offering his amendment tonight and that, therefore, we believe there will be no further recorded votes, according to my understanding, will not be.

Mr. OBEY. Mr. Chairman, reclaiming my time, I am delighted to hear what the chairman has indicated. Let me simply say with respect to the amendment before us that I recognize what the gentleman from Illinois has said with respect to other portions of the

bill that fund similar programs, but I would simply ask Members to realize one thing: All of the studies show that by far the most youth crime is committed between the hours of 3 and 6 in the afternoon. That is why I think that the intent of the Filner amendment is good and I support what the gentleman is trying to do.

I would urge, however, that the gentleman consider withdrawing the amendment, because I think that would give us a greater opportunity to work with the Senate conferees to try to achieve some restoration of funding for this program, which I believe would complement some of the other programs that are aimed at taking teenagers off the street.

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

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

Mr. FILNER. Mr. Chairman, I thank the gentleman for yielding to me.

It sounds, from the earlier statements, in the last few years that the Senate, or the other body, has been a little bit more prescient than us in this program. So I appreciate the gentleman's statement of trying to win their support again.

I thank the gentleman from North Carolina [Mr. MCINTYRE], the gentleman from California [Ms. LOFGREN], the gentleman from Michigan [Ms. STABENOW], for their support, and the dozens of other Members, the gentleman from New York Mr. LAZIO and [Mr. WELDON] on the other side, who have expressed support.

But, Mr. Chairman, based on the ranking member's statement, I ask unanimous consent to withdraw the amendment at this time.

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

There was no objection.

Mr. CAMP. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to enter into a colloquy with the gentleman from Illinois [Mr. PORTER], the chairman of the Labor, Health and Human Services Subcommittee.

As the chairman may know, more than 3,000 people die each year waiting for an organ donation that never comes. That equals one death every 3 hours, eight people every day. Every 18 minutes another name is added to the list of 50,000 people awaiting transplants.

Last year, then Representative DURBIN and I cosponsored the Organ Donor Insert Card Act, which put an organ donor sign-up card in the tax return checks of nearly 70 million households. It is my hope that this effort will result in more organs available for transplant.

As my colleagues may know, this year the Senate has added a provision under the leadership of now Senator DURBIN and Senator FRIST in its version of the Labor, Health and Human Services appropriations bill, which

calls upon the Department of Health and Human Services, in coordination with the General Accounting Office, to survey 5 percent of the hospitals participating in the Medicare and Medicaid Programs in order to ascertain how their organ donation programs are working.

I would ask the chairman to work with the chairman of the Committee on Commerce and the ranking member of the Committee on Commerce, as well as our colleagues, to address this issue when we go to conference with the Senate.

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

Mr. CAMP. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I thank the gentleman for yielding to me.

I would say to my friend from Michigan that obviously the Senate does not have rules such as we have in the House, and they may add legislative provisions even to an appropriations bill. This is an authorizing provision on the appropriations bill. I would certainly not take any position in regard to it in conference without the assent of the authorizing committee.

It sounds, from what the gentleman has described, like a very good program, but I would have to take my guidance from the authorizing side in regard to it in conference.

Mr. CAMP. Mr. Chairman, reclaiming my time, I appreciate the chairman's remarks.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage the chairman of the Labor-HHS Subcommittee in a colloquy concerning rural health care.

I would say to the gentleman from Illinois I intended to offer an amendment today that would provide a \$2.3 million increase to the Rural Outreach Grant Program. An increase of nearly \$2.3 million would bring the Rural Outreach Grant Program in line with the Senate bill. The grant program was level-funded in the House.

Mr. Chairman, I come from a large rural district in central northwest Pennsylvania. Federal dollars for rural health care have been and continue to be increasingly difficult to come by. The Federal Rural Outreach Grant Program promotes innovation in the delivery of health care to rural areas by encouraging collaborative efforts among health care entities and the communities in which they are located.

Mr. Chairman, I will not offer my amendment. However, I would like to ask the chairman that as he works with the Senate during conference on the Labor-HHS appropriations bill, he will make a commitment to rural health care by working toward the Senate number for the Rural Outreach Grant Program.

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

Mr. PETERSON of Pennsylvania. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I thank the gentleman for yielding to me and for his statement.

I have to say that I have become aware recently of the importance of innovations that affect rural health care, like telemedicine and access to the National Library of Medicine's data bank. And I appreciate the gentleman's decision not to pursue the amendment on the floor today, and I commit to him that I will make every effort in conference to increase the funding for the Rural Outreach Grant Program.

