

HOUSE OF REPRESENTATIVES—Wednesday, May 2, 1990

The House met at 12 noon and was called to order by the Speaker pro tempore [Mr. GEPHARDT].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker.

WASHINGTON, DC,
May 2, 1990.

I hereby designate the Honorable RICHARD A. GEPHARDT to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,
Speaker of the
House of Representatives.

PRAYER

The Reverend Dr. Frank Witman, United Methodist Church, Simi Valley, CA, offered the following prayer:

We thank You, O God, for the Nation in which we live, and for the position of leadership in which we have been set, as a nation among nations. We thank You for Your trust in us as we strive to fulfill that leadership. May our actions, and not just the words on our currency and on the wall of this chamber, reflect "In God We Trust."

Help us to take the blessings You have given, and to express them with humble spirits, because of the ways in which You have touched our lives.

Out of the humility which we have experienced, help us to recognize our servanthood on behalf of those in this Nation whom we serve.

Care for us in the personal needs which we have, that in our being cared for, we would be better in our caring for others.

In the name of Him who came that we might have abundant life. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina [Mr. BALLENGER], who will lead the House in the Pledge of Allegiance.

Mr. BALLENGER led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4404. An act making dire emergency supplemental appropriations for disaster assistance, food stamps, unemployment compensation administration, and other urgent needs, and transfers, and reducing funds budgeted for military spending for the fiscal year ending September 30, 1990, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 4404) "An act making dire emergency supplemental appropriations for disaster assistance, food stamps, unemployment compensation administration, and other urgent needs, and transfers, and reducing funds budgeted for military spending for the fiscal year ending September 30, 1990, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD, Mr. INOUE, Mr. HOLLINGS, Mr. JOHNSTON, Mr. BURDICK, Mr. LEAHY, Mr. SASSER, Mr. DECONCINI, Mr. BUMPERS, Mr. LAUTENBERG, Mr. HARKIN, Ms. MIKULSKI, Mr. REID, Mr. ADAMS, Mr. FOWLER, Mr. KERREY, Mr. HATFIELD, Mr. STEVENS, Mr. MCCLURE, Mr. GARN, Mr. COCHRAN, Mr. KASTEN, Mr. D'AMATO, Mr. RUDMAN, Mr. SPECTER, Mr. DOMENICI, Mr. GRASSLEY, Mr. NICKLES, and Mr. GRAMM to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res 294. Joint Resolution to designate May 4, 1990, as "Department of Education Day."

The message also announced, that pursuant to Public Law 99-498, the Chair on behalf of the President pro tempore, appoints Lynn M. Burns, of Rhode Island, to the Advisory Commission on Student Financial Assistance, to fill the unexpired term of Dr. Dallas Martin, resigned.

The message also announced, that pursuant to section 9355(a), title 10, of

the United States Code, the Chair on behalf of the Vice President, appoints Mr. COCHRAN from the Committee on Appropriations; Mr. GRASSLEY from the Committee on Appropriations; Mr. WIRTH from the Committee on Armed Services; and Mr. DECONCINI, at large; to the Board of Visitors of the U.S. Air Force Academy.

The message also announced, that pursuant to section 4355(a), title 10, of the United States Code, the Chair on behalf of the Vice President, appoints Mr. REID from the Committee on Appropriations; Mr. D'AMATO from the Committee on Appropriations; Mr. SHELBY from the Committee on Armed Services; and Mr. BURNS, at large; to the Board of Visitors of the U.S. Military Academy.

The message also announced, that pursuant to section 6968(a), title 10, of the United States Code, the Chair on behalf of the Vice President, appoints Ms. MIKULSKI from the Committee on Appropriations; Mr. HATFIELD from the Committee on Appropriations; Mr. MCCAIN from the Committee on Armed Services; and Mr. SARBANES, at large; to the Board of Visitors of the U.S. Naval Academy.

DR. FRANK WITMAN

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

Mr. GALLEGLY. Mr. Speaker, I am pleased to introduce a good friend and a distinguished community leader from my hometown of Simi Valley, CA, Dr. Frank Witman.

Since 1969, Dr. Witman has been the senior minister of the United Methodist Church in Simi Valley.

Besides serving the spiritual needs of his congregation, Dr. Witman has been a community leader as well. He is active in education and business affairs, was named a Paul Harris fellow by the Rotary Foundation, and has served since 1978 as the chaplain of the Simi Valley Police Department.

He earned a master of theology degree in 1959 from the School of Theology at Claremont, CA, and earned his doctorate in 1977 from the same school.

On behalf of all our colleagues, I want to extend a warm welcome to Dr. Witman, and to thank him for giving our prayer today.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HOUSE-PASSED BUDGET MAKES BIGGER FEDERAL INVESTMENT IN HIGHWAYS AND EDUCATION

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

Mr. TANNER. Mr. Speaker, yesterday this body passed a budget for fiscal year 1991 which recognizes the responsibility we all share to develop public policy that invests in the future of our country.

Two aspects of that budget that are particularly important to the Eighth Congressional District of Tennessee are highways and education. In both of those areas, the House-passed budget calls for more Federal investment than the President recommended.

In Tennessee, almost 50 percent of our bridges have been rated deficient. Our country's educational status in the industrialized world is a primary source of national concern.

