

be debatable for 30 minutes equally divided and controlled by the original proponent and opponent;

(4) the amendment numbered 4 may be offered only before noon on Friday, September 26, 1997, or after 5 p.m. on Monday, September 29, 1997;

(5) the amendment numbered 2 in House Report 105-264 may be offered only on Tuesday, September 30, 1997;

(6) the amendment numbered 4 and the amendment offered by Representative Rogers may be offered without regard to the stage of the reading;

(7) after the sum of the number of motions to strike out the enacting words of the bill (as described in clause 7 of rule XXIII) or that the Committee rise offered by Members of the minority party reaches three, the chairman of the Committee of the Whole may entertain another such motion during further consideration of the bill only if offered by the chairman of the Committee on Appropriations or the Majority Leader or their designee.

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

There was no objection.

LEGISLATIVE PROGRAM

(Mr. ARMEY asked and was given permission to address the House for 1 minute.)

Mr. ARMEY. Mr. Speaker, I rise for the purpose of making an announcement to the House about the House's work schedule for the remainder of the legislative program.

Mr. Speaker, does the gentleman from West Virginia wish to comment on the unanimous-consent request?

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

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

Mr. MOLLOHAN. Mr. Speaker, I would tell the gentleman, no. I thank the majority. We agree with it, and appreciate the opportunity to work it out. We are glad that we have worked it out, and look forward to further debate on the bill.

Mr. ARMEY. Mr. Speaker, of course I realize fully that the unanimous-consent request was completely understood by all the Members here, and that there could possibly be no questions related to it.

I know that it reminded me of that great Harry Bellafonte song, "It's clear as mud but it covers the ground," and everybody here is satisfied with where we are. I would like to take a moment, though, Mr. Speaker, to explain what this all means in our lives as Members as we plan the rest of our evening, the rest of the week and further consideration of this bill.

Let me begin, Mr. Speaker, with the good news. The good news is that there will be no more recorded votes this evening. Now, it only gets better from here, Mr. Speaker. The committee, again, the Members of the committee and the floor managers have once again

tonight demonstrated that they continue to be willing to stay here and work on the bill even though the rest of us are free from the constraint of further votes this evening, and they will remain and continue to consider titles 2, 3, and 4 of the bill, and hopefully make good progress on those titles tonight. We will return tomorrow to consideration of the bill. The House will reconvene at 9 a.m. in the morning. It is our interest tomorrow to complete as much as is possible and hopefully altogether consideration of titles 5 and 6.

Members should understand and be assured that what we have obtained in this unanimous-consent request is a minimal number of dilatory or otherwise extracurricular votes. There will be some, but they will be minimal.

Furthermore, there are agreed-upon time limitations on some of the amendments. We ought to be able to proceed in consideration of this bill. But all Members should understand that we are no longer able, in order to achieve that much progress on the bill as is necessary to fit it into the work schedule for the remainder of the year and the impending end of the fiscal year, we may not be able tomorrow to be out by 2 o'clock, as is the expected time on Friday.

We should, however, feel quite confident that we can assure Members by virtue of this agreement that we will not work on Saturday or Sunday, and we will resume next week as scheduled. It is altogether possible, if things go well tomorrow, that we could make 2 o'clock, but Members need to understand that that might not be the case.

I want to thank everybody that has been a party to this agreement. If I may indulge myself for just a moment to put a rib on one of my colleagues from the other side of the aisle, I take a risk here, I know, but of course I always prey on his good sense of humor. The gentleman from California [Mr. MILLER], who is affectionately known on our side as the deacon of dilatoriness, has agreed with this, as we all have.

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

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

Mr. OBEY. Mr. Speaker, I think in plain English Members need to understand that that means tonight all votes will be rolled. The debate on the census will occur on Tuesday.

Mr. ARMEY. That is absolutely right. I appreciate that. Again, let me thank the Members. It has been my pleasure again this evening to speak to the House.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore. Pursuant to House Resolution 239 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. 2267.

□ 2243

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. 2267) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

□ 2245

The CHAIRMAN. When the Committee of the Whole House rose earlier today, amendment No. 12 offered by the gentleman from Indiana [Mr. HOSTETTLER] had been disposed of and the bill was open for amendment from page 42, line 5, to page 43, line 6.

The order of the House of today will be printed in the RECORD at this point.

The text of the order of the House of today is as follows:

During further consideration of H.R. 2267 pursuant to House Resolution 239:

(1) No further amendment shall be in order except: amendments printed before September 25, 1997, in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII; amendments numbered 2 and 3 in part 2 of House Report 105-264; one amendment offered by Representative Rogers of Kentucky after consultation with Representative Mollohan of West Virginia; one amendment to the amendment printed in the Congressional Record and numbered 4; and pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees;

(2) Each amendment shall be considered as read and (other than the amendments numbered 2 and 3 in part 2 of House Report 105-264 and the amendment numbered 4 and any amendment thereto) shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent;

(3) The amendment numbered 4 shall be debatable for 60 minutes equally divided and controlled by the proponent and an opponent, except that if an amendment thereto is offered before that debate begins, then the amendment and the amendment thereto shall be debatable for 30 minutes equally divided and controlled by the original proponent and opponent;

(4) The amendment numbered 4 may be offered only before noon on Friday, September 26, 1997, or after 5 p.m. on Monday, September 29, 1997;

(5) The amendment numbered 2 in House Report 105-264 may be offered only on Tuesday, September 30, 1997;

(6) The amendment numbered 4 and the amendment offered by Representative Rogers may be offered without regard to the stage of the reading;

(7) After the sum of the number of motions to strike out the enacting words of the bill (as described in clause 7 of rule XXIII) or that the Committee rise offered by Members of the minority party reaches three, the chairman of the Committee of the Whole may entertain another such motion during further consideration of the bill only if offered by the chairman of the Committee on

Appropriations or the Majority Leader or their designee.

The CHAIRMAN. Are there further amendments to this portion of the bill which are in order under the order of the House?

Mr. ROGERS. Mr. Chairman, could I inquire where we are in the reading of the bill?

The CHAIRMAN. We are at page 43, line 6.

If there are no further amendments at this point, the Clerk will read.

The Clerk read as follows:

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, \$21,000,000: *Provided*, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, as amended, title II of the Trade Act of 1974, as amended, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, \$25,000,000.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, \$47,000,000, to remain available until September 30, 1999.

ECONOMICS AND STATISTICS ADMINISTRATION REVOLVING FUND

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

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, \$136,499,000.

PERIODIC CENSUSES AND PROGRAMS

Subject to the limitations provided in section 209, for expenses necessary to conduct the decennial census, \$381,800,000, to remain available until expended.

In addition, for expenses to collect and publish statistics for other periodic censuses and programs provided for by law, \$168,326,000, to remain available until expended.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), \$17,100,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis,

and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That hereafter, notwithstanding any other provision of law, NTIA shall not authorize spectrum use or provide any spectrum functions pursuant to the NTIA Organization Act, 47 U.S.C. 902-903, to any Federal entity without reimbursement as required by NTIA for such spectrum management costs, and Federal entities withholding payment of such cost shall not use spectrum: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of the NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC BROADCASTING FACILITIES, PLANNING AND CONSTRUCTION

For grants authorized by section 392 of the Communications Act of 1934, as amended, \$16,750,000, to remain available until expended as authorized by section 391 of the Act, as amended: *Provided*, That not to exceed \$1,500,000 shall be available for program administration as authorized by section 391 of the Act: *Provided further*, That, notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, as amended, \$21,490,000, to remain available until expended as authorized by section 391 of the Act, as amended: *Provided*, That not to exceed \$3,000,000 shall be available for program administration and other support activities as authorized by section 391: *Provided further*, That of the funds appropriated herein, not to exceed 5 percent may be available for telecommunications research activities for projects related directly to the development of a national information infrastructure: *Provided further*, That, notwithstanding the requirements of section 392(a) and 392(c) of the Act, these funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety, or other social services.

PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Patent and Trademark Office provided for by law, including defense of suits instituted against the Commissioner of Patents and Trademarks, \$27,000,000, to remain available until expended: *Provided*, That the funds made available under this heading are to be derived from deposits in the Patent and Trademark Office Fee Surcharge Fund as authorized by law: *Provided further*, That the amounts made available under the Fund shall not exceed amounts deposited; and such fees as shall be collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, shall remain available until expended.

TECHNOLOGY ADMINISTRATION

UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF TECHNOLOGY POLICY

SALARIES AND EXPENSES

For necessary expenses for the Under Secretary for Technology/Office of Technology

Policy, \$8,500,000, of which not to exceed \$1,600,000 shall remain available until September 30, 1999.

SCIENCE AND TECHNOLOGY

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, \$282,852,000, to remain available until expended, of which not to exceed \$1,625,000 may be transferred to the "Working Capital Fund".

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership of the National Institute of Standards and Technology, \$113,500,000, to remain available until expended, of which not to exceed \$300,000 may be transferred to the "Working Capital Fund".

In addition, for necessary expenses of the Advanced Technology Program of the National Institute of Standards and Technology, \$185,100,000, to remain available until expended, of which not to exceed \$74,100,000 shall be available for the award of new grants, and of which not to exceed \$500,000 may be transferred to the "Working Capital Fund".

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c-278e, \$111,092,000, to remain available until expended: *Provided*, That of the amounts provided under this heading, \$94,400,000 shall be available for obligation and expenditure only after submission of a plan for the expenditure of these funds, in accordance with section 605 of this Act.

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

Mr. Chairman, I think we may be getting a little ahead of ourselves.

The CHAIRMAN. Is the gentlewoman from California [Ms. LOFGREN] the designee of the gentleman from West Virginia [Mr. MOLLOHAN]?

Mr. MOLLOHAN. Yes, Mr. Chairman.

Ms. LOFGREN. Mr. Chairman, reclaiming my time, I had an amendment to offer and we had been discussing having a colloquy. Are we prepared to do our colloquy, Mr. Chairman?

Mr. ROGERS. Mr. Chairman, I am prepared.

Ms. LOFGREN. Mr. Chairman, as you know, I had an amendment regarding El Nino research. El Nino in extreme weather is of great concern to all Americans and every Member of this House on both sides of the aisle. I was concerned that the current state of the bill might not allow the research that we all want to have happen.

However, I did want to inquire of the chairman, knowing of his great concern, and engage in a colloquy with him on this subject.

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

Ms. LOFGREN. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I appreciate the concerns of the gentlewoman from California [Ms. LOFGREN] about

the climate and global change research program.

The bill provides \$70 million for these research programs. This is a \$2 million increase over the current level. I understand there is a difference in funding between the House and Senate. But I would be happy to work with the gentlewoman from California [Ms. LOFGREN] as we move to that conference.

Ms. LOFGREN. Mr. Chairman, reclaiming my time, I thank the gentleman from Kentucky [Mr. ROGERS]. And based on that, I do not intend to offer my amendment. I look forward to working with my colleague in the hope that we can achieve our mutual goal. I thank the gentleman very much for engaging with me on this.

The CHAIRMAN. Are there further amendments to this paragraph?

Hearing none, the Clerk will read.

The Clerk read as follows:

NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION
OPERATIONS, RESEARCH, AND FACILITIES
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft; not to exceed 270 commissioned officers on the active list as of September 30, 1998; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities as authorized by 33 U.S.C. 883i: \$1,406,400,000, to remain available until expended: *Provided*, That, notwithstanding 31 U.S.C. 3302 but consistent with other existing law, fees shall be assessed, collected, and credited to this appropriation as offsetting collections to be available until expended, to recover the costs of administering aeronautical charting programs: *Provided further*, That the sum herein appropriated from the General Fund shall be reduced as such additional fees are received during fiscal year 1998, so as to result in a final General Fund appropriation estimated at not more than \$1,403,400,000: *Provided further*, That any such additional fees received in excess of \$3,000,000 in fiscal year 1998 shall not be available for obligation until October 1, 1998: *Provided further*, That fees and donations received by the National Ocean Service for the management of the national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: *Provided further*, That in addition, \$62,381,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries": *Provided further*, That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed \$2,000,000: *Provided further*, That of the \$1,498,681,000 provided for in direct obligations under this heading (of which \$1,403,400,000 is appropriated from the General Fund, \$67,581,000 is provided by transfer, and \$27,700,000 is derived from unobligated balances and deobligations from prior years), \$219,624,000 shall be for the National Ocean Service, \$326,943,000 shall be for the National Marine Fisheries Service, \$237,463,000 shall be for Oceanic and Atmospheric Research, \$511,154,000 shall be for the National Weather Service, \$119,835,000 shall be for the National Environmental Satellite, Data, and Information Service, \$66,712,000 shall be for Program

Support, \$5,000,000 shall be for Fleet Maintenance, and \$11,950,000 shall be for Facilities Maintenance: *Provided further*, That unexpended balances in the accounts "Construction" and "Fleet Modernization, Shipbuilding and Conversion" shall be transferred to and merged with this account, to remain available until expended for the purposes for which the funds were originally appropriated.

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

I thank the chairman for giving me this time here tonight, and I would like to give the opportunity for a couple of Members to talk about their amendment if they would like to. Mr. Chairman, these amendments are being included in the chairman's manager's amendment and this gives them an opportunity to speak to their amendments.