Mr. PETERSON of Pennsylvania. Mr. Chairman, reclaiming my time, I want to thank the chairman for his support of this program, and I appreciate his willingness to work with me on the issue of rural health care.

The CHAIRMAN. If there are no other amendments to the pending portion of the bill, the Clerk will read.

The Clerk read as follows:

TITLE III—DEPARTMENT OF EDUCATION  
EDUCATION REFORM

For carrying out activities authorized by titles III and IV of the Goals 2000: Educate America Act, the School-to-Work Opportunities Act, and section 3132 of the Elementary and Secondary Education Act of 1965, \$1,135,000,000, of which \$458,500,000 for the Goals 2000: Educate America Act and \$200,000,000 for the School-to-Work Opportunities Act shall become available on July 1, 1998, and remain available through September 30, 1999: *Provided*, That none of the funds appropriated under this heading shall be obligated or expended to carry out section 304(a)(2)(A) of the Goals 2000: Educate America Act, except that no more than \$1,500,000 may be used to carry out activities under section 314(a)(2) of that Act: *Provided further*, That section 315(a)(2) of the Goals 2000 Act shall not apply: *Provided further*, That up to one-half of one percent of the amount available under section 3132 shall be set aside for the outlying areas, to be distributed on the basis of their relative need as determined by the Secretary in accordance with the purposes of the program: *Provided further*, That if any State educational agency does not apply for a grant under section 3132, that State's allotment under section 3131 shall be reserved by the Secretary for grants to local educational agencies in that State that apply directly to the Secretary according to the terms and conditions published by the Secretary in the Federal Register.

Mr. EWING. Mr. Chairman, I rise today in strong support of H.R. 2264 and I would like to commend Chairman PORTER for his hard work and diligence in crafting this appropriations bill. Included in this legislation is language which will waive an ineffective and burdensome regulation now mandated by the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1992. This act blindly requires all lenders who participate in the Federal Family Education Loan Program to perform expensive, comprehensive annual audits on their student loan portfolios. Similar corrective language was included in the continuing resolution adopted for fiscal year 1997, and thus expires on September 30 of this year.

I represent small banks and credit unions which maintain and service small student loan portfolios in compliance with the Federal Family Education Loan Program. The profit on these portfolios is estimated to around 3 to 5

thousand dollars annually, while the audit required by the Department of Education costs anywhere from 2 to 14 thousand dollars annually. As you can see it does not make sense for small lenders to service these loans and participate in the FFEL program. In fact, many small lenders are selling their portfolios and leaving the student loan business altogether. This is not fair to student borrowers in rural areas who are increasingly unable to utilize lending institutions that they are familiar with. This is also not fair to smaller lenders who wish to service and maintain student loans. If this policy is enforced, small lenders will be effectively cut out of the student loan business and consumers will be denied the opportunity to do business at their local bank.

I contacted the Department of Education about the possibility of a waiver or alternative to this detrimental mandate. The Department stated, ". . . lender audits are required by statute . . ." and that the ". . . statute does not provide authority for the Department to waive the annual audit based on the size of the lender's FFEL portfolio or the cost of the audit." Furthermore, according to the Department of Education's Office of the Inspector General, lender portfolios totaling less than 10 million dollars do not even have to send their audit to the Department for review. They are only required to ". . . hold the reports for a period of three years and shall submit them only if requested." That means lenders waste thousands of dollars on a compliance audit that is never sent anywhere or reviewed by anyone. I have no doubt that protecting the integrity of the student loan program is important to all of us. However, this current situation does not protect any portfolios under 10 million dollars because no one review the results of the audits.

The Office of the Inspector General at the Department of Education has also expressed concern regarding this burden in their Semi-annual Report—October 93 to March 94—stating, ". . . we are concerned that the cost may outweigh the benefits of legislatively required annual audits of all participants, regardless of the size of participation or the risk they represent to the program." In this report the inspector general recommends that a threshold be established for requiring an institutional audit, ". . . and we continue to believe that a threshold is necessary for both the institutional and lender audits. Such a threshold would eliminate the audit burden for the smaller participants in the program while helping assure that scarce departmental resources are focused on the areas of greatest risk."