I, and many Americans, are disenchanted by this neglect and callousness over the past decade. We are told by the present and previous administrations that when Congress appropriates money for needed projects and programs to help American citizens who live in this country, work in this country, pay taxes in this country, it is pork barrel—but it is good government to send millions overseas and to foster free trade policies that are sapping our economic life.

Let us now invest in America for our citizens and those who follow us.

FRANKING REFORM

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

Mr. MICHEL. Mr. Speaker, recent articles in various news publications have brought to our attention once again the abuses of the franking privilege.

According to a recent Postal Service projection, the House will exceed this year's franking appropriation by more than \$38 million.

It is projected that we will mail 535 million pieces of mail for the entire year. In other words, Mr. Speaker, every man, woman, and child in the United States will receive two pieces of franked mail from their Congressman.

I have always believed Members have the right and the duty to answer letters from constituents. But, let's face it, 535 million people are not writing to their Representatives.

I am introducing a resolution which will cut the number of postal patrons and meeting notices to two per year. The resolution establishes individual Members accounts for mail, as determined by the House Administration

Committee. But, when that money is exhausted, the free mailing stops. No more supplementals for the frank—this is pay-as-you-go.

Finally, Mr. Speaker, this resolution calls for complete disclosure of how much we mail and what it costs. This is similar to what is now required in the Senate.

Mr. Speaker, it is time to take a cold hard look at the abuses of the frank and most of all to do something about it.

PRESIDENT'S BUDGET PROPOSAL ECHOS PAST MISTAKES

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

Mr. NAGLE. Mr. Speaker, yesterday this body made a fundamental choice between two alternative views of what America should be about as we move into the 1990's.

The President's view—as expressed in his budget proposal—was that it is enough for the 1991 budget to simply echo the past; that it is enough to repeat the mistakes of the past; that "staying the same" is good enough for America.

I am proud to say the House Budget Committee offered an alternative view.

Their budget said it is time to invest in America; that it is time to strengthen American families and America's working men and women by investing in housing, education, research, and job training.

In short, the committee's budget said it is not good enough for America to sleepwalk into the future, and that America deserves better from its President than a budget even his own party was too embarrassed to bring to the floor for a vote.

President Bush has been given a great gift by the American people. As a new age dawns, he has been given the opportunity and the power to lead a free and great nation. How unfortunate it is that as that new age dawns, this President prefers to reflect on the past.

□ 1210

BUDGET INVESTS IN AMERICA'S FUTURE

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

Mr. HOAGLAND. Mr. Speaker, yesterday the House passed a budget to invest in America's future.

The 1991 budget prepared by the House Committee on the Budget does a number of important things. First of all, it cuts the deficit by at least \$25 billion, and this is a major improvement of last year's budget, which had

in the end about \$5 billion in real cuts. Second, it is a 5-year plan. For the first time we are charting the future of our budget out over a 5-year period.

Best of all, by the end of the 5-year period, fiscal year 1995, it will have taken Social Security off budget. It will have reached the Gramm-Rudman target by 1993, and by 1995 we will no longer be dependent upon Social Security revenues to fund the day-to-day operations of the Government. That is extremely important.

It also, over the 5-year period, substitutes some more realistic economic assumptions of the Congressional Budget Office for those of OMB. That is another very important factor. Because one of the reasons the administration's budget was so far out of whack is because of those unrealistic economic assumptions.

PROCEED CAUTIOUSLY WITH SUPERCONDUCTING SUPER COLLIDER

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

Mr. BOEHLERT. Mr. Speaker, shortly this House will take up the authorization legislation for the superconducting super collider, the biggest single nondefense project this Government has undertaken in recent memory.

There are three schools of thought on the superconducting super collider. One school says, "Let us proceed with dispatch. Let us not be confused with the facts. Let us just go ahead, start digging, start building." The second school of thought says, "Wait a minute, we should kill this project. We cannot afford it. It is too expensive." The third school, the one in which I am enrolled, says, "It is good science. The Nation probably should proceed with this project, but we should proceed with caution. Do not let the construction get ahead of the science."

During debate we will have several perfecting amendments, amendments that we think will represent the taxpayers' best interest and also protect the interests of the Nation and science.

I urge my colleagues to pay particular attention to this discussion. The superconducting super collider is a big deal for America, and let us proceed cautiously.

WORKERS MEMORIAL DAY

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

Mr. JONTZ. Mr. Speaker, this past Saturday April 28 the workers of our Nation remembered their dead at

Workers Memorial Day observances across the country.

Every year, more than 10,000 American's are killed on the job; 70,000 are permanently disabled. And more than 6.2 million are injured—100,000 workers die from occupational diseases, and 9 million more are exposed to cancer-causing chemicals.

Perhaps most tragic is the fact that many of these injuries, exposures, and deaths could be prevented. The Federal Government, through the Occupational Safety and Health Administration, has the responsibility to protect workers' health and safety, but they are not getting the job done.

Injury and illness rates for the 20 most hazardous industries actually increased by 10 percent between 1987 and 1988.

Mr. Speaker, this country's working families deserve safe workplaces. I hope that the Congress will address this issue before the next Workers Memorial Day, so that one day unsafe workplaces will truly be a thing of the past.

NEW YORK NAVAL HOMEPORT DESERVES SUPPORT

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

Ms. MOLINARI. Mr. Speaker, yesterday two of my House colleagues offered legislation that would undo 5 years of military planning and effort and could thwart New York City's chances of financial survival. I am referring to recent efforts to kill all new naval homeports, including the port in New York which is 90 percent complete.