Mr. Chairman, I yield to the gentleman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, this amendment, which is partially based upon the amendment I filed on behalf of myself, the gentleman from Maryland [Mr. GILCHREST], the gentleman from Delaware [Mr. CASTLE], the gentleman from New Jersey [Mr. PALLONE], the gentleman from North Carolina [Mr. JONES], the gentleman from New York [Mr. BOEHLERT], and the gentlewoman from North Carolina [Mrs. CLAYTON], is in response to one simple fact: our coastal waters are in trouble.

It is hard to read the newspaper lately and not come across a story about toxic *Pfiesteria*, brown tides, and ecological dead zones in our Nation's coastal waters. From the Long Island Sound to the Chesapeake Bay, from Louisiana to Oregon, fish kills, contaminated shellfish beds, beach closures, deteriorating coral reefs, and harmful algae blooms are taking an enormous toll both on the environment and the economies of our coastal areas.

While the specific sources of coastal pollutants are not always clear, the leading cause of water quality impairment in these areas and all of our bays, lakes and rivers is nonpoint source pollution, polluted runoff from city streets, farms, and a variety of other sources. In fact, nonpoint pollution is our Nation's number one water pollution problem.

To tackle these threats to our coastal areas' economic and ecological vitality, Congress established the Coastal Nonpoint Pollution Control Program under the National Oceanic and Atmospheric Administration in 1990. This program provides technical and financial assistance to States to address the water pollution threats to coastal waters.

Working with NOAA and the EPA, coastal States have invested millions of dollars crafting runoff control programs. My own State of New York has invested considerable effort in developing a plan that will benefit Long Island Sound, the Hudson River, the Great Lakes, and the New York City Watershed. Many State plans are ready for

implementation, but Federal support for their efforts has not been provided since 1995.

NOAA's Coastal Nonpoint Pollution Program is the only Federal program which holds real promise for reducing nonpoint source pollution, and it is critical that we provide funding to make sure that States continue to make progress.

I want to personally thank the gentleman from Kentucky [Mr. ROGERS] and the gentleman from West Virginia [Mr. MOLLOHAN] for their help in working with us to provide funding for this important program. The agreement we have reached will provide \$1 million, the full amount demanded by the administration, to assist States that have already developed management plans.

The evidence is clear that our coastal waters are sick. It is time that we step up to the plate and wage war on these contaminants. The money is a down payment on our environmental future. The needs among coastal States are clearly greater.

I look forward to working with my colleagues on both sides of the aisle to provide more funding next year.

Mr. MOLLOHAN. Mr. Chairman, I yield to the gentleman from New York [Mr. BOEHLERT].

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

Mr. BOEHLERT. Mr. Chairman, I support the amendment.

Mr. Chairman, I rise this evening in strong support of the Lowey-Gilchrest-Castle-Boehlert Amendment. Protecting our nation's coastal waters from nonpoint source pollution is one of the greatest water quality challenges facing our nation. We must do more to address coastal nonpoint sources of pollution and this amendment is an important step in the right direction.

Today, over half of all water quality impairment in the United States is caused by nonpoint source pollution and coastal waters have proven to be exceptionally vulnerable to this source of pollution. Recent fish kills on the Pocomoke and Manokin Rivers in southern Maryland are just a glimpse at what may be ahead for America's coastal resources. Failure to significantly reduce nonpoint sources of water pollution will place in jeopardy the biological, commercial, and recreational viability of every beach, bay and estuary in America.

It should be noted that over 75% of all fish harvested by American commercial fishermen begin their lives in estuaries like the Chesapeake.

"*Pfiesteria hystera*" is not completely unfounded. *Pfiesteria*-like organisms reside in coastal waters on the East Coast, the West Coast, the Gulf of Mexico and throughout the Great Lakes. The time has come to rethink our clean water paradigm.

In the last 25 years the Federal government has spent over \$60 billion to assist communities in addressing point sources of pollution. However, during this same period the Federal government has spent less than \$1 billion addressing nonpoint source pollution—the cause of over half the water quality impairment in America. We must reform the nonpoint source

pollution provisions of the Clean Water Act, the section 6217 program, and our spending priorities to address this reality.

As the Chairman of the Water Resources and Environment Subcommittee, which has jurisdiction over both the CWA and the Coastal Zone Management Section 6217 program, I urge all my colleagues to support this modest increase in funding for the Coastal Nonpoint Pollution Control Program administered by NOAA.

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

AMENDMENT OFFERED BY MR. ROGERS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ROGERS:

Page 51, line 5, after the dollar amount insert "(increased by \$1,500,000)".

Page 51, line 11, after the second dollar amount insert "(increased by \$1,500,000)".

Page 51, line 14, after the dollar amount insert "(increased by \$1,500,000)".

Page 51, line 16, after the dollar amount insert "(increased by \$4,000,000)".

Page 51, line 23, after the dollar amount insert "(reduced by \$2,500,000)".

The CHAIRMAN. The gentleman from Kentucky [Mr. ROGERS] and a Member in opposition each will be recognized for 5 minutes.

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

Mr. Chairman, I am offering the amendment on behalf of our colleagues the gentlewoman from New York [Mrs. LOWEY] and the gentleman from Maryland [Mr. HOYER] and, in addition, to address an issue of concern to the gentleman from New Jersey [Mr. SAXTON].

The amendments are combined in this manager's amendment and provides \$3 million for the National Ocean Service to address the problem of Pfiesteria and \$1 million for the Nonpoint Source Pollution Program. This amendment has been worked on from the outset by the colleagues that I have mentioned, and they have put much time and effort into the proposal that we are offering here this evening.

Mr. Chairman, I yield as much time as she may consume to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I thank the gentleman from Kentucky [Mr. ROGERS] for yielding. However, during this unusual procedure, since I already had the privilege of speaking on this very important nonpoint pollution source amendment, I want to thank the gentleman from West Virginia [Mr. MOLLOHAN] for his cooperation.

□ 2300

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Chairman, I want to thank the gentleman from Kentucky [Mr. ROGERS], the gentlewoman from New York [Mrs. LOWEY] and the other sponsors of this amendment to come to this agreement that provides \$1 million for the Coastal Nonpoint Source Pollu-

tion Control Program. This is the level requested in the President's budget and is the first funding for this program in 2 years. The program is critical to coastal states because nonpoint source pollution is the leading cause of pollution along our Nation's coasts.

I represent the New Jersey shore where our entire way of life, our economy and the health and safety of our residents is dependent on the quality of our coastal waters. I know that it is the same for coastal communities throughout the country.

The effect of nonpoint source pollution on coastal areas can be devastating, as we have all seen over the last several weeks with what is happening in the Chesapeake Bay. I just want to say, according to a recent report by the Natural Resources Defense Council, coastal nonpoint source pollution is now the leading cause of beach closings nationwide. In fact, over half of the beach closings and advisories last year for which there was a determined cause, 893 of 1,627 closings and advisories were caused by nonpoint source pollution.

We have come a long way over the last 25 years to cleaning up our Nation's waters, but now nonpoint source pollution is the final frontier in water pollution. But it is by working together as we are today that we are finally going to take this step and finally accomplish the goal of the Clean Water Act, and that is swimmable, fishable waters. This will go a long way toward accomplishing that.

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

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

The CHAIRMAN. The gentleman from Maryland [Mr. HOYER] is recognized for 7 minutes.

Mr. HOYER. Mr. Chairman, I want to rise on behalf of the Members from both sides of the aisle from Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia and Florida. We are very appreciative, all of us, to the gentleman from Kentucky [Mr. ROGERS] for helping us work on this amendment and thank very much the distinguished gentleman from West Virginia [Mr. MOLLOHAN] for his assistance in coming to this agreement.

So that the body understands, this amendment is in two parts. The gentlewoman from New York [Mrs. LOWEY], the gentleman from New Jersey [Mr. PALLONE], the gentleman from Massachusetts [Mr. TIERNEY] and others offered an amendment which will add \$1 million to nonpoint source research for the National Oceanographic and Atmospheric Administration. This amendment that I rise to offer on behalf of my colleagues from the States I mentioned is appropriating \$3 million to NOAA to assist the States in determining the factors responsible for the toxic organism pfiesteria.

Clearly NOAA is one of the best equipped Federal agencies with the

technical expertise and the scientific know-how to determine the causes and controls of pfiesteria outbreaks. NOAA's recently established inter-agency national research program called Ecohab will use this funding to understand what pfiesteria is and why it morphs into a toxic state, and to establish ways to react to outbreaks when they occur.

Moreover, \$1 million of this funding will be used by NOAA to assist the affected States in expanding, monitoring and developing new, more rapid techniques for identifying the toxic phase of pfiesteria as well as the environmental conditions potentially conducive to these outbreaks. This enhanced monitoring support will be essential to overcoming the difficulty in detecting pfiesteria outbreaks because of the sporadic nature of the organism and the rapid response needed to observe the toxic phase.

Mr. Chairman, the Federal Government has a responsibility, a duty, to assist the States, however possible, in this fight. It will be important that the Congress give the agencies the necessary tools to accomplish this task. This funding will be yet another important step in the Congress' response to this ongoing problem.

I want to thank, as I said earlier, the gentleman from Kentucky [Mr. ROGERS] and the gentleman from West Virginia [Mr. MOLLOHAN] for their help.

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

Mr. HOYER. I yield to the gentleman from Delaware [Mr. CASTLE], the distinguished former Governor of Delaware, who saw this problem as a Governor, and now as a legislator in the Federal Congress is dealing with it.

Mr. CASTLE. Mr. Chairman, I thank the gentleman from Maryland for yielding. I thank everybody who has had anything to do with putting all of this together. The problems of pfiesteria and algae, which we have seen this summer all the way from parts of New York all the way perhaps down to Florida, have been tremendous. In my judgment, the only way to really coordinate and to attack from the point of view of doing something about it, worrying about what it is doing to both fish and to human beings, is to do it on a national level. We simply had to shift some of the funding, and the subcommittee has been extremely cooperative in helping to put this together.

Experts have testified on the Hill today. The various States are getting involved in trying to coordinate their efforts also. I think for all these reasons we are finally beginning to address the problems that may be from the point or nonpoint sources. We do not know. We are going to find it, and this is a tremendous start.

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

Mr. HOYER. I yield to the distinguished gentleman from Maryland [Mr. CARDIN] from the Baltimore region, but also impacting on the Chesapeake Bay.

Mr. CARDIN. Mr. Chairman, I want to thank the gentleman from Maryland (Mr. Hoyer) and all of those involved for arranging for this amendment to be offered. I strongly support it. Pfiesteria is a very serious problem that we have all along the east coast of the United States. It is responsible for major fish kills, for the closing of recreational and commercial waterways, and it is a major health problem for the people of our region. This is an extremely serious matter. I am very pleased that the Federal Government is moving in with funds to try to deal with this problem. It is a good amendment, and I strongly support it. Once again, I congratulate my colleague for his leadership in this area.

Mr. HOYER. I thank the gentleman from Maryland.

Mrs. CLAYTON. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I yield to the gentlewoman from North Carolina, who has worked so hard on this issue.

(Mrs. CLAYTON asked and was given permission to revise and extend her remarks.)

Mrs. CLAYTON. I thank the gentleman for yielding.

Mr. Chairman, this is an important issue. I thank all of those who have allowed us to come to the floor. Hopefully through research we will resolve this issue.

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

Mr. HOYER. I yield to the gentleman from Massachusetts.

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

Mr. TIERNEY. Mr. Chairman, I rise in support of the provision of money for the Coastal Nonpoint Source Pollution Control Program.

Mr. Chairman, I rise to join my colleagues who are offering this amendment in voicing my strong support. I commend those Members who have worked diligently to provide funding for this important program, and I am extremely pleased that the chairman of the subcommittee has agreed to provide \$1 million in much needed funding.

Mr. Chairman, the Massachusetts Audubon Society has been tracking this issue and has reported some alarming facts about pollution that is damaging the coasts of Massachusetts.

According to the Massachusetts Audubon Society, pollution levels have been measured at 1,000 times higher than existing water quality standards for the safe consumption of shellfish and 100 times higher than is considered safe for swimming in some areas.

Aside from protecting our environment, fighting pollution can also yield significant economic benefits. Adequate funding to address this problem will help open the shell fishing beds for harvest, promote increased tourism, and generally enhance fishing, swimming, boating, bird watching, and other recreational activities.

I am also pleased to note that this funding will boost other initiatives that we have taken to improve the lives of the people of Massachusetts, including funds for improvements to wastewater treatment facilities as well as the

Essex Heritage area in Essex County and Merrimac Valley areas of Massachusetts.

The combined result will be a healthier environment, cleaner coastal regions and waterways, and more effective wastewater treatment programs. Providing money for the Coastal Nonpoint Pollution Control Program is a positive and necessary part of this process.

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

Mr. HOYER. I yield to the gentleman from North Carolina.

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

Mr. ETHERIDGE. Mr. Chairman, I want to thank the gentleman from Maryland and all of those who have worked so hard. This has had a significant impact on my home State. We have lost over a billion fish, and an awful lot of people have been sick. I thank the gentleman for the efforts that have gone forward on this.