This provision works in concert with the Department of Education and the authorizing committee which have expressed the need for an audit threshold. This language will help the little guy in the student loan business and ensure consumer choice and convenience. It is my hope that the Congress will be able to enact a permanent solution to this problem. I urge my colleagues to vote for H.R. 2264.

Ms. HOOLEY of Oregon. Mr. Chairman, I rise today to express my concern with a provision in this legislation. I applaud my colleagues for their hard work in reaching this year's unprecedented budget agreement that successfully expanded the Pell Grant Program and provided new tax incentives for education. I also wish to thank the chairman and the ranking member for their hard work in bringing this legislation to the floor for consideration.

However, I am especially concerned that this legislation completely eliminates one of the most successful higher education financial aid programs in history. The State Student Incentive Grant Program, or SSIG, has succeeded in encouraging the development of need-based financial aid programs in all 50 States. It has not only provided the seed money that was intended at its inception 25 years ago, but has also helped maintain State commitments to need-based financial aid in subsequent years.

This is a program that gives the neediest students opportunities to attend higher education institutions, through grants and work-study jobs. Yes, the Pell Grant Program is making a college education accessible for many low-income students, but SSIG helps States retain those students who absolutely could not afford college without the supplemental funds that pay the financial shortfall that Pell and other financial aid programs cannot support.

It now serves over 700,000 students at 2- and 4-year colleges and universities nationwide, and it does so by leveraging over 780 million dollars in State matching funds. In speaking with students and program administrators in my State, I have been repeatedly told that the Federal funds are essential in encouraging policy-makers to maintain state funding levels. In 13 States, the SSIG funds comprise at least 25 percent of available student grant aid. Additionally, in an independent survey of State financial aid administrators, 86 percent indicates that the elimination of the SSIG would result in States reducing the number and amount of need-based grants. It is evident that an elimination of this program could have dramatic impacts on students in States across the Nation.

The SSIG Program was never given a sunset date for a good reason: it continues to serve as an efficient and economical incentive for States to help make higher education accessible. As college costs continue to rise, and as the ratio of grants to loans continues to decline, it is imperative that we retain incentives for States to continue their efforts. I am disappointed that this legislation overlooks the essential benefits of this program. However, I urge my colleagues to join me in future efforts to restore this valuable program.

Mr. PORTER. 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. CAMP] having assumed the chair, Mr. GOODLATTE, 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. 2264) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, had come to no resolution thereon.

□ 2130

CONFERENCE REPORT ON H.R. 2016,  
MILITARY CONSTRUCTION AP-  
PROPRIATIONS ACT, 1998

Mr. PACKARD submitted the following conference report and statement on

the bill (H.R. 2016) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes:

CONFERENCE REPORT (H. REPT. 105-247)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2016) "making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 21, 22, and 28.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 13, 25, and 26, and agree to the same.

Amendment numbered 1:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$714,377,000*; and the Senate agree to the same.

Amendment numbered 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$65,577,000*; and the Senate agree to the same.

Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$683,666,000*; and the Senate agree to the same.

Amendment numbered 5:

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$44,880,000*; and the Senate agree to the same.

Amendment numbered 6:

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$646,342,000*; and the Senate agree to the same.

Amendment numbered 7:

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$48,850,000*; and the Senate agree to the same.

Amendment numbered 8:

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$118,350,000*; and the Senate agree to the same.

Amendment numbered 9:

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$190,444,000*; and the Senate agree to the same.

Amendment numbered 10:

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$74,167,000*; and the Senate agree to the same.

Amendment numbered 11:

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$47,329,000*; and the Senate agree to the same.

Amendment numbered 12:

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$30,243,000*; and the Senate agree to the same.

Amendment numbered 14:

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$197,300,000*; and the Senate agree to the same.

Amendment numbered 15:

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$1,140,568,000*; and the Senate agree to the same.

Amendment numbered 16:

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$1,337,868,000*; and the Senate agree to the same.

Amendment numbered 17:

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$393,832,000*; and the Senate agree to the same.

Amendment numbered 18:

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$1,370,336,000*; and the Senate agree to the same.

Amendment numbered 19:

That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$295,709,000*; and the Senate agree to the same.

Amendment numbered 20:

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$1,125,943,000*; and the Senate agree to the same.

Amendment numbered 23:

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by the House and stricken by the Senate insert:

(TRANSFER OF FUNDS)

SEC. 123. (a) Subject to thirty days prior notification to the Committees on Appropriations,