Among the reasons cited by my colleagues for this drastic move is the opposition to the port by New York City Mayor David Dinkins. David Dinkins visited us last week to spread irresponsible rhetoric against "sailing a potential Chernobyl into New York harbor" as he referred to U.S. Navy ships. He also claimed he was obligated to this course based on the mandate he received when elected in November.

I find this last assumption significantly challenging as David Dinkins was, in fact, elected with less than a 1 percent margin in a city where Democrats outnumber Republicans by 7 to 1. Mr. Dinkins, in fact, speaks about the homeport opposition while failing to acknowledge the abundance of support which exists throughout New York State for a homeport.

Governor Cuomo supports the port, as does Senator D'AMATO; the New York State Assembly has passed a resolution advocating the naval station while the Senate has done so twice. The speaker of the New York City Council and the majority of councilmembers as well as veterans, business

and labor groups, and thousands of men, women, and children are all working in support of the port.

Finally, Mr. Speaker. I want to issue an open invitation to any of my House colleagues who still believe, as I do that the U.S. Navy—even in these days of diminished conflict—should still be the strongest seafaring fleet in the world. To those Members who believe military preparedness is more important than political posturing I invite you to join me during Fleet Week in June to welcome the Navy to her new home on Staten Island.

JOYRIDE FOR THE PHILIPPINES IS OVER

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

Mr. TRAFICANT. Mr. Speaker, 3 years ago Corazon Aquino came to this Congress wearing yellow. She was asking, though, for more green, greenbacks that is, more cash. Even though she had already gotten half a billion dollars, \$500 million, from this Congress, she asked for another \$200 million, and after a 45-minute speech, she got an additional \$100 million, and Members were wearing yellow; it was a real love-in.

I said then that if Congress hands out more green to the Philippines, we are going to end up singing the blues. Since then, Corazon Aquino has snubbed Dick Cheney doing a fine job at the Pentagon, and yesterday protestors marched on the gates of our bases down there and marched on our Embassy demanding that America go home, "Yankee go home. We don't want your bases."

Mr. Speaker, I am saying here today: The love-in should stop. It is time to tell the Philippines no more bases, no more money, no more participation, no more cash, the joyride is over.

Maybe Congress will realize that we do not buy friends, you gain respect.

Why do we not invest that money in America and put these countries in order?

THE FREEDOM TO WORK ACT

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

Mr. GOSS. Mr. Speaker, in listening to some of my colleagues on the other side of the aisle, I am reminded of some words of Shakespeare—"The lady doth protest too much, methinks."

Lately members of the other party have stood here in an apparently orchestrated program sounding their disharmony with the administration—but their criticisms hit a sour note because of one inescapable fact: Their party controls the Congress.

We all want to measure up to the goal of improving the quality of life for all Americans. That might happen if less time were spent President-bashing—and more time spent getting important legislation onto the floor for the voting process.

Just for example, the Older Americans Freedom to Work Act has been stuck in committee for almost 1 year, even though it has the support of more than 200 Members and the American people. This bill would do away with the discriminatory Social Security earnings limit that penalizes older Americans for working. It's a matter of fairness.

There are many good bills like this one that have been lost in the cacophony of partisanship. Perhaps we could take heed from other words of Shakespeare—"It's time for more matter with less art."

NEW INFORMATION ON THE GANDER TRAGEDY

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

Mr. TALLON. Mr. Speaker, I want to draw my colleagues' attention to an article in last Sunday's Chicago Tribune magazine which sheds new light on the Gander tragedy of 4 years ago which killed 248 soldiers of the Army 101st Airborne Division.

The Chicago Tribune has distributed copies of the article to every Member of Congress. I encourage all of my colleagues to read this enlightening six-page expose. As well, I have copies available in my office.

Also, I want to urge anyone who has any information on this tragedy to come forward to help us in getting to the bottom of this mystery.

INTRODUCTION OF THE STRIPED BASS PROTECTION ACT

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

Mr. SAXTON. Mr. Speaker, I am introducing a bill today to protect Atlantic striped bass in Federal waters. This bill will place a 3-year moratorium on the fishing of Atlantic striped bass in the exclusive economic zone [EEZ] of the United States. The moratorium will apply to both sport and commercial fishermen.

Congress has taken a special interest in this noble fish since 1984, when it passed the Atlantic Striped Bass Conservation Act. Indeed, this law has brought the bass stocks on the road to recovery.

This year the Atlantic States Marine Fisheries Commission took action to

relax conservation measures in State waters by lowering minimum size limits, lifting moratoriums, and allowing directed fisheries. Many feel this action is premature and may endanger the conservation efforts achieved over the last few years.

That is why I am introducing this legislation today. Only a small percentage of striped bass are taken from Federal waters, but it is an important percentage—the larger spawning stock.

The National Marine Fisheries Service is currently pursuing the prohibition of harvesting striped bass in the EEZ. However, it is estimated that the earliest this ban could be in place is in the fall.

I invite my colleagues to cosponsor this bill to try to get protection in place as soon as possible and for a minimum of 3 years.