Mr. Chairman, I am proud to cosponsor this amendment with the gentleman from Maryland and with many of my colleagues from North Carolina and other mid-Atlantic States. I want to commend the gentleman from Maryland, [Mr. HOYER] for his leadership on this issue. For many years he has played a leading role in protecting the environment and cleaning up the waterways of his beautiful State and across the country. He has now taken the lead in bringing the problem of pfiesteria to the national stage and for what I want to express my sincere gratitude.

I also want to thank my colleagues in the House for taking the first step on this issue by providing \$7 million in the recent appropriations bill for the Centers for Disease Control and Prevention to monitor, research, and react to the public health effects of pfiesteria.

Since 1991 over 1 billion fish have been killed in North Carolina alone as a result of pfiesteria. Recently, fish kills have also been reported in Maryland and it is feared that past fish kills in other States may have been caused by pfiesteria. Pfiesteria has been blamed for sores, burning skin, respiratory ailments, and short-term memory loss in human beings. This is a serious public health and environmental issue that requires national leadership. Pfiesteria has become a genuine and immediate public health concern for at least seven States between Delaware and Florida and if not address its eventual impact could go far beyond these States. Like fish, pfiesteria knows of no State boundaries. Our natural resources and our waterways are simply too valuable for us not to act to protect them and the public health.

I urge my colleagues to join me in support of this \$3 million appropriation for the National Oceanic and Atmospheric Administration [NOAA] to effectively respond to pfiesteria and pfiesteria-like conditions throughout the eastern seaboard. NOAA has the mechanisms in place to study and assess the causes and how we can begin to control pfiesteria. I hope this marks the beginning of a strong Federal-State partnership to protect American citizens, our waterways, and the marine life in them that is so important to our food supply.

Again, I want to thank the gentleman from Maryland for taking the lead on this issue. Mr. Chairman, I urge my colleagues to vote "yes" on this important amendment.

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

Mr. HOYER. I yield to the distinguished gentleman from Maryland, my very good friend, who probably works as hard on these issues as anybody I know and does so with great knowledge and great sensitivity. I am proud that he is a Member of our delegation.

Mr. GILCHREST. Mr. Chairman, I thank the gentleman from Maryland [Mr. HOYER] and those distinguished people and staff that have worked on this process for many, many months now to achieve an end that we are all seeking.

When we deal with these kinds of issues, which are basically scientifically driven, we as policymakers sometimes find it difficult to understand the mechanics of all of the details. But what we need to understand is that it is time to understand the mechanics of natural processes and how they impact all of us and the quality of our lives. I would just leave my colleagues with this statement to drive policy for environmental issues: Mortgage payments and lung tissue. We have got to have both.

Mr. HOYER. I thank the gentleman for his comment.

Mr. Chairman, I also want to mention in particular the gentleman from North Carolina [Mr. MCINTYRE] and the gentleman from North Carolina [Mr. HEFNER], the gentlewoman from Maryland [Mrs. MORELLA], the gentleman from Maryland [Mr. WYNN], the gentleman from Maryland [Mr. EHRLICH] and the gentleman from North Carolina [Mr. PRICE] who have joined with us in the offering of this amendment along with, as I said, the other Members from the Atlantic Coast States.

I want to in closing again thank the gentleman from Kentucky [Mr. ROGERS] and the gentleman from West Virginia [Mr. MOLLOHAN], who have worked very closely, I know, with the gentlewoman from New York [Mrs. LOWEY] and her staff on the nonpoint source pollution, which, of course, is very much a part of the pfiesteria problem so that this is a very closely related issue.

I want to thank Jennifer Miller as well, who has been so conscientious in assisting us to get this agreement.

We thank the gentleman from Kentucky very much, all of us who know that this issue is so critically important to our States, to our people, to the economy as well as the ecology of our waterways and our land.

Mr. SAXTON. Mr. Chairman, part of Mr. ROGERS' amendment addresses an important matter regarding the Atlantic herring and mackerel fishery. This amendment would reduce the operations, research and facilities account for the National Oceanic and Atmospheric Administration. This account funds the National Marine Fisheries Service. The purpose of the amendment is to prohibit any fiscal year 1998 funds to be used by the Department of Commerce to issue or renew a fishing permit or authorization for any fishing vessel of 165 feet in length or larger and of 3,000 or more horsepower.

By way of background, on July 28, 1997, the House of Representatives approved an emergency measure, H.R. 1855, to place a moratorium on the entrance of new large fishing vessels in the Atlantic herring and mackerel fisheries. These stocks are under an imminent threat. There are up to four huge factory trawler/freezer vessels which are poised to enter this fishery within a very short time-frame. One such vessel plans to begin harvesting this fall and is working feverishly to obtain the necessary permits, despite the overwhelming vote of the House.

As the subcommittee chairman of the authorizing committee, I am extremely concerned about this threat to these fisheries. This is a potentially disastrous situation that needs to be remedied quickly. Based on testimony before the Subcommittee on Fisheries Conservation, Wildlife and Oceans, it is clear that the mackerel fishery can only sustain a 150,000 metric ton annual harvest. The capacity of each of these vessels exceeds 50,000 metric tons per year. Three of these large fishing vessels would easily meet and possibly exceed this harvest within 1 year. It is not clear that the resource can withstand this massive fishing effort and remain viable. Because of this threat to the resource off the East Coast, I feel compelled to offer this amendment to implement emergency action for 1 year through the appropriations process.

During this 1-year cooling off period, it will be possible to obtain the necessary population data so that the Department of Commerce can make an accurate forecast of how many fish can be caught—before another crisis occurs.

The limitation contained in this amendment closely parallels the authorization bill I introduced on the matter, H.R. 1855, which passed the authorizing committee, House Resources, with no objection. It also was debated on the House Floor on July 27, during which there was not one word of dissent. It passed on suspension of the rules by voice vote. Its vocal supporters include DON YOUNG, Resources Committee chairman, GEORGE MILLER, Resources Committee ranking Democratic member, NEIL ABERCROMBIE, Subcommittee on Fisheries Conservation, Wildlife and Oceans ranking Democratic member.

The NMFS seems content to wait until the stocks crash before taking action to protect these fisheries. We have seen how the agency's inaction has caused precipitous declines in the Gulf of Mexico with redfish, in the Atlantic with sharks, in the Pacific with sea urchins and in New England with cod and haddock. As someone who has witnessed the pain and economic suffering experienced by those fishermen, I do not believe that we should fish now and pay later. We must end this cycle of destroying our resources without knowing how much fishing pressure they can endure. Help me to conserve our Atlantic herring and mackerel stocks.

Mr. PALLONE. Mr. Chairman, I rise today to speak on an amendment that will protect a resource in my district from being overutilized and depleted.

This amendment, introduced by the chairman of the Fisheries Conservation, Wildlife, and Oceans Subcommittee, serves to prohibit large fishing vessels from obtaining a permit and engaging in the harvest of Atlantic herring and Atlantic mackerel within our EEZ waters.

I believe that we must prohibit large vessels from the Atlantic herring and mackerel fishery

until accurate information has been collected. To date, no ship of this size has fished this vulnerable fishery. There is no way for us to know how a large vessel would effect the fishery.

Mr. Chairman, large vessels have the potential of depleting any fishery and have it overutilized in a short amount of time. Large fishing trawlers are highly efficient and have the ability to harvest five or six times more than any vessel currently registered on the Atlantic Coast.

Furthermore, the processing capacity of large vessels is so great that they, themselves, can fill fishing quotas. As a result, these ships would compromise the Atlantic herring and the Atlantic mackerel fishing seasons. Mr. Chairman, if you are not aware, stock quotas are spread over a number of ships and are not designed to be filled by a small percentage of ships.

My fear is that a large, highly efficient ship could close a fishery and reduce its stock simply by the number of fish it can catch.

I am also concerned with the National Marine Fisheries Service's ability to react to this fishery if overutilization occurs and the fishery needs to shut down. If a ship of this size is allowed to harvest this fishery, and there is a mistake as to the size of the herring and mackerel stock, we will have a problem. If we are to guess as to the size of the stock and its preservation, I would rather make the mistake on the side of conservation, no exploitation.

In the past, we have encouraged highly efficient gears to fish underutilized stocks. In the 1980's we redirected efforts towards the shark species. At the time, sharks were considered to be underutilized. As a result, a drop in various shark species has occurred. We must now take emergency measures in protecting those shark species. Mr. Chairman, have we not learned from our past mistakes?

A vote in support of this amendment is a vote for conservation and a vote for the protection of one of our largest public resources. This is an opportunity for Members of the House to protect a fish stock not only for those fishermen whose livelihood depends on this resource, but for future generations of fisherman as well. As a member of the subcommittee on Fisheries Conservation, Wildlife and Oceans, I strongly urge my colleagues to support and pass this amendment.

Mrs. MORELLA. Mr. Chairman, I rise in strong support of the amendment. It provides \$3 million for NOAA's national ocean service account to help States with scientific and technical assistance in the fight against *pfisteria*. This amendment is needed to enable NOAA to better assist States—NOAA has the expertise to help states to study and analyze the causes of, and possible solutions to, the fish kills linked to *pfisteria* in several Chesapeake Bay tributaries.

The States of Maryland and Virginia, and possibly several others, face a very serious threat to the health of our ecosystem and watersheds. The toxic outbreaks of *pfisteria* also have had an adverse impact on our fishing industry, our tourism industry, and the health of some of our citizens. We must do everything possible to assist the affected States in responding to this challenge. The funding provided through this amendment will ensure that the States have access to the expertise needed to adequately respond not only to this re-

gional problem, but also to avoid future recurrences nationwide.

I urge my colleagues to vote for the amendment. Give the States the scientific and technical assistance they need to effectively respond to this environmental and public health threat.

Mr. DELAHUNT. Mr. Chairman, more than 20 years ago, my predecessor in this Chamber helped enact landmark legislation to ensure that foreign fleets would no longer be allowed to deplete fish stocks off our coasts. Well, here we go again. Unless this amendment is approved, factory trawlers are poised to return—this time with advanced technology aimed at two of the few healthy stocks we still have left: Atlantic herring and mackerel.

In late July, this House passed legislation banning factory trawlers from harvesting Atlantic herring and mackerel until a fisheries management plan is in place. Similar legislation is pending before the other chamber.

Even since then, a great deal has happened that brings the devastation of mackerel and groundfish stocks off the New England coast closer to a reality.

At least one factory trawler has been granted an exemption by the National Marine Fisheries Service [NMFS] and, as we debate, is being retrofitted to set sail for the waters off the New England coast. This one vessel alone is capable of harvesting 50,000 metric tons of mackerel a year—a third of the sustainable yield for the whole Atlantic coast—not to mention the likely impact of bycatch from this harvest on haddock and scores of other marine species.

And now, we learn that at least two other factory trawlers may be charting course for the east coast. A classified advertisement, in the October issue of "National Fisherman," seeks "captains, mates, engineers, deckhands * * * to fill positions" on "two freeze trawlers locating on U.S. East Coast to fish herring and mackerel."

This is an emergency. If you had heard the testimony at last spring's hearing, it would be alarmingly clear that no one—including NMFS—knows enough about the population dynamics of herring and mackerel to risk placing such enormous new pressures on these species. And those of us who live in the coastal communities which depend upon them to sustain a healthy economy. Without this amendment, we stand to repeat the mistakes of the past.

Everything we've gained these past decades is at risk if we don't pass this amendment.

In the late 1960's and early 1970's, large Russian and Polish vessels plied our shores and threatened to decimate our fishing industry and our stocks. It took the passage of the Magnuson Act to push them from our waters, leaving what we thought was plenty of fish to go around. Less than a year after the House reauthorized that statute, we face the prospect of factory vessels again invading our fisheries. This is absurd.

New England fishermen—already stressed by declining stocks, higher prices, and shortened seasons—continue to face bleak times as we await the slow process of rebuilding groundfish stocks. Already, we have too many boats chasing too few fish; and far too many vessels that will never again go to sea at all. To allow these huge trawlers to return would be a disaster of major proportion.

Unless we pass this amendment, local fleets trying to diversify their harvests will be driven from the seas, with drastic consequences to their livelihood and way of life.

For the sake of both fish and the fishermen, it is my own hope that the Fisheries Council will implement management plans that make further congressional action unnecessary. This House spoke clearly in July and I urge my colleagues to join in supporting this amendment, to show that we can learn from our mistakes.

Mrs. MORELLA. Mr. Chairman, I rise in strong support of the Lowey-Gilchrest-Castle-Pallone-Jones amendment.

This amendment will provide critical funding to the NOAA budget for the development and implementation of nonpoint source pollution plans. States, in conjunction with businesses and farmers, will be able to establish programs to control the run-off from farms and communities that have been associated with the recent *piesteria* outbreak in several Chesapeake Bay tributaries and the deaths of thousands of fish and manatees in Florida. Such programs are critical if we are to preserve not only our beaches and the health of our citizens, but to protect the tourism and fisheries industries in coastal states.

I commend the chairman and ranking minority member for their understanding and support for this effort. Vote "yes" on the Lowey-Gilchrest amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. ROGERS].

The amendment was agreed to.

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

The CHAIRMAN. Is the gentleman the designee of the ranking member?

Mr. BROWN of California. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Chairman, I know it has been a long evening. I will try to be as brief as possible.