□ 1220

TIME TO INVEST IN THE FUTURE OF AMERICA

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

Mr. LIPINSKI. Mr. Speaker, the cold war is over, and it's time for us to start investing in the future of America, not the protection of Europe and Japan. But, while the people in Red Square are telling their government to get out of town, the Bush administration is asking for more weapons. While America continues to build bombs which have no value, our friends around the world are building futures for their children. Mr. Speaker, it's time for America to wake up and create a national policy which makes us competitive.

Our roads are in disrepair. Our air and water needs help, and many of our high school graduates can't even find this great Nation on a map. We need to reinvest in these fundamental building blocks of a sound economy. How can America be competitive with decaying national infrastructure? If America is going to compete in the world, it has to start getting its own house in order. It's time for bridges, not bombs. Yet, the President and Arnold Schwarzenegger are at the White House trimming fat off their middles. I just hope they paid attention yesterday when the Democrats trimmed the fat off the budget.

CONTINUE AID TO EL SALVADOR

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

Mr. DREIER of California. Mr. Speaker, toward the end of his excellent op-ed piece in Monday's Washing-

ton Post, El Salvador's President Alfredo Cristiani said that we cannot allow the Marxist Faribundo Marti National Liberation Front, the FMLN, to win in Washington what they failed to win in El Salvador.

Well, what have we seen develop in Washington, Mr. Speaker? We have seen the Committee on Foreign Affairs in the last few days bring about a 50-percent cut in assistance to the duly elected government of El Salvador, and we have seen the task force which was charged with determining the validity of the case against Colonel Benavides dealing with the horrible massacre of Father Ellacuria and the other Jesuits last November come to the conclusion that they should support that 50-percent cut.

Then what happened, Mr. Speaker? Well, just today we saw two advisers of President Cristiani brutally murdered and an attempt made by the FMLN to kill President Cristiani, that done on the very day that negotiations were to proceed between the FMLN and the government of El Salvador.

Mr. Speaker, if we are going to bring about a resolution to this crisis in a country where there has been a dramatic increase in the flow of weapons from Nicaragua into El Salvador, it is essential that we continue this important aid package.

VOTE TO AUTHORIZE SUPERCONDUCTING SUPER COLLIDER

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

Mr. CHAPMAN. Mr. Speaker, oftentimes one of the toughest questions we have to answer as legislators is, is it an appropriate expenditure of American tax dollars to invest in basic research and development?

Today on the floor of the House we will make the decision as to whether or not to authorize a high-technology research and development system, the superconducting super collider. In answering the question is that an appropriate expenditure and should we in the Government be involved as a partner in basic research and development, I think we should look to the past to see what that kind of investment has meant to us before.

We are told that fully 60 percent, 60 percent of our Gross National Product today, is a direct result of high energy physics research and discoveries of the atom, the components, the development of applied research that have led to the high-technology industries that are driving our economy today.

We in this body owe the taxpayers and citizens of our country the decisions that will make sure that competitiveness in the future and econom-

ic security are a part of what we are about.

Let us vote today to authorize the superconducting super collider.

TAXATION WITHOUT REPRESENTATION

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

Mr. EMERSON. Mr. Speaker, on a cold day in December 1773, our forefathers raided three ships in Boston Harbor, dumping precious tea into the waters, as they rallied against the tyranny of taxation without representation.

Fourteen years later, the U.S. Constitution promised that Americans would never again suffer taxation without representation.

Yet the Supreme Court recently handed down a decision which I find somewhat incredible. In the case of Missouri versus Jenkins, the Court gave Federal judges—appointed officials—a blank check to order local elected officials to raise taxes.

I am today joining in introducing a bill to limit Federal courts, from laying or increasing taxes, either directly or indirectly. The court's decision convolutes the mandates of the Federal Constitution, and it cannot be allowed to stand.

The Constitution reserves the power of taxation solely for the legislative branch of Government. Only those who are elected to be the voice of the people, and who must account for their actions at the polls each and every election day, should have the power to impose taxes on the people.

Judge Russell Clarke, a Federal judge in Kansas City, imposed a sweeping, \$600 million desegregation plan on the school district. He also levied a property tax on the residents of Kansas City to pay for the plan, which includes a planetarium, an Olympic-size swimming pool, a 25-acre farm, movie editing and screening rooms, and a temperature-controlled art gallery.

Mr. Speaker, when our children study the history of world civilizations, we point with pride to ancient Greece and the roots of participatory democracy. But as Justice Kennedy said in his dissent, "Such lessons will be of little use to students who grow up to be taxpayers" in Kansas City.

HELP LITHUANIA REALIZE THE DREAM OF FREEDOM

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

Mr. SARPALIUS. Mr. Speaker, we must look at what the American

dream is. What do we represent? We represent freedom, democracy, liberty. That dream is the same dream that the people of Lithuania have. Why in the world are we supporting communism in the country of Lithuania?

What they want is that same American dream. I have with me today a copy of the first newspaper ever printed in the country of Lithuania that was not edited by the government. That is what freedom is all about.

When I came to Lithuania, when I visited that country recently, you should have heard the enthusiasm of those people, where they said now we get to worship our God publicly, now we get to go to church on Sundays. That is what the American dream is all about.

So I challenge our President to recognize the country of Lithuania, and give them that same dream that we cherish so much in this country, the dream of freedom.

HUMAN RIGHTS IN EL SALVADOR MUST IMPROVE

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

Mr. BATES. Mr. Speaker, through more than 10 long years of civil war, the people of El Salvador have endured tremendous suffering. Much of that suffering has been at the hands of their own military. Much of that suffering has been at the hands of U.S. tax-supported military. It is time, Mr. Speaker, in fact, it is past time, to end our support of human rights abuses in El Salvador.

We must send a serious message to the Salvadorean military, judicial system, and government, that we will not continue to support a system where repression is tolerated and where human rights abuses go unpunished.

Mr. Speaker, military aid to El Salvador should be eliminated, at least made conditional upon improvements in the human rights situation in El Salvador. If human rights are to improve in El Salvador, there must be reforms in the military and those responsible for the murder of the priests must be brought to justice.

□ 1230

SDI TECHNOLOGY DISPLAY

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

Mr. KYL. Mr. Speaker, I would like to extend a special invitation to you and my colleagues to visit the special "SDI Tech," technology display which has just started at noon today. It is in the House Armed Services Committee hearing room, room 2118, Rayburn. It

is going to be conducted today and tomorrow.

Today between 12 and 1 o'clock members of the press are invited, and at 1:30 this afternoon Vice President QUAYLE is going to stop by to view this technology. There is a special opportunity for Members only between 4 and 7 o'clock this afternoon to visit with the contractors and the laboratories which have SDI technology on display, to visit with them about it. For example, Dr. Lowell Wood of the Lawrence Livermore Laboratory will be there and will actually show Members Brilliant Pebbles and describe how it works. In addition, tomorrow it will be open from 9 to 3 o'clock and members of the public are invited to stop by for these special displays.

We have achieved a lot of progress with the SDI technology. Here is an opportunity for all Members to see just exactly what we have achieved, and I urge my colleagues to stop by room 2118 in the Rayburn Building to visit this SDI technology.

CORRECTION OF MISREPRESENTATION OF EVENT HELD BY REPRESENTATIVE TRAXLER

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

Mr. TRAXLER. Mr. Speaker, an article entitled "PAC-Man Pursues Hectic Schedule," in today's paper unfortunately leaves the reader with the belief that is totally false and an inaccurate impression that an event I hosted in the Rayburn House Office Building on April 25 was a political fundraising event.

Mr. Speaker, I want my colleagues to know that I would never violate the House rules by hosting a fund-raiser in a House office building. This was an annual event as an expression of gratitude to coincide with my special election date and nothing more and nothing less.

I thank the Speaker for this opportunity to correct the record.

INTRODUCTION OF THE J. KENNETH ROBINSON POST OFFICE BILL

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

Mr. SLAUGHTER of Virginia. Mr. Speaker, I rise today, with the entire Virginia delegation, to introduce legislation to designate the post office in Winchester VA, as the "J. Kenneth Robinson Postal Building."

I believe that such a tribute to a man who gave so many years of service to his community, Virginia and to our country is appropriate and deserved.

As most of you know, Kenneth Robinson served as a Member of this body for 14 years. He was the ranking member of the Permanent Select Committee on Intelligence. He also served with uncommon distinction as a member of the Appropriations Committee.

As I have said before, Kenneth left a legacy of service and accomplishment that few men in longer lifetimes have been able to approach.

I hope all of you will cosponsor this bill.

STRATEGIC HOMEPORTING—AN IDEA WHOSE TIME HAS PASSED

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

Mr. PICKETT. Mr. Speaker, after 8 years, the strategic homeporting program looks as inappropriate today as it did in 1982. Last week, the General Accounting Office told the Armed Services Committee that the program exceeds cost estimates by \$200 million and is behind schedule.

The GAO also reported that original cost estimates ignored the cost of structures and support facilities essential to homeport operations that will cost additional millions. Many residents in proposed new homeport communities are expressing growing opposition to these projects. With these developments, the GAO recommendation that "before the Navy proceeds with the strategic homeporting program it must reconsider the need for the program in light of changing world events and budget cutbacks" is even more compelling.

Mr. Speaker, by adopting legislation which was introduced late yesterday to suspend the strategic homeporting program, Congress has the rare chance to save hundreds of millions of dollars without cancelling a weapon system, without closing a base, without eliminating personnel, without decommissioning a ship, and most important, without reducing America's military strength.

I ask all members to join me in this effort.

THE B-2 PRODUCTION TERMINATION ACT

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

Mr. ROWLAND of Connecticut. Mr. Speaker, in our continuing effort to inform the American people about the cost and duplication of the B-2 bomber, I would like to point out that last week Secretary Cheney came before the House Armed Services Committee to present the findings and

recommendations of his major aircraft study. One of the programs reviewed was the B-2 bomber, and Mr. Cheney recommended trimming the total procurement from 132 aircraft to 75.

For the last few years the Pentagon informed us that 132 was the magical number. They had to have 132 bombers. Now it is 75. We believe it should be 15.

The 75 B-2's represent a cut of 40 percent in the total program and drives the cost per bomber up to \$880 million. We still have not adequately addressed the lack of effective stealth technology, the hairline fractures in the airframe and the questionable nature of the mission.

The procurement funding for the remaining 60 bombers under the plan is still running at an average of \$8 billion to \$9 billion per year, and yesterday the Democratic majority passed a budget which will have a devastating cut in the defense budget. We cannot have major cuts and the B-2 bomber.

Support the B-2 Production Termination Act and build 15 bombers.