The gentleman from Kentucky knows of my concern about the proliferation of science and technology agreements engineered by the State Department between this country and other countries. I have been very much concerned about this for a number of years. The Department currently reports more than 800 international science and technology cooperative agreements with more than 90 countries. The negotiations are costly and raise expectations in other countries that the U.S. is indeed serious about pursuing a substantive cooperative research arrangement. However, these agreements have not generally produced any substantive scientific research agreements.

I am anxious to have more information about the extent of these agreements and whether we can do something about reducing the cost of this vast proliferation of agreements that apparently result in no particular results from a research standpoint. I am going to ask the cooperation of the chairman in seeking more information about these from the State Department.

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

Mr. BROWN of California. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I am well aware of the gentleman's concerns on this issue, and he raises valid points. As the gentleman is aware, I have been working to improve the efficiency of the State Department, and this is another example where the State Department could do a better job. I am not aware of any information that indicates the magnitude of the problem.

Mr. BROWN of California. I thank the gentleman for that response. I would merely like to request that the gentleman join me in requesting that the Department submit to Congress a quarterly report listing any trips that it approves for negotiations or assisting in negotiations of international S&T agreements as well as the amount of Federal funds available to implement the research envisioned by the terms of the agreement; and secondly, any consultations under existing agreements, as well as the amount of Federal funds to support the research projects envisioned in the agreements. I believe this will be the first step in quantifying the size and scope of this issue and may force the Department to take a hard look at its operations in this area.

Mr. ROGERS. The gentleman is, of course, entitled to request any information of the State Department that he sees fit. If it is helpful to him that I join him in his request, I would, of course, be willing to do so.

Mr. BROWN of California. Mr. Chairman, I want to thank the gentleman very much for his assistance in this matter. I look forward to working with him on this issue.

Mr. Chairman, may I add one additional point? The amendment of the gentleman that was just passed is of extreme importance on the west coast as well as the east coast. For example, just last month, we had a fish kill of over a million fish within 1 day. I think that it may be connected to the same kind of problems that are affecting fish on the east coast. I look forward to exploring this issue, also. Again I thank the gentleman very much for his courtesy.

Mr. ROGERS. 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. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The text of the remainder of title II is as follows:

CAPITAL ASSETS ACQUISITION
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of capital assets acquisition or construction, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, \$460,600,000, to remain available until ex-

ended: *Provided*, That not to exceed \$116,910,000 is available for the advanced weather interactive processing system, and may be available for obligation and expenditure only pursuant to a certification by the Secretary of Commerce that the total cost to complete the acquisition and deployment of the advanced weather interactive processing system and NOAA Port system, including program management, operations and maintenance costs through deployment will not exceed \$186,300,000: *Provided further*, That unexpended balances of amounts previously made available in the "Operations, Research, and Facilities" account and the "Construction" account for activities funded under this heading may be transferred to and merged with this account, to remain available until expended for the purposes for which the funds were originally appropriated.

COASTAL ZONE MANAGEMENT FUND

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

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95-372, not to exceed \$953,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FOREIGN FISHING OBSERVER FUND

For expenses necessary to carry out the provisions of the Atlantic Tunas Convention Act of 1975, as amended (Public Law 96-339), the Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended (Public Law 100-627), and the American Fisheries Promotion Act (Public Law 96-561), to be derived from the fees imposed under the foreign fishery observer program authorized by these Acts, not to exceed \$189,000, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

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

GENERAL ADMINISTRATION
SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of Commerce provided for by law, including not to exceed \$3,000 for official entertainment, \$28,490,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App. 1-11 as amended by Public Law 100-504), \$20,140,000.

NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION
OPERATIONS, RESEARCH, AND FACILITIES
(RESCISSION)

Of the unobligated balances available under this heading, \$5,000,000 are rescinded.

GENERAL PROVISIONS—DEPARTMENT OF
COMMERCE

SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15

U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

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

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

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

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

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

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

SEC. 207. Any costs incurred by a Department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title shall be absorbed within the total budgetary resources available to such Depart-

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

SEC. 208. The Secretary of Commerce may award contracts for hydrographic, geodetic, and photogrammetric surveying and mapping services in accordance with title IX of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 541 et seq.).

SEC. 209. (a) Any person aggrieved by the use of any statistical method in violation of the Constitution or any provision of law (other than this Act), in connection with the 2000 or any later decennial census, to determine the population for purposes of the apportionment or redistricting of members in Congress, may in a civil action obtain declaratory, injunctive, and any other appropriate relief against the use of such method.

(b) For purposes of this section, the use of any statistical method in a dress rehearsal or similar test or simulation of a census in preparation for the use of such method, in a decennial census, to determine the population for purposes of the apportionment or redistricting of members in Congress shall be considered the use of such method in connection with that census.

(c) For purposes of this section, an “aggrieved person” includes—

(1) any resident of a State whose congressional representation or district could be changed as a result of the use of a statistical method challenged in the civil action;

(2) any Representative or Senator in Congress; and

(3) either House of Congress.

(d)(1) Any action brought under this section shall be heard and determined by a district court of 3 judges in accordance with section 2284 of title 28, United States Code. Any order of a United States district court which is issued pursuant to an action brought under this section shall be reviewable by appeal directly to the Supreme Court of the United States. Any such appeal shall be taken by a notice of appeal filed within 10 days after such order is entered; and the jurisdictional statement shall be filed within 30 days after such order is entered. No stay of an order issued pursuant to an action brought under this section shall be issued by a single Justice of the Supreme Court.

(2) No sums appropriated under this or any other Act may be used for any statistical method, in connection with any decennial census, to determine the population for purposes of the apportionment or redistricting of members in Congress after a civil action is commenced challenging or seeking to uphold the use of such method, until that method has been judicially finally determined to be authorized by the Constitution and by Act of Congress.

(3) It shall be the duty of a United States district court and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under this section.

(e) Any agency or entity within the executive branch, having authority with respect to the carrying out of a decennial census, may in a civil action obtain a declaratory judgment respecting whether or not the use of a statistical method, in connection with such census, to determine the population for the purposes of the apportionment or redistricting of members in Congress is forbidden

by the Constitution and laws of the United States.

(f) For purposes of this section—

(1) the term “statistical method” means an activity related to the design, planning, testing, or implementation of the use of sampling, or any other statistical procedure, including statistical adjustment, to add or subtract counts to the enumeration of the population; and

(2) a matter shall not be considered to have been judicially finally determined until it has been finally determined on the merits in appellate proceedings before the Supreme Court of the United States.

(g) This section shall apply in fiscal year 1998 and succeeding fiscal years.

(h) Nothing in this Act shall be construed to authorize the use of any statistical method, in connection with a decennial census, for the apportionment or redistricting of members in Congress.

The CHAIRMAN. Are there any amendments to this portion of the bill? If not, the Clerk will read.

The Clerk read as follows:

TITLE III—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed \$10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed \$10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve; \$29,278,000.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (40 U.S.C. 13a–13b), \$3,400,000, of which \$410,000 shall remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, \$15,507,000.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services as authorized by 5 U.S.C. 3109, and necessary expenses of the court, as authorized by law, \$11,478,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, \$2,700,069,000 (including the purchase of firearms and ammunition); of which not to exceed \$13,454,000 shall remain available until expended for space alteration projects; and of which not to exceed \$10,000,000 shall

remain available until expended for furniture and furnishings related to new space alteration and construction projects.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$2,450,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

VIOLENT CRIME REDUCTION PROGRAMS

For activities of the Federal Judiciary as authorized by law, \$40,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, as authorized by section 190001(a) of Public Law 103-322, and sections 818 and 823 of Public Law 104-132.

DEFENDER SERVICES

For the operation of Federal Public Defender and Community Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964, as amended; the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act (18 U.S.C. 3006A(e)); the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences; and the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d); \$329,529,000, to remain available until expended as authorized by 18 U.S.C. 3006A(i).

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)); \$66,196,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

COURT SECURITY

For necessary expenses, not otherwise provided for, incident to the procurement, installation, and maintenance of security equipment and protective services for the United States Courts in courtrooms and adjacent areas, including building ingress-egress control, inspection of packages, directed security patrols, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100-702); \$167,214,000, to be expended directly or transferred to the United States Marshals Service which shall be responsible for administering elements of the Judicial Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as au-

thorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, \$52,000,000, of which not to exceed \$7,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90-219, \$17,495,000; of which \$1,800,000 shall remain available through September 30, 1999, to provide education and training to Federal court personnel; and of which not to exceed \$1,000 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), \$25,000,000; to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), \$7,400,000; and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), \$1,800,000.

UNITED STATES SENTENCING COMMISSION SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, \$9,000,000, of which not to exceed \$1,000 is authorized for official reception and representation expenses.

GENERAL PROVISIONS—THE JUDICIARY

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

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except "Courts of Appeals, District Courts, and Other Judicial Services, Defender Services" and "Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners", shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for district courts, courts of appeals, and other judicial services shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed \$10,000 and shall be administered by the Director of the Administrative Office of the United States Courts in his capacity as Secretary of the Judicial Conference.

Mr. ROGERS (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title III be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any amendments?

If not, the Clerk will read.

The Clerk read as follows:

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCIES

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including expenses authorized by the State Department Basic Authorities Act of 1956, as amended; representation to certain international organizations in which the United States participates pursuant to treaties, ratified pursuant to the advice and consent of the Senate, or specific Acts of Congress; acquisition by exchange or purchase of passenger motor vehicles as authorized by 31 U.S.C. 1343, 40 U.S.C. 481(c) and 22 U.S.C. 2674; and for expenses of general administration; \$1,715,087,000: *Provided*, That all fees collected under the authority of section 140(a)(1) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236) shall be deposited in fiscal year 1998 as an offsetting collection to appropriations made under this heading to recover the costs of providing border security and shall remain available until expended.

Of the funds provided under this heading, \$24,856,000 shall be available only for the Diplomatic Telecommunications Service for operation of existing base services and not to exceed \$17,312,000 shall be available only for the enhancement of the Diplomatic Telecommunications Service and shall remain available until expended.

In addition, not to exceed \$700,000 in registration fees collected pursuant to section 38 of the Arms Export Control Act, as amended, may be used in accordance with section 45 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2717); in addition not to exceed \$1,252,000 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act (Public Law 90-553), as amended, and in addition, as authorized by section 5 of such Act \$490,000, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section; and in addition not to exceed \$15,000 which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities in accordance with section 46 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2718(a)).

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

In addition, for counterterrorism requirements overseas, including security guards and equipment, \$23,700,000, to remain available until expended.

SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of State and the Foreign Service, provided for by law, including expenses authorized by section 9 of the Act of August 31, 1964, as amended (31 U.S.C. 3721), and the State Department Basic Authorities Act of 1956, as amended, \$363,513,000.

□ 2315

AMENDMENT NO. 33 OFFERED BY MR. GILMAN

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GILMAN:

Page 67, line 19, insert before the period the following:

: *Provided*, That, of such amount, not more than \$356,242,740 shall be available for obligation until the Secretary of State has made one or more designations of organizations as foreign terrorist organizations pursuant to section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)), as added by section 302 of Public Law 104-132 (110 Stat. 1214, 1248).

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

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

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

Mr. Chairman, I will be brief.

I am pleased to join my colleague from New York [Mr. SCHUMER] in offering this important amendment to the Commerce, Justice, State, and Judiciary appropriations bill to address a threat of terrorism here at home.

Back in April 1996 the President signed into law the comprehensive antiterrorism measure which included the administration's request for authority to designate certain groups as terrorist organizations with links to foreign state sponsors of terrorism such as Iran. Our State Department is responsible for carrying out that authority.

The bill also included the administration's request for authority to take preventive action against these groups, such as freezing their financial assets. Our Treasury Department is responsible for that aspect once the State Department has made its designations.

The administration considered this authority so important that a veto was threatened unless until the bill contained those provisions. Yet, 17 months have gone by and the administration is yet to exercise that authority that it so ardently sought. It is difficult to understand the reasons for such a delay.

The FBI has provided the State Department with extensive material on a number of terrorist groups, including Hizballah and Hamas and their front organizations, some of which are operating right here in our own Nation. The statute does not envision a one-time list that had to include each and every possible foreign terrorist organization. The State Department can add and delete groups as circumstances and evidence warrant.

However, the State Department has declined to make the designations because of what it has said is a strong desire to avoid a false perception that it might be singling out certain groups

for identification. This is quite puzzling, Mr. Chairman, to say the least, because we in Congress understand that targeting these terrorist groups was the very purpose of this legislation.

Our amendment withholds 2 percent of the State Department's salaries and expense budget, approximately \$7.25 million, until it complies with this provision. Our amendment should send a clear message that we, the Congress, will not wait any longer. The terrorist bombing of the New York World Trade Center in 1993 was a wake-up call the administration apparently missed. Those of us in the Congress did not miss such a call.

The administration's inaction also is evidence that it is not taking seriously the threat from foreign terrorist organizations, especially those doing business and raising funds right here in our own Nation. The American people are entitled to reasonable efforts to protect their security and to timely enforcement of our laws to fight international terrorism which clearly is directed against our own Nation.

The time is long overdue for the State Department to single out foreign terrorist organizations such as Hamas, Hizballah, the Kurdistan Worker's Party, the Revolutionary Armed forces of Columbia, as was intended when the President signed this into law in April of 1996.

Accordingly, I urge the administration to hear our wake-up call that this amendment sends and to act now. Accordingly, we urge adoption of this amendment.