FULBRIGHT PROGRAM IS A SUCCESS

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

Mr. CLARKE. Mr. Speaker, the Fulbright Scholarship Program, started in 1946, is a student exchange program between the United States and other countries that has worked well.

Almost 50,000 living Americans have received Fulbright fellowships for study abroad. Most of them are at work in American business, education, government and other fields with a better understanding of the world we live in.

There are dramatic results in the case of Fulbright alumni from some other countries. Three members of Poland's Solidarity-led government had Fulbright scholarships. A majority of South Korea's cabinet received Fulbright awards for study in America. One of Soviet President Gorbachev's senior advisers, Aleksandr Yakolev, studied American History as a Fulbright scholar at Columbia.

Former Fulbright scholars hold influential positions in many other countries. More than 30 nations now contribute to the cost of the program. For example, West Germany pays 80 percent of the cost of its exchange.

The administration's fiscal year 1990-91 budget recommends no substantial change for the Fulbright program. Because of rising costs this will continue a 23-percent drop in the number of Fulbright exchange students.

When the peace dividend actually takes place the Fulbright Program de-

serves consideration for an increase. Its record is too good to overlook.

MISSOURI VERSUS JENKINS

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

Mr. LIVINGSTON. Mr. Speaker, late last month, the U.S. Supreme Court issued its now-famous Missouri versus Jenkins verdict. That decision upheld a Federal judge's order that local property taxes in Missouri be raised to fund construction of a magnet school system developed by that same judge. As if the tax increase alone were not outrageous enough, the judge's order directly contravenes procedures set forth in Missouri's constitution, which mandates voter approval of property tax increases.

Mr. Speaker, the High Court's decision makes a mockery not only of the Missouri Constitution, but also the U.S. Constitution, by permitting a Federal judge to circumvent the principle of no taxation without representation. The decision arrogates to unelected, unaccountable, life-tenured judges the power to tax the American people—and the people have no recourse.

In short, Mr. Speaker, the idea that we, as legislators, have sole power of the purse, has turned out to be like the Maginot Line—a mere inconvenience that the Judiciary can simply go around at will.

I urge my colleagues on both sides of the aisle to join us in cosponsoring H.R. 4683, the Judicial Taxation Prohibition Act, which would prohibit this sort of encroachment on our proper, constitutional powers.

IN SUPPORT OF H.R. 770, THE FAMILY AND MEDICAL LEAVE ACT OF 1989

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

Mr. WEISS. Mr. Speaker, we all know that the composition of the American work force has changed dramatically over the past three decades. Women have entered the work force in such great numbers that both parents are now working outside the home in the vast majority of American families.

Dozens of States have stepped in to provide family and medical leave policies, but the Federal Government has done nothing to reflect these changes.

However, there is a proposal in Congress to help families deal with the burdens they face in the 1990's. The Family and Medical Leave Act would give people the flexibility to take time off to start a family or to take care of a family health problem. It is hardly a

radical proposal to give job security to new parents or employees who must care for a sick relative.

H.R. 770 enjoys significant bipartisan support. It is supported by the Congressional Caucus for Women's Issues. A recent survey showed that over 4 out of every 5 Americans support the Family and Medical Leave Act. Yet, President Bush does not support H.R. 770. Once again, it seems, the President's actions contradict his rhetoric.

I urge my colleagues on both sides of the aisle to actively support the Family and Medical Leave Act.

H.R. 4380, THE SUPERCONDUCTING SUPER COLLIDER

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

Mr. SMITH of Texas. Mr. Speaker, as we vote on the issue of SSC funding today, we are sending a signal to our Nation's students, scientists, and engineers. Do we want America to be the world leader in the area of advanced physics research? The answer is a resounding "yes!"

Over the coming years, technological ability will replace defense superiority as a measure of global leadership. At no other time will it be so important to be at the forefront of science and technology. The SSC will give us the tool to do just that.

Some Members of Congress have concerns that the SSC will "crowd out" smaller science projects. The SSC likely will do just the opposite. By allowing greater involvement by universities, for example, the SSC will allow students to propose new and ingenious experiments to be conducted at the SSC, students who otherwise would not have access to such a facility.

We can show our commitment to American scientific leadership by strongly supporting the SSC.

□ 1240

TIME TO PHASE OUT UNITED STATES MILITARY AID TO EL SALVADOR

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

Mr. MOODY. Mr. Speaker, earlier reports of FMLN attack on the residence of El Salvador's President Alfredo Cristiani have now proven to be false. However, we must condemn the recent attack on the eve of the peace talks.

But we must also condemn the continued violence by the Government against its own citizenry. Seventy thousand El Salvadorans have been killed so far in the war—mostly unarmed civilians, many of them execut-

ed at point-blank range by uniformed soldiers and/or death squads.

Last month marked the 10th anniversary of the murder of Archbishop Romero, a murder never seriously investigated by the Government.

Since that time there have been numerous atrocities such as the murder of the American nuns, Las Obas and Strastiani, massacres and the killing of U.S. agricultural workers, also never prosecuted.

Most recently we have seen the massacre of the Jesuit priests and their housekeeper by armed soldiers acting on orders from above. Again the Government shows no serious inclination to bring the high-up authors to this dastardly act to justice.

Peace will never come to this tortured land—nor human rights abuses end on both sides—unless United States policy is redesigned to bring about an end of the war by phased out United States aid, very much like we did in Nicaragua.

STRENGTHENING POLITICAL PARTIES

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

Mr. WOLF. Mr. Speaker, our Nation's political parties give us ideas, passion, and the discipline to make tough choices—three items which our political system desperately needs.

Our parties are unifying forces which provide reliable, consistent, and coherent communication with the American voters. However, our parties are losing the struggle for influence because their hands are tied by contribution limitations. Under the current system, parties have no more ability to make direct contributions to their own nominees than special interest political action committees.

Mr. Speaker, to strengthen our political parties and ensure that more challengers can run competitive races, we should remove all limits on political parties' contributions to candidates. Of course, full disclosure and reporting to the Federal Election Commission must be required.

Let's take away the special interest influence and give it back to our citizen-based political parties, and therefore to the American people, where the power and accountability belong.

LOWER MERCED RIVER MAY BE ADDED TO WILD AND SCENIC RIVER ACT

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

Mr. CONDIT. Mr. Speaker, 3 years ago the 100th Congress adopted legislation that guaranteed Yosemite Val-

ley's river, the Merced, would be protected for future generations to enjoy by adding its main stem and beautiful south fork to the Wild and Scenic Rivers System.

Today it is my pleasure to introduce legislation that would extend this protection to the lower portion of the Merced River. This section was put in as a study section by the 100th Congress so that the local county of Mariposa would have the opportunity to develop a domestic water system compatible with the requirements of the Wild and Scenic River Act. The legislation I propose today would accomplish this goal.

This legislation is supported by the Wilderness Society, the Merced Canyon Committee, the Mariposa County Board of Supervisors and the Mariposa County Water Agency.

The pristine quality of the lower Merced River make it a worthy addition to the Wild and Scenic River Act so that present and future generations can enjoy and experience its beauty.

THE SPORT ACT OF 1990

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

Mr. CONTE. Mr. Speaker, today I am introducing the Sport Act of 1990—a special program of recreational training for youthful residents of public housing developments.

Mr. Speaker, this program is designed to turn the kids of public housing away from drugs and toward a healthier and happier lifestyle.

The program I am proposing dedicates 5 percent of public housing drug elimination grants to programs promoting sports and cultural activities in public housing.

The program, which would provide grants to PHA's, voluntary organizations and local governments, would replace a similar program administered by HUD prior to the HUD Reform Act of 1989.

When Congress eliminated the Secretary's discretionary fund, late at night in the final hours of the last session, it also eliminated the authority under which Jack Kemp's "bats and balls" program was previously operated. My bill would provide authority and guidelines for a new program to promote organized sports activities at public housing developments.

Under the Sport Act, grants would be awarded for an array of activities, including acquisition of sports equipment, development of recreational areas and operation of sports leagues.

I invite my colleagues to join my sports-minded friends, the distinguished MO UDALL and TOM McMILLEN, and myself in cosponsoring this important legislation. Be a sport: cosponsor the Sport Act of 1990.

OUR COUNTRY NEEDS MR. SEIDMAN RUNNING FDIC

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

Mr. SCHUMER. Mr. Speaker, there is even more bad news for the country and the American taxpayer on the S&L bailout.

At the same time that the estimated cost of the bailout is skyrocketing—from a nightmarish \$160 billion to an unimaginable upper range of \$500 billion—the President is planning to replace the one experienced manager we have on the job. That would be a mistake.

William Seidman has been a voice of integrity and intelligence in the cesspool of the S&L scandal.

Mr. Speaker, the country needs Mr. Seidman running FDIC more than ever. Without him, the costs are likely to go even higher.

That is why 23 members of the Banking Committee sent you a letter yesterday, urging you to not let Mr. Seidman leave.

Why should this country abandon the service of one of the few credible regulators who have experience in cleaning up the S&L mess?

When S&L time bombs are going off all over the country we simply cannot afford the 6 months to train new senior regulators, the people who must defuse those time bombs.

It has been 9 months since the S&L bailout was passed. In that time the administration has ignored the problem as if it would go away if no one paid attention.

I am deeply concerned that this administration is blaming the messenger for bad news. Getting rid of Mr. Seidman may temporarily cool the political heat. But the fire will burn even worse without him.

H.R. 2589, THE WORKERS POLITICAL RIGHTS ACT

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

Mr. DELAY. Mr. Speaker, the debate over campaign reform has been increasing and the American public needs to know that the Republicans are the voice of real campaign reform in the House.

House Republicans endorsed a proposal for serious campaign reform more than 7 months ago. That proposal incorporates the provisions of a bill I introduced, H.R. 2589, the Workers Political Rights Act.

In June 1988, the United States Supreme Court decided the case of the Communication Workers of America versus Harry Beck.

The high court held that unions may be allowed to force workers to contribute to pay for collective bargaining, contract administration and grievance adjustment, but not for non-representational activities such as political lobbying and campaign-related activities.

The first amendment to the Constitution guarantees each person's right to political dissent. It is a basic liberty which has set America apart from all other nations for more than 200 years.

Unfortunately union leaders appear to disagree. They have refused to inform their members of rights as defined under the Beck decision. They continue to stonewall union members who want to stop the flow of their money into many of the leftist causes and candidates that union leaders support. Hundreds of cases of workers seeking to restore their political freedom clog our judicial system.