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

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

Mr. ROGERS. Mr. Chairman, we have inspected the amendment and have no objection.

Mr. GILMAN. Mr. Chairman, I thank the gentleman from Kentucky [Mr. ROGERS].

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GILMAN].

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

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

The CHAIRMAN. Pursuant to House Resolution 239, further proceedings on the amendment offered by the gentleman from New York [Mr. GILMAN] will be postponed.

Are there further amendments to this portion of the bill?

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that the bill through Page 70, line 7 be considered as read, printed in the RECORD and open to amendment at any point.

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

There was no objection.

The text of the bill from Page 67, line 20, through Page 70, line 7, is as follows:

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, \$50,600,000, to remain available until expended, as authorized in Public Law 103-236: *Provided*, That section 135(e) of Public Law 103-236 shall not apply to funds appropriated under this heading.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App.), \$28,300,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980, as amended (Public Law 96-465), as it relates to post inspections.

REPRESENTATION ALLOWANCES

For representation allowances as authorized by section 905 of the Foreign Service Act of 1980, as amended (22 U.S.C. 4085), \$4,300,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services in accordance with the provisions of section 214 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4314) and 3 U.S.C. 208, \$7,900,000, to remain available until September 30, 1999.

SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926, as amended (22 U.S.C. 292-300), and the Diplomatic Security Construction Program as authorized by title IV of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4851), \$373,081,000, to remain available until expended as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)): *Provided*, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture and furnishings and generators for other departments and agencies.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service pursuant to the requirement of 31 U.S.C. 3526(e), \$5,500,000 to remain available until expended as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)), of which not to exceed \$1,000,000 may be transferred to and merged with the Repatriation Loans Program Account, subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$593,000, as authorized by section 4 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2671): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974. In addition, for administrative expenses necessary to carry out the direct loan program, \$607,000 which may be transferred to and merged with the Salaries and Expenses account under Administration of Foreign Affairs.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act, Public Law 96-8, \$14,000,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized by law, \$129,935,000.

The CHAIRMAN. Are there amendments to this portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

INTERNATIONAL ORGANIZATIONS AND
CONFERENCES
CONTRIBUTIONS TO INTERNATIONAL
ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, \$978,952,000, of which not to exceed \$54,000,000 shall remain available until expended for payment of arrearages: *Provided*, That none of the funds appropriated or otherwise made available by this Act for payment of arrearages may be obligated or expended unless such obligation or expenditure is expressly authorized by the enactment of a subsequent Act that makes payment of arrearages contingent upon reforms that should include the following: a reduction in the United States assessed share of the United Nations regular budget to 20 percent and of peacekeeping operations to 25 percent; reimbursement for goods and services provided by the United States to the United Nations; certification that the United Nations and its specialized or affiliated agencies have not taken any action to infringe on the sovereignty of the United States; a ceiling on United States contributions to international organizations after fiscal year 1998 of \$900,000,000; establishment of a merit-based personnel system at the United Nations that includes a code of conduct and a personnel evaluation system; United States membership on the Advisory Committee on Administrative and Budgetary Questions that oversees the United Nations budget; access to United Nations financial data by the General Accounting Office; and achievement of a negative growth budget and the establishment of independent inspectors general for affiliated organizations; and improved consultation procedures with the Congress: *Provided further*, That any payment of arrearages shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: *Provided further*, That 20 percent of the funds appropriated in this paragraph for the assessed contribution of the United States to the United Nations shall be withheld from obligation and expenditure until a certification is made under section 401(b) of Public Law 103-236 and under such other requirements related to the Office of Internal Oversight Services of the United Nations as may be enacted into law for fiscal year 1998: *Provided further*, That certification under section 401(b) of Public Law 103-236 for fiscal year 1998 may only be made if the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and International Relations of the House of Representatives are notified of the steps taken, and anticipated, to meet the requirements of section 401(b) of Public Law 103-236 at least 15 days in advance of the proposed certification: *Provided further*, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings: *Provided further*, That of the funds appropriated in this paragraph, \$100,000,000 may be made available only on a semi-annual basis pursuant to a certification by the Secretary of State on a semi-annual basis, that the United Nations has taken no action during the preceding six months to increase funding for any United Nations pro-

gram without identifying an offsetting decrease during that six-month period elsewhere in the United Nations budget and cause the United Nations to exceed the expected reform budget for the biennium 1998-1999 of \$2,533,000,000: *Provided further*, That notwithstanding section 402 of this Act, not to exceed \$4,000,000 may be transferred from the funds made available under this heading to the "International Conferences and Contingencies" account for assessed contributions to new or provisional international organizations: *Provided further*, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

AMENDMENTS OFFERED BY MR. BARTLETT OF
MARYLAND

Mr. BARTLETT of Maryland. Mr. Chairman, I offer 2 amendments, Amendment No. 2 and Amendment No. 3.

The CHAIRMAN. Is there objection to consideration of the amendments en bloc?

There was no objection.

The CHAIRMAN. The Clerk will designate the amendments.

The text of the amendments as follows:

Amendments offered by Mr. BARTLETT of Maryland:

In title IV relating to "DEPARTMENT OF STATE AND RELATED AGENCIES", in the item relating to "International Organizations and Conferences—contributions to international organizations" strike "of which not to exceed \$54,000,000 shall remain available until expended for payment of arrearages" and all that follows through the second proviso.

In title IV relating to "DEPARTMENT OF STATE AND RELATED AGENCIES", in the item relating to "International Organizations and Conferences—contributions to international peacekeeping activities" strike "of which not to exceed \$46,000,000 shall remain available until expended for payment of arrearages" and all that follows through the second proviso.

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

The Chair recognizes the gentleman from Maryland [Mr. BARTLETT].

Mr. BARTLETT of Maryland. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have here a report from the GAO. This report was requested by Senator Dole, and he asked them to make an assessment of the peacekeeping costs incurred by the United States, and let me read the criteria for preparing this report.

It says: "Dear Senator Dole: As requested, we are providing you information on U.S. agencies' estimated costs for their support of U.N. peace operations in Haiti, the former Yugoslavia, Rwanda, and Somalia."

This does not include flights over Iraq, note, and it does not include Bosnia. This includes only fiscal years '92 through '95.

"For this report we define peace operations as actions taken in support of

U.N. resolutions." These only include our participation when there was a U.N. resolution "designed to further peace and security, including observers; monitors; traditional peacekeeping; preventive deployment; peace enforcement; security assistance; the imposition of sanctions; and the provision, protection and delivery of humanitarian relief."

What we have done in the chart here is to summarize the findings of this GAO report. The GAO report indicated that through years 1992 to 1995 we had spent on peacekeeping \$6.6 billion. The amount credited as U.N. dues was \$1.8 billion of that, and they reimbursed to us \$79.4 million of it, leaving a balance of \$4,720,600,000.

Our argument relative to these 2 amendments is a very simple argument. The argument is simply this: that if we owe any dues to the U.N., we are not arguing whether we owe, should owe dues or not, we are not arguing what the size of those dues are, we are simply saying that if we owe dues to the U.N., then there should be an accounting, and from the GAO report it would appear that we have spent \$6.6 billion in peacekeeping activities, \$1.8 billion of that has been credited, \$79.4 million of that has been reimbursed. That leaves \$4,720,600,000. If we owed them \$1.3 billion in dues, that would still leave a balance of \$3,420,600,000.

Now the State Department says that we are not owed anything by the United Nations. From the GAO report it would appear that we are owed by the United Nations \$3,420,600,000, because let me read again. We define peace operations as actions taken in support of U.N. resolutions. These were not instances in which we sent troops or supplies to support our own national interests. These were responses we made to U.N. resolutions.

I am not willing to let the State Department be the arbiter of whether or not we are owed by the U.N. the \$4.7 billion or, as they say, that we do not owe them anything. All our amendment does is to say please let us not start down this billion dollar road by giving this \$100 million to the U.N., because as soon as that train leaves the station we are committed to about \$1 billion dollars, more or less. We want an accounting before that happens. That is all we are asking for, and we are not the first to ask for that accounting.

I wrote to the President about this, and he wrote me a letter back saying, "I fully agree with you that when the United States participates in U.N.-assessed peacekeeping operations it should be reimbursed on the same terms that apply to all other participants." All we are asking is that we get that accounting.

I have here a quote from the majority leader, the gentleman from Texas (Mr. Dick Armey), and this was in a speech which he gave, a foreign policy speech in June. He said that the U.N.

squandered hundreds of millions of American tax dollars through bureaucratic waste and inefficiency of almost Soviet proportions. He goes on to say, "I believe that an accurate accounting of our so-called U.N. arrearages will support only a far lower figure."

The gentleman from Georgia, Newt Gingrich, the Speaker of the House, right here from the well of the House on March 17 enumerating the several goals of this Congress, says our 12th goal, and listen to this, "Our 12th goal is to reform the United Nations. We believe that the United States should get full credit for its financial contributions to the United Nations, including military capabilities, facilities, local government services, and the security we provide."

That is all we are asking for. Our amendment is really very simple and self-explanatory.

Mr. ROGERS. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Maryland.

Mr. Chairman, there is only one true constituency for reform at the U.N., and that is the United States Congress. For years many of us have argued that the U.N. is a bureaucracy smothered under the weight of inefficiency, that the United States pays too much and other countries pay too little, that the United States does not get reimbursed for expenditures in support of U.N. operations, that programs and offices continue indefinitely after their mission is obsolete, and on and on.

For the past several years we have conditioned our current year assessments to the U.N. on achievement of reforms, and we have made progress, the establishment of an Inspector General as an example, the enactment of a no-growth budget by the U.N., and reductions in personnel, to name just a few. There appears to be one thing and one thing only that captures the attention of the U.N., and that is money.

It is clear that we have captured the U.N.'s attention. The issue that is now the focus of debate at the U.N. is reform, from the proposals of the Secretary General to the proposals now being advocated by the United States representative largely at the urging of this Congress.

We are at a crossroads. If we are willing to begin paying arrearages contingent upon the kinds of reform that are pending in the Helms-Gilman authorization bill, we stand a chance of obtaining the kinds of reforms that many of us have been arguing for for many years. If we are not willing to begin paying arrearages, we assure that reform will not happen and that the most significant chance we have had in recent history to achieve reform will go by the wayside.

One of the changes we are seeking to make is to the very problem that the gentleman from Maryland complains about, that the United States is not adequately reimbursed for the in-kind contributions and support that we provide. The HELMS-Gilman authorization

bill, which must pass if the money for arrearages in this bill is to be released, requires that the United States seek credit or reimbursement for its in-kind contributions and support.

I am not in disagreement with the gentleman from Maryland. We should be credited for our in-kind contributions. In the last Congress Republicans tried to enact a law to make that happen, and it was opposed by the administration.

The language in this bill states that we will make a payment on arrearages, but only if from this point forward we obtain reimbursement.

□ 2330

That is our position. We have a chance to achieve exactly what the gentleman from Maryland desires.

Mr. Chairman, what this bill does is to provide first year funding for payment of arrearages at the level set by Congress, not by the U.N. or by the State Department, if and only if an authorization bill is passed that makes payment contingent upon a series of real and substantial reforms at the United Nations. No money, unless an authorization is passed that contains reforms, and no release of funds unless the administration certifies that those reforms have been achieved.

This is our best shot at U.N. reform. I urge my colleagues to vote against the Bartlett amendment.

The CHAIRMAN. Does the gentleman reserve his time? The gentleman rose in opposition. He controls 5 minutes. The gentleman still has a 1½ minutes left.

Mr. ROGERS. I reserve the balance of my time.

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

The CHAIRMAN. The time is controlled under the rule by the gentleman that offered the amendment, and he used his time. Then there is time controlled by a Member in opposition. That time was taken by the gentleman from Kentucky, Chairman ROGERS, and he has used 3½ minutes. The gentleman has 1½ minutes left that he can yield.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. MOLLOHAN. Mr. Chairman, it is my understanding I can move to strike the last word and get 5 minutes under the agreement.

The CHAIRMAN. Under the order of the House, that is true. The gentleman is recognized for 5 minutes.

Mr. MOLLOHAN. The chairman has reserved his time. The chairman can yield his time to Mr. GILMAN.

The CHAIRMAN. The gentleman from West Virginia may proceed under his 5 minutes.

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

Mr. Chairman, I join the gentleman from Kentucky, Chairman ROGERS, in

opposition to this amendment. I think it is really ill-timed and in a way comes out of the blue.

For a number of years now, this committee and the chairman particularly has been at the forefront of trying to effect reforms in the United Nations through the only way really the United States Congress can effectively do that, through the appropriations process. We have been extremely effective at doing that, I think, and ratcheting up the pain on the United Nations to the point that we have seen a lot of good responsiveness from them.

This year, the gentleman who offers the amendment cited Mr. Dole's request for a GAO study of this. I don't know about Senator Dole's request for a study and I have not seen the GAO study, but I do know the Senator has been very active as a part of a working group to put together a compromise with regard to UN arrearages, which is in place and which the authorizing committee is considering as we speak. This bill funds the first \$100 million of that compromise that the authorizing committee is considering.

Mr. Chairman, I would hope that this body would not favorably consider this amendment, because, as I say, it would be very ill-timed to take away the real incentive that we have to make the authorizing language work, and that is the \$100 million, the first down payment on the arrearage.

It is a phased payment, this is the first down payment, and it would be a real mistake to not fulfill that part of the obligation because the UN is being responsive to this approach.

Mr. BARTLETT of Maryland. Mr. Chairman, will the gentleman yield?

Mr. MOLLOHAN. I yield to the gentleman from Maryland.

Mr. BARTLETT of Maryland. Mr. Chairman, our amendments do not argue whether or not we owe arrearages to the UN. All our amendments argue is that if we owe arrearages to the UN, then, please, as the GAO report indicates, subtract those arrearages from the monies which the UN owes us.

We are making a different argument than the one we made. We are not arguing whether or not we owe dues to the UN. We are simply saying if we owe dues to the UN, then please take them from the money the UN owes us. If it is not the \$4.8 billion that one can easily deduce from the GAO report, then what is it? I am just not willing to let the State Department arbitrate that dispute.

There is clearly a dispute between a reasonable reading of the GAO report and the State Department position, and I am not willing to let the State Department arbitrate that. That is our role to arbitrate that.

All I want to do is I want to stop this train from leaving the station, the \$1 billion train, until we have reached a resolution of that.

Mr. MOLLOHAN. Reclaiming my time, I understand the gentleman's position, and I am getting to the point.

The gentleman is suggesting that somehow the UN owes us for our contributions.

Mr. BARTLETT of Maryland. I am saying that is what the GAO said, we have spent \$6.8 billion.

Mr. MOLLOHAN. Is the gentleman not advancing the GAO position here? You are suggesting the UN owes us for in-kind contributions with regard to these operations, is that correct?

Mr. BARTLETT of Maryland. That is correct, sir.

Mr. MOLLOHAN. If I may reclaim my time, that is a point that I just disagree with. With respect to the issue that the UN somehow owes us for past peacekeeping operations, the gentleman is well aware of the facts of how UN peacekeeping is paid for.

We pay our share of the assessed operations, and when it is in the national security interests of the United States, we support and pay for voluntary peacekeeping activities.

Now, these operations are undertaken because of our national security interests, and other countries undertake under similar missions for which they are not reimbursed.

If we disrupt this arrangement, you are going to bankrupt the United Nations, number one, I would point out, and, second, if that were to happen, I would submit that we would be undertaking incredible obligations on, because we would have to end up assuming all of this responsibility for which now we are contributing our part, along with other contributors to the United Nations peacekeeping operations.

Mr. BARTLETT of Maryland. If the gentleman would yield further our share, I think is too high.

Mr. MOLLOHAN. Mr. Chairman, reclaiming my time, just on that, this committee and the chairman and the whole committee worked very hard to make sure that our share is being reduced. That, again, is a part of all of this negotiation, and also part of the authorizing bill that we passed several years ago.

Mr. BARTLETT of Maryland. Mr. Chairman, if the gentleman would continue to yield, the GAO used only monies, referenced only monies, that we spent in response to a UN resolution.

One cannot make arguments that sending troops to Rwanda and Somalia advanced our vital national interests to the point that we should bear the full cost of that. That is what we are now doing.

Mr. MOLLOHAN. Mr. Chairman, if I may reclaim my time, the fact that it is in response to a UN resolution does not mean we cannot voluntarily look at a situation and say it is in our best interest, our own national security interest, to make this contribution. That is what we have done. I do not think you can go around after making that voluntary contribution and say the UN owes us for it, particularly when it is obviously in our own national security interests.

Mr. ROGERS. Mr. Chairman, I yield 1½ minutes to the gentleman from New York [Mr. GILMAN], the Chairman of the Committee on International Relations.

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

Mr. GILMAN. Mr. Chairman, I rise in opposition to the amendment being offered by the gentleman from Maryland [Mr. BARTLETT] which strikes the proposed \$54 million from fiscal year 1998 requested by the administration to repay our UN international organization arrearages, and which would strike the proposed \$46 million to pay UN peacekeeping arrearages.

However well-intentioned the gentleman from Maryland's amendments are, it would actually cost the American taxpayer much more in the long run than it would save over the course of the next fiscal year.

If adopted, the amendments would prevent the administration from achieving management reforms and capping overall UN spending. As the distinguished subcommittee chairman stated, the \$54 million requested by the administration for international organization arrearages is subject to enactment of an authorization bill, a bill that conditions payment of arrearages on the achievement of substantial reforms at the United Nations and other international organizations.

It will fully repay all arrearages that the administration states that our Nation owes to the U.N. regular budget, which began to accumulate in fiscal year 1989.

Pennywise and pound-foolish, the amendments would sacrifice our long-term objectives of saving more than one-half billion dollars over the next 5 years for the short-term goal of cutting less than \$60 million for the upcoming fiscal year. Its passage would only ensure that our Nation has no influence or role in the ongoing effort to downsize and streamline the oversized U.N. bureaucracy. Stripping the arrearage funding requests from this appropriation bill simply undermines the ongoing bipartisan and bicameral effort to complete action complete action of the U.N. funding package this year.

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

I yield 30 seconds to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Chairman, the reforms in this package include substantial reductions in our regular budget and peacekeeping assessments from the U.N., caps our overall spending on U.N. agencies and programs, and certifications from the administration assuring that the U.N. implements a code of conduct, a personal evaluation system, access to U.N. financial data by the GAO, and greater consultations with the Congress.

I would like to stress to my colleagues that it is our firm intention that none of the fU.N.ds in this bill appropriated for U.N. arrearages will be

spent without giving Members an opportunity to consider an authorization measure now in conference between our two international relations committees that contain all the reforms I have described. Accordingly, I urge my colleagues to defeat the amendment.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. SMITH].

The CHAIRMAN. The gentleman cannot yield blocks of time under the 5-minute rule, but the gentleman can yield time. By saying that, the gentleman is telling the gentleman that he is going to speak for only 2 minutes, but we are not going to remind him from the Chair that those 2 minutes are up.

Mr. SMITH of New Jersey. Mr. Chairman, I thank my good friend for yielding.

Mr. Chairman, I rise in reluctant opposition to the amendment of my good friend from Maryland. Mr. Chairman, I strongly support the goals of the Bartlett amendment. I believe the United Nations has strayed too far and too often from its original purposes. It is too big, it spends too much, and many of its programs and specialized agencies truly are out of control. And, yes, we Americans have been paying far more than our fair share of U.N. expenses. This situation clearly needs to be fixed, and it needs to be fixed now.

Mr. Chairman, the way to fix this program is to guarantee that not a penny will be spent to settle the dispute over U.N. arrearages until and unless the problems are fixed to the satisfaction of Congress.

Mr. Chairman, I rise in reluctant opposition to the amendment by my good friend from Maryland.

Mr. Chairman, I strongly support the goals of the Bartlett amendment. I believe the United Nations has strayed too far and too often from its original purposes. It is too big. It spends too much. Many of its programs and specialized agencies are out of control. Some of these programs do far more harm than good—such as the United Nations Population Fund [UNFPA] activities in support of the Chinese Government's coercive population control system, and other programs that come down against innocent human life, against the traditional family, against the values of most Americans and against the values of the moderate and conservative majorities in almost every country in the world. And, yes, we Americans have been paying far more than our fair share of U.N. expenses. This situation needs to be fixed, and it needs to be fixed now.

Mr. Chairman, the way to fix this problem is to guarantee that not a penny will be spent to settle the dispute over U.N. arrearages until and unless the problems are fixed to the satisfaction of Congress. Unfortunately, the pending amendment provides no such guarantee. The bill as written, however, goes a long way toward doing so. It provides that none of the U.N. money can be spent without authorization by Congress. And when we bring back a conference report on the Foreign Relations authorization bill, it will condition any resolution of the arrearages issue not only on reimbursement of future U.S. expenses in support

of peacekeeping, but also on a reduction in U.S. dues—which are currently at an outrageous 25 percent—on reduction in the size of the U.N. bureaucracy, and on getting both the United Nations and the United States out of international programs that threaten traditional values and innocent human life.

If we can't get those conditions, we will not bring back a conference report, and not a penny will be spent on these arrearages. If the conference report on the authorization bill does not contain these strict conditions—if it does not genuinely reform the United Nations, save billions of dollars for U.S. taxpayers by solving the reimbursement problem and requiring other nations to pay their fair share, and get the United Nations and the United States out of programs that are destructive of traditional values and innocent human life—then I will urge my colleagues to vote against it.

Mr. Chairman, I would like to engage briefly in a colloquy with the gentleman from Kentucky [Mr. ROGERS].

The bill, as currently written, would not authorize a single penny to be spent for U.N. arrearages unless Congress passes an authorization bill. I would like to ask the gentleman whether it is his firm intention to insist that the House and Senate conference on this bill not waive the authorization requirement for U.N. arrearages?

Mr. ROGERS. Mr. Chairman, the bill currently states that payment of U.N. arrearages is subject to passage of an authorization. If the Bartlett amendment fails, that will be the position of the House going into conference. It is my intention to press for the House position in conference.

Mr. SMITH of New Jersey. I thank the gentleman for those assurances. Based on those, I would oppose the pending amendment, because I know the gentleman will stand firm in his determination not to waive the authorization requirement, and then we can bring back a genuine reform package that addresses not only the problems addressed by the Bartlett amendment, but a whole range of systemic problems with the U.N. and other international programs whose cost that are not only measured in millions of dollars, but millions of human lives.

Mr. ROGERS. Mr. Chairman, I yield to the gentleman from Maryland [Mrs. MORELLA].

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

Mr. Chairman, I rise in reluctant opposition to the amendment offered by my good friend and colleague the gentleman from Maryland [Mr. BARTLETT]. None of us dispute the fact that the United Nations has problems, and this is why Congress has withheld part of our dues and peacekeeping assessment to the UN during the past several years.

But a compromise has been reached. The administration and the Congressional leadership on both sides of the aisle have reached this compromise to allow us to begin repaying our dues, spreading out the funds over three

years in order to provide the necessary leverage to assure that the General Assembly adopts the reforms.

It is highly unlikely that the nations of the General Assembly are going to allow us to impose reforms when we are not paying our share, and even our allies, Britain, Germany and Japan, have indicated they will not support our reforms if we are not paying our arrears.

My friend and neighbor, the gentleman from Maryland [Mr. BARTLETT], argues that it is actually the UN that owes us money, but nothing could be further from the truth. The figures the gentleman cites from the GAO include costs of non-UN peacekeeping operations undertaken by the United States in our own national interests, such as the Gulf War and our operations in Bosnia and Haiti.

Every living former Secretary of State opposes the Bartlett amendment, including Baker, Haig, Shultz and Kissinger. It is a bad amendment. It does not serve our national interests.

Mr. ROGERS. Mr. Chairman, reclaiming my time, I yield to the gentleman from Maryland [Mr. BARTLETT].

Mr. BARTLETT of Maryland. Mr. Chairman, the Gulf War and the flights over Iraq are not included in this. You know, if you do not pass my amendments, a year from now we are going to be back here asking where the \$100 million went. We are trying to bribe the UN into making reforms.

If we reward them for reforms that might happen, bribing them is not going to happen. You have to do some really creative accounting to conclude anything other than we concluded from the GAO report.

Mr. SNOWBARGER. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Maryland. Providing arrearage payments to the United Nations now would be a grave mistake by this House. I strongly believe that the United States must get at least some credit for its in-kind contributions to United Nations peacekeeping missions. Furthermore, Congress should not appropriate any money for arrearages until real reforms at the United Nations are agreed to and begin to be implemented.

Mr. Chairman, the United States is not a freeloader or a deadbeat when it comes to our relationship with the United Nations. Our contributions to the UN—particularly peacekeeping missions—have been far more than we are ever given credit for.

This amendment does not ask for reimbursement for the Korean or gulf wars. Neither are we asking for recompense for the costs of enforcing the embargoes on Iraq or Yugoslavia. We do request compensation for the contributions necessary to support official United Nations peacekeeping undertakings. In the 4 years from 1992 through 1995, America contributed \$4.8 billion in support of peacekeeping missions over and above our assessments. These costs included training other nations' troops in Haiti, humanitarian airdrops in Bosnia, airlifting troops to Rwanda, and building ports in Somalia.

Opponents of giving credit to America for these in-kind expenditures claim that if Amer-

ica were to be reimbursed we—and some other countries such as France—would end up paying no cash to fund UN peacekeeping missions. If this is indeed true, then the UN's budget process for peacekeeping missions is fundamentally dishonest and the United States is, in truth, paying a far higher percentage of the costs than even the inflated 31 percent assessment that we are charged. It is true that the administration did not contract with the United Nations to undertake these activities. On the other hand, these activities are real and vital costs of the peacekeeping missions and must be taken into account when figuring the real cost of the missions. After all, the Haiti mission could not proceed if the incoming troops were not trained—the costs of that training should be considered part of that mission.

Let me elaborate on some of this in-kind support. Our troops and private consultants trained Haitians in proper police procedure in an attempt to give that country some internal security force that doesn't rely solely on fear and terror. American forces conducted reconnaissance missions to establish the supply lines for aid shipments through Rwanda and Zaire. Our troops also reconnoitered the proposed airstrike targets in Bosnia.

Another significant use of American resources—if not in money then in a use of highly trained and scarce manpower—is the use of our Special Forces personnel as escorts for UN VIP's as they visit the locations of these peacekeeping missions. The Americans who died in Bosnia earlier this month were doing just that.

But even if the House should decide that the United States should pay the arrearages, for diplomatic reasons or because the administration unilaterally incurred these costs with no request or expectation of repayment, we still should not appropriate the money just yet. We must remember why the United States assumed this debt in the first place. Under the Kassebaum-Solomon amendment of 1985, Congress directed the administration to withhold this money in order to get the United Nations to adopt some desperately needed reforms. There have been some reforms promised, significantly fewer actually made. Past administrations have certified that the UN was making acceptable progress toward the reforms and released some of the withheld funds. But once the administration made its certification, the UN promptly ceased its progress, and did its best to undermine efforts at reform.

The Clinton administration and the U.N.'s allies say the American taxpayer should pay the arrearages now and wait for reforms later because the dues are legal obligations of our government. But the obligations go both ways, and part of the bargain with the United Nations should be that the institution be efficient, responsible, and accountable. As anyone who has dealt with a nonperforming contractor knows, withholding payment is often the only way to get him to respond to your concerns.

There is a provision in the bill that withholds the money until UN reforms are enacted. The report says that the reforms should include those contained in S. 903 which is pending in conference. These are fairly good reforms, and they make a good start on fixing the United Nations. There's only one problem. They have not yet been enacted into law. We have no way of knowing which reforms will actually

be in the legislation. Neither do we know if the United Nations will agree to implement these reforms. We should not put the cart before the horse by providing the money before the reform package is fully in place.

The United Nations is a group of sovereign states; it is not sovereign itself. The people who work there must be made to understand that. We must put the officials at the UN on notice that much of what they call reform is not seen as such by America. Moves designed to eventually eliminate the United States' veto in the Security Council or provide an independent source of revenue for the organization should be utterly unacceptable to this Congress. What is needed is an end to the arrogance, corruption, and waste.

In closing, Mr. Chairman, I again urge the House to support Mr. BARTLETT's amendment. There may be a time in the future when it is appropriate to pay back dues to the United Nations. That time will be when the United States finally gets what it's paying for.

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The CHAIRMAN. The question is on the amendments offered by the gentleman from Maryland [Mr. BARTLETT].

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

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

The CHAIRMAN. Pursuant to House Resolution 239, further proceedings on the amendment offered by the gentleman from Maryland [Mr. BARTLETT] will be postponed.

Are there further amendments to this portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security \$261,000,000, of which not to exceed \$46,000,000 shall remain available until expended for payment of arrearages: *Provided*, That none of the funds appropriated or otherwise made available by this Act for payment of arrearages may be obligated or expended unless such obligation or expenditure is expressly authorized by the enactment of a subsequent Act described in the first proviso under the heading "Contributions to International Organizations" in this title: *Provided further*, That none of the funds made available under this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least fifteen days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency, as far in advance as is practicable), (1) the Committees on Appropriations of the House of Representatives and the Senate and other appropriate Committees of the Congress are notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; and (2) a reprogramming of funds pursuant to section 605 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: *Provided further*, That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate commit-

tees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers.

INTERNATIONAL CONFERENCES AND CONTINGENCIES

For necessary expenses authorized by section 5 of the State Department Basic Authorities Act of 1956, in addition to funds otherwise available for these purposes, contributions for the United States share of general expenses of international organizations and conferences and representation to such organizations and conferences, as provided for by 22 U.S.C. 2656 and 2672, and personal services notwithstanding 5 U.S.C. 5102, \$1,500,000, to remain available until expended as authorized by 22 U.S.C. 2696(c), of which not to exceed \$200,000 may be expended for representation as authorized by 22 U.S.C. 4085: *Provided*, That these funds shall be available for obligation or expenditure only after submission of a plan for the expenditure of these funds in accordance with the procedures set forth in section 605 of this Act.

INTERNATIONAL COMMISSIONS

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

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed \$6,000 for representation; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, \$17,490,000.

CONSTRUCTION

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

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

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

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, \$14,490,000: *Provided*, That the United States' share of such expenses may be advanced to the respective commissions, pursuant to 31 U.S.C. 3324.

OTHER

PAYMENT TO THE ASIA FOUNDATION

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

RELATED AGENCIES

ARMS CONTROL AND DISARMAMENT AGENCY ARMS CONTROL AND DISARMAMENT ACTIVITIES

For necessary expenses not otherwise provided, for arms control, nonproliferation, and disarmament activities, \$41,500,000, of which not to exceed \$50,000 shall be for official reception and representation expenses as authorized by the Act of September 26, 1961, as amended (22 U.S.C. 2551 et seq.).

UNITED STATES INFORMATION AGENCY

INTERNATIONAL INFORMATION PROGRAMS

For expenses, not otherwise provided for, necessary to enable the United States Information Agency, as authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), the United States Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1431 et seq.), and Reorganization Plan No. 2 of 1977 (91 Stat. 1636), to carry out international communication, educational and cultural activities; and to carry out related activities authorized by law, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed \$700,000 of this appropriation), as authorized by section 801 of such Act of 1948 (22 U.S.C. 1471), and entertainment, including official receptions, within the United States, not to exceed \$25,000 as authorized by section 804(3) of such Act of 1948 (22 U.S.C. 1474(3)); \$430,597,000: *Provided*, That not to exceed \$1,400,000 may be used for representation abroad as authorized by section 302 of such Act of 1948 (22 U.S.C. 1452) and section 905 of the Foreign Service Act of 1980 (22 U.S.C. 4085): *Provided further*, That not to exceed \$6,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching, library, motion pictures, educational advising and counseling, exchange visitor program services, and publication programs as authorized by section 810 of such Act of 1948 (22 U.S.C. 1475e): *Provided further*, That not to exceed \$920,000 to remain available until expended may be used to carry out projects involving security construction and related improvements for agency facilities not physically located together with Department of State facilities abroad.

TECHNOLOGY FUND

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

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91 Stat. 1636), \$193,731,000, to remain available until expended as authorized by section 105 of such Act of 1961 (22 U.S.C. 2455): *Provided*, That not to exceed \$800,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching and publication programs and educational advising and counseling as authorized by section 810 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1475e).

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM
TRUST FUND

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204-5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 1998, to remain available until expended: *Provided*, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A-110 (Uniform Administrative Requirements) and A-122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 1998, to remain available until expended.

INTERNATIONAL BROADCASTING OPERATIONS

For expenses necessary to enable the United States Information Agency, as authorized by the United States Information and Educational Exchange Act of 1948, as amended, the Radio Broadcasting to Cuba Act, as amended, the Television Broadcasting to Cuba Act, the United States International Broadcasting Act of 1994, as amended, and Reorganization Plan No. 2 of 1977, to carry out international communication activities, including the purchase, installation, rent, construction, and improvement of facilities and equipment for radio and television transmission and reception to Cuba, \$391,550,000, of which \$30,000,000 shall remain available until expended, not to exceed \$16,000 may be used for official receptions within the United States as authorized by section 804(3) of such Act of 1948 (22 U.S.C. 1747(3)), not to exceed \$35,000 may be used for representation abroad as authorized by section 302 of such Act of 1948 (22 U.S.C. 1452) and section 905 of the Foreign Service Act of 1980 (22 U.S.C. 4085), and not to exceed \$39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, not to exceed \$2,000,000 in receipts from advertising and revenue from business ventures, not to exceed \$500,000 in receipts from cooperating international organizations, and not to exceed \$1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, as authorized by section 810 of such Act of 1948 (22 U.S.C. 1475e), to remain available until expended for carrying out authorized purposes: *Provided*, That no funds shall be used for television broadcasting to Cuba after October 1, 1997, if the President certifies that continued funding is not in the national interest of the United States.

RADIO CONSTRUCTION

For the purchase, rent, construction, and improvement of facilities for radio transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized by section 801 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1471), \$40,000,000, to remain available until expended, as authorized by section 704(a) of such Act of 1948 (22 U.S.C. 1477b(a)).

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the United States Information Agency to the National Endow-

ment for Democracy as authorized by the National Endowment for Democracy Act, \$30,000,000, to remain available until expended.

GENERAL PROVISIONS—DEPARTMENT OF STATE
AND RELATED AGENCIES

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

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

SEC. 403. (1) For purposes of implementing the International Cooperative Administrative Support Services program in fiscal year 1998, the amounts referred to in paragraph (2) shall be transferred in accordance with the provisions of section 404.

(2) Paragraph (1) applies to amounts made available by title IV of this Act under the heading "ADMINISTRATION OF FOREIGN AFFAIRS" as follows:

(A) \$108,932,000 of the amount made available under the paragraph "DIPLOMATIC AND CONSULAR PROGRAMS".

(B) \$3,530,000 of the amount made available under the paragraph "SECURITY AND MAINTENANCE OF U.S. MISSIONS".

SEC. 404. Funds transferred pursuant to section 403 shall be transferred to the specified appropriation, allocated to the specified account or accounts in the specified amount, be merged with funds in such account or accounts that are available for administrative support expenses of overseas activities, and be available for the same purposes, and subject to the same terms and conditions, as the funds with which merged, as follows:

(1) Appropriations for the Legislative Branch—

(A) for the Library of Congress, for salaries and expenses, \$500,000; and

(B) for the General Accounting Office, for salaries and expenses, \$12,000.

(2) Appropriations for the Office of the United States Trade Representative, for salaries and expenses, \$302,000.

(3) Appropriations for the Department of Commerce, for the International Trade Administration, for operations and administration, \$7,055,000;

(4) Appropriations for the Department of Justice—

(A) for legal activities—

(i) for general legal activities, for salaries and expenses, \$194,000; and

(ii) for the United States Marshals Service, for salaries and expenses, \$2,000;

(B) for the Federal Bureau of Investigation, for salaries and expenses, \$2,477,000;

(C) for the Drug Enforcement Administration, for salaries and expenses, \$6,356,000; and

(D) for the Immigration and Naturalization Service, for salaries and expenses, \$1,313,000.

(5) Appropriations for the United States Information Agency, for international information programs, \$25,047,000.

(6) Appropriations for the Arms Control and Disarmament Agency, for arms control and disarmament activities, \$1,247,000.

(7) Appropriations to the President—

(A) for the Foreign Military Financing Program, for administrative costs, \$6,660,000;

(B) for the Economic Support Fund, \$336,000;

(C) for the Agency for International Development—

(i) for operating expenses, \$6,008,000;

(ii) for the Urban and Environmental Credit Program, \$54,000;

(iii) for the Development Assistance Fund, \$124,000;

(iv) for the Development Fund for Africa, \$526,000;

(v) for assistance for the new independent states of the former Soviet Union, \$818,000;

(vi) for assistance for Eastern Europe and the Baltic States, \$283,000; and

(vii) for international disaster assistance, \$306,000;

(D) for the Peace Corps, \$3,672,000; and

(E) for the Department of State—

(i) for international narcotics control \$1,117,000; and

(ii) for migration and refugee assistance, \$394,000.

(8) Appropriations for the Department of Defense—

(A) for operation and maintenance—

(i) for operation and maintenance, Army, \$4,394,000;

(ii) for operation and maintenance, Navy, \$1,824,000;

(iii) for operation and maintenance, Air Force, \$1,603,000; and

(iv) for operation and maintenance, Defense-Wide, \$21,993,000; and

(B) for procurement, for other procurement, Air Force, \$4,211,000.

(9) Appropriations for the American Battle Monuments Commission, for salaries and expenses, \$210,000.

(10) Appropriations for the Department of Agriculture—

(A) for the Animal and Plant Health Inspection Service, for salaries and expenses, \$932,000;

(B) for the Foreign Agricultural Service and General Sales Manager, \$4,521,000; and

(C) for the Agricultural Research Service, \$16,000.

(11) Appropriations for the Department of Treasury—

(A) for the United States Customs Service, for salaries and expenses, \$2,002,000;

(B) for departmental offices, for salaries and expenses, \$804,000;

(C) for the Internal Revenue Service, for tax law enforcement, \$662,000;

(D) for the Bureau of Alcohol, Tobacco, and Firearms, for salaries and expenses, \$17,000;

(E) for the United States Secret Service, for salaries and expenses, \$617,000; and

(F) for the Comptroller of the Currency, for assessment funds, \$29,000.

(12) Appropriations for the Department of Transportation—

(A) for the Federal Aviation Administration, for operations, \$1,594,000; and

(B) for the Coast Guard, for operating expenses, \$65,000.

(13) Appropriations for the Department of Labor, for departmental management, for salaries and expenses, \$58,000.

(14) Appropriations for the Department of Health and Human Services—

(A) for the National Institutes of Health, for the National Cancer Institute, \$42,000;

(B) for the Office of the Secretary, for general departmental management, \$71,000;

(C) for the Centers for Disease Control and Prevention, for disease control, research, and training, \$522,000; and

(15) Appropriations for the Social Security Administration, for administrative expenses, \$370,000.

(16) Appropriations for the Department of the Interior—

(A) for the United States Fish and Wildlife Service, for resource management, \$12,000;

(B) for the United States Geological Survey, for surveys, investigations, and research, \$80,000; and

(C) for the Bureau of Reclamation, for water and related resources, \$101,000.

(17) Appropriations for the Department of Veterans Affairs, for departmental administration, for general operating expenses, \$453,000.

(18) Appropriations for the National Aeronautics and Space Administration, for mission support, \$183,000.

(19) Appropriations for the National Science Foundation, for research and related activities, \$39,000.

(20) Appropriations for the Federal Emergency Management Agency, for salaries and expenses, \$4,000.

(21) Appropriations for the Department of Energy—

(A) for departmental administration, \$150,000; and

(B) for atomic energy defense activities, for other defense activities, \$54,000.

(22) Appropriations for the Nuclear Regulatory Commission, for salaries and expenses, \$26,000.

Mr. ROGERS (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title IV be considered as read, printed in the RECORD and open to amendment at any point.

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

There was no objection.

Are there amendments to this portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

TITLE V—RELATED AGENCIES
DEPARTMENT OF TRANSPORTATION
MARITIME ADMINISTRATION
OPERATING-DIFFERENTIAL SUBSIDIES
(LIQUIDATION OF CONTRACT AUTHORITY)

For the payment of obligations incurred for operating-differential subsidies, as authorized by the Merchant Marine Act, 1936, as amended, \$51,030,000, to remain available until expended.

Mr. ABERCROMBIE. Mr. Chairman, I rise in support of the Miller language adopted into H.R. 2267, the Departments of Commerce, Justice and State Appropriations Bill. These instructions will set aside a small amount of funding for the Executive Office of U.S. Attorneys to provide assistance to the victims of human rights abuses in the Commonwealth of the Northern Marianas Islands.

Since at least 1984, Federal officials have expressed concern about the CNMI alien labor system. Worker complaints over wages and working conditions are continuing undiminished according to the third annual report of the "Federal-CNMI Initiative". The governments of the Philippines and China have expressed concern about the treatment of their citizens in this U.S. Commonwealth and allegations persist regarding the CNMI's inability to protect workers against crimes such as illegal recruitment, battery, rape, child labor, and forced prostitution.

Without Rep. MILLER's language in H.R. 2267, individuals who have been the subject of human rights abuses—right here in the United States—have only the charity of private relief organizations to rely upon for help. In Hawaii, the Filipino Solidarity Coalition is currently providing sanctuary to a young girl named "Katrina" who came to Hawaii as a government witness. When Katrina was 14 she was brought to the CNMI by an employer who promised her a good job and fair wages in the restaurant industry. When she arrived in the CNMI her hopes for a better life were destroyed. She discovered that the employer had lured her to the CNMI under false pretenses. Not only was she confined to her assigned living quarters but she was also forced into service as a prostitute. Katrina had few options and even less money but she escaped her confines and filed suit against her employer with the help of the local Philippine consulate. When Katrina's actions were revealed to her employer, her life was threatened. To escape the abusive situation, the consulate helped her to find refuge in Guam. However, Guam's close proximity to her former employer still put Katrina in a dangerous situation.

Through the help of the Filipino Solidarity Coalition, Katrina managed to escape to Hawaii where local donations and a small grant from the Department of Labor helped to provide her shelter, food, and further legal assistance. However, there are many others who remain in the CNMI still suffering the abuse and indignity that Katrina managed to escape. I appreciate the Chairman's support of the Miller language which will help those like Katrina who are victims of human rights abuse, not far away in a foreign country, but right here in the United States of America.

Ms. FURSE. Mr. Chairman, I rise in support of Congresswoman NORTON's amendment to remove the ban on use of federal funds for abortion services for women in federal prisons.

The United States has more people behind bars than any other country in the world. Every week in America, more than 1,000 become inmates and the largest rate of increase is among women.

Many of these women prisoners are victims of physical or sexual abuse and 6% of them are pregnant when they enter prison. These women are isolated from family and friends and almost certainly lose custody of their infants upon birth. Are these conditions under which we want to force women to bear children?

Abortion is a legal health care option for American women, and has been for over 20 years. Federal prisoners are totally dependent on health care services provided by the Bureau of Prisons. The ban on abortion services contained in this bill effectively prevents these women from seeking their Constitutionally-guaranteed right to choose.

The experience of women who are pregnant, behind bars, with no money or support from the outside and who are denied the right to terminate their pregnancy, is nothing short of cruel and unusual punishment. The anti-choice provision in this bill amounts to inherent coercion to force these women to take their pregnancies to term and, in the process, inflicts extreme emotional damage, pain and suffering.

This ban is another direct assault on women's rights. It is one more step in the long line of rollbacks on women's reproductive freedoms.

I urge you to support Congresswoman NORTON's amendment. We must do everything in our power to treat these women fairly and allow them to access their legally protected right to choose.

Mr. POSHARD. Mr. Chairman, I rise today to register my strong support of the funding in this bill for juvenile justice programs. H.R. 2267 provides almost \$238 million for these critical programs, an amount which represents a significant increase over last year's funding level. It saddens me to say so, but such an increase is necessary merely to keep pace with the ever-increasing level of juvenile crime in this country. I find it deeply disturbing that 20 percent of the individuals arrested for violent crimes are below the age of 18, and I applaud my colleagues for recognizing the critical need for funds and programs to combat this staggering statistic.

We must recognize that any effective strategy for reducing juvenile crime should include several components. Law enforcement resources need to target violent and dangerous juvenile offenders, and these youth must know that criminal actions will be punished swiftly and severely. In addition, it has to be instilled in juveniles that they will be held responsible for their actions, whether that involves victim restitution, community service or other sanctions. Perhaps most importantly, local communities and federal and state governments must adopt creative and effective prevention and intervention programs. It is crucial to identify at-risk youth and devote significant resources to minimizing or counteracting the potential for those individuals to become juvenile offenders.

I would also like to commend the Committee on its inclusion of funding for drug prevention programs. Drug abuse proves all too often to be a precursor to further criminal activity, and more teenagers than ever before are experimenting with drugs. We must step up our efforts to demonstrate to America's youth that drug use is harmful, dangerous, and unattractive, not to mention illegal. I believe the \$5 million provided in this bill for the development of drug prevention programs represents a meaningful and important step towards this goal.

Again, I wish to thank the members of the Committee for their close attention to juvenile justice, and for making these programs a priority. We are moving in the right direction, and I urge my colleagues to fully support the juvenile justice funding levels in this bill.

Mrs. MALONEY of New York. Mr. Chairman, I rise today in support of the Norton amendment. The ban on Federal funds for abortions for women in prison is one more step in a long line of rollbacks on women's reproductive freedoms. The Norton amendment seeks to correct one of the more shameful attacks on American women.

Despite clear legal authority establishing the right of American women to choose abortion as a viable health option, many women prisoners are denied equal access to choose whether or not to terminate their pregnancies. Federal prisoners must rely on the Bureau of Prisons for all of their health care, yet without this amendment women will be prevented from seeking needed reproductive health care.

Prisoners have a constitutional right to health care. Congress should not interfere with this right. It is too easy to attack women inmates, women who are often poor, uneducated, isolated, and beaten down; women who are often victims of physical or sexual abuse.

Most women prisoners are poor when they enter prison, and therefore cannot rely on anyone else for financial assistance. These women already face limited prenatal care, isolation from family and friends, a bleak future, and the certain loss of custody of the infant.

The ban on reproductive health services for women in prison cuts off their only opportunity to receive much needed care, it denies them their constitutional rights, but most importantly, it denies them their dignity. Mr. Chairman, we must stop this assault on women's right to choose. I urge my colleagues to support the Norton amendment.

Mr. BLUMENAUER. Mr. Chairman, I rise in opposition to myriad amendments to the Commerce, Justice, State and the judiciary appropriation bill to either dramatically reduce or eliminate funding for the Advanced Technology Program [ATP] at the Department of Commerce. High technology companies play a key role in preparing our communities for the 21st century, and the ATP is critical to those efforts.

The ATP program is one of the strongest links in the Government-industry partnership to enhance U.S. competitiveness in a global marketplace. The Government support provided through the ATP is especially critical for long-term, high-risk, pre-competitive initiatives where the initial investment will not be recovered for several or even decades. Without these essential technology programs, U.S. industries will be at a disadvantage to the rest of the world. The ATP provides the high technology industry with the ability to develop breakthrough technologies by allowing companies to close the gap between technology development and commercialization.

I find it ironic that the \$185 million designated for the ATP is being characterized as corporate pork, particularly since the House recently voted to order \$5 billion worth of new B-2 bombers from defense contractors—bombers that the Air Force, Joint Chiefs of Staff, and Commander in Chief all argued were unnecessary. If ordering five billion dollar's worth of unnecessary military equipment from defense contractors isn't corporate pork, I don't know what is. This is especially true given the fact that defense contractors don't kick any of their own money into the construction of a B-2, unlike those companies that participate in the ATP.

Mr. Chairman, high technology companies: are the engine of job creation in the United States and contribute to the overall well-being of the United States economy. Nationally, the number of high tech jobs increased 6 percent from 1993 to 1995. In Oregon alone over 10,000 new jobs were created from 1990 to 1995; provide the greatest number of high-paying and high-skilled jobs to Americans, Nationally, high technology companies provide over 4 million jobs and provide an average wage of about \$47,000, well above the national median. In Oregon high technology workers were paid an average of \$46,319 in 1995, 84 percent more than the average wage of all private sector workers in the State; and contribute to improving the balance of trade in relation to our major competitors. Nationally, U.S. exports exceeded \$140 billion—about one-fourth of all U.S. exports, in 1995. In Oregon, high technology companies account for 46 percent of all State exports, for a total of \$4.3 billion in sales.

The Federal Government should be doing all it can to improve our Nation's competitive

outlook, and a strong high technology sector in the economy is critical to meeting that goal. By cutting or eliminating the ATP, we would remove an important tool that high technology companies use in partnership with the Federal Government to hasten the speed of technological progress and bring new products to the marketplace. It's these type of partnerships that drive economic success in communities across the country.

I urge my colleagues to oppose any attempts to reduce funds for the Advanced Technology Program.

Mr. CUMMINGS. Mr. Chairman, I rise in support of the amendment offered by the gentleman from West Virginia [Mr. MOLLOHAN] and the gentleman from Pennsylvania [Mr. FOX]. This amendment would increase funding for the Legal Services Corporation from \$141 million to \$250 million. I applaud both of my colleagues for their leadership on this issue.

Mr. Chairman, one of the cornerstones of our constitutional democracy is the premise that all citizens should have competent legal counsel in a criminal or civil justice matter. Nevertheless, the reduction in funding for the Legal Services Corporation in this bill undermines that premise.

Mr. Chairman, the Legal Services Corporation is a modest but vitally important and effective program that assists millions of needy families in gaining access to the civil justice system in cases relating to domestic violence, landlord-tenant disputes, consumer fraud, child support, and other legal matters.

This program is the only means of assuring that poor children, battered and abused spouses, the elderly, the disabled, migrant workers, and other low-income individuals have access to legal representation in civil cases.

Mr. Chairman, the Legal Services Corporation has provided affordable legal assistance to 5 million Americans in 1995 alone. Legal Services clients are as diverse as our Nation, encompassing all races and ethnic groups and ages. Older Americans represent 11 percent of the clients serviced by legal services programs. Over two-thirds of legal services clients are women, most of whom are mothers with children. For children living in poverty, a parent's access to legal services can prove to be the difference in securing support from an absent parent, obtaining a decent home in which to live, or receiving equal and fair access to educational opportunities.

Mr. Chairman, the representation of women and children who are victims of domestic violence has always been a high priority for the Legal Services Corporation and its grantees. In 1996, local programs closed 50,000 cases in which the primary legal issue was the representation of women seeking protection from abuse.

In my home State of Maryland, while costs and demands on the law have augmented, funding for general civil legal services has fallen by over 30 percent. In 1996, because of reduced funding levels, legal aid offices in the State of Maryland have closed. Currently, the Legal Services Corporation only has the capacity to serve less than 25 percent of the eligible population.

Mr. Chairman, by reducing funding, the Congress will continue to tell battered women in our Nation that they have no legal refuge against abuse, the elderly that their right to legal resources has been eliminated, and de-

frauded consumers that no legal protections exist. The words, as emblazoned on the Supreme Court Building, "equal justice under law," would not apply to all if funding were to be cut for this program.

Mr. Chairman, I practiced law for 20 years. As a lawyer, I was one of 130,000 volunteer lawyers registered to participate in pro bono legal services, encouraged by the Legal Services Corporation. During my service, I discovered that our civil justice system does belong to the rich and powerful in our Nation. Rare is the day when poor Americans receive equitable treatment.

Mr. Chairman, by increasing funding for the Legal Services Corporation, we will send a powerful message to the American people that our civil justice system does not belong just to the wealthy and privileged in our Nation; it belongs to all citizens. I, therefore, urge my colleagues to vote in support of this amendment.

To conclude, I thank the gentleman from West Virginia [Mr. MOLLOHAN] and the gentleman from Pennsylvania [Mr. FOX], for their leadership on this issue.

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

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. SMITH of New Jersey) having assumed the chair, Mr. HASTINGS, 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. 2267), making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, had come to no resolution thereon.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 2203, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1998

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that the managers on the part of the House may have until midnight tonight, Thursday, September 25, 1997, to file a conference report on the bill (H.R. 2203), making appropriations for energy and water development for the fiscal year 1998, and for other purposes.

The SPEAKER pro tempore (Mr. SMITH of New Jersey). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

NATIONAL EMERGENCY WITH RESPECT TO ANGOLA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105-135)

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