Thomas Jefferson once wrote:

To compel a man to furnish contributions of money for the propagation of opinions in which he disbelieves and abhors, is sinful and tyrannical.

The Republican Members of the House agree and we want to stop this oppressive practice and restore the basic political rights of American workers.

Unfortunately, the Democrats have been deafening in their silence on this issue. Democrats have refused to say that they will stop this political tyranny and protect the American worker.

The American public knows that Republicans are the voice for real campaign reform and will protect the political rights of all workers.

Democrats need to realize there can be no serious campaign reform without Beck.

PUERTO RICAN PLEBISCITE

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

Mr. SERRANO. Mr. Speaker, I rise today on behalf of my 3.3 million fellow American citizens from the island of Puerto Rico who clamor to exercise their right to determine the political status of their native island with respect to the United States as a whole.

It is with a special purpose that I refer to native Puerto Ricans as my "fellow American citizens." I am certain that no Member of this esteemed body is unaware of their unique status, but many Americans are. Indeed, I must confess, with apologies for any embarrassment I may cause him, that even a young member of my own staff did not know that native Puerto Ricans are United States citizens. His confusion probably stemmed from the fact that Puerto Rico has a rare Commonwealth status that makes

it neither a State within the Union, nor an independent country, but something in between.

It is not surprising that many are uncertain about these matters. The status of Puerto Rico simply does not concern most Americans.

However, Mr. Speaker, Puerto Rican Americans are ever conscious of the status of their native island. For them the status of Puerto Rico is not an idle piece of trivia, but a reality that is fundamental to their very identities. It is an issue that cannot be neglected.

I strongly urge that the people of Puerto Rico be provided the opportunity to determine for themselves, by referendum, whether their island shall remain a Commonwealth, seek admission as a State of the Union, or become an independent nation.

Our colleagues in the Senate have introduced a bill, S. 712, which calls for a referendum in Puerto Rico in the summer of 1991 to determine the island's political status. It is imperative that we do not fall behind in this effort and that we develop our own bill in the House as soon as possible. This will allow our brothers and sisters in Puerto Rico to make a choice in the referendum without lengthy and unnecessary delays.

One improvement over S. 712 that I would like to see incorporated in a House resolution on the status referendum would be to provide that all Puerto Rican-born United States citizens, wherever they may now live, be allowed to take part in the referendum. The present Senate bill would unfairly exclude from participation Puerto Rican-born American citizens who happen not to live on the island at the time of the referendum.

Mr. Speaker, it is time for the House of Representatives to act expeditiously on this issue. The holding of the referendum in Puerto Rico in 1991 is not only good for the people of Puerto Rico, but for the credibility of American democracy in this era of stunning democratic progress. As we in the United States strive to encourage and foster these developments around the world, it is essential that we hold true to our principles at home and provide the people of Puerto Rico the opportunity to decide the political status of their native island.

□ 1250

SOVIET MILITARY BUILDUP

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

Mr. BURTON of Indiana. Mr. Speaker, the Democrat budget passed yesterday would cut \$33 billion in defense. Not just cutting the fat or waste, but their budget cuts into the muscle and bone of our defense. Before the Democrats did this, they

should have checked into what the Soviets have been doing.

Here are the facts: The Soviets last year increased their defense spending by 17 percent of their GNP. The Soviets have not slowed down their shipbuilding program. In 1989, they added 7 guided missile destroyers, an aircraft carrier, and 9 more submarines, and 10 more are under production. The Soviets have increased SS-25 production from 125 to 220 in the last year. The Soviets have dramatically increased their bomber production. The Soviets increased T-80 tank production from 3,000 the year before last to 4,000 last year.

Mr. Speaker, before we decimate our defenses, as my Democrat friends want to do, we should be informed and not make the same mistakes which were made prior to World War II.

POLICY STATEMENT NEEDED ON EL SALVADOR

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

Mr. CARDIN. Mr. Speaker, the brutal killing of six Jesuit priests, their cook, and her daughter horrified the world and reinforced the perception—and reality—that there is absolutely no punishment for those who violate human rights in El Salvador.

The just released Moakley report issued by Speaker FOLEY's task force on El Salvador to monitor the investigation by Salvadoran authorities into the November 16 massacre states that "as of mid-April the investigation and preparations for prosecuting the case have come to a virtual standstill." The task force ran into real problems when discussing the matter with high officials in the Salvadoran armed forces, who for the most part, have not been questioned about the murders. Some were upset that the blame for the murders was being heaped on the military, yet none expressed regret at the immorality of the incident. While they may have thought that the murders were stupid and regretful, none condemned them for being wrong.

The task force expresses my frustration that "the institutional nature of the problems in El Salvador is demonstrated, as well, by the fact that the Jesuits' case reflects the Salvadoran justice system at its best, not its worst." This conclusion is reached after millions of American dollars have been sent to El Salvador to support judicial reform.

The Moakley report only serves to reinforce the importance of the negotiations that are due to being between the Cristiani government and the FMLN. There is real optimism about these talks and a sense that the discus-

sions are different from those in the past.

The time is ripe for Congress to make a fundamental policy statement on El Salvador. Over the past decade the U.S. Government has contributed over \$3.5 billion in this war torn country where over 70,000 people have lost their lives.

I applaud the approach of the House Foreign Affairs Committee which recently included a provision in the foreign aid authorization bill to withhold 50 percent of U.S. military aid to provide a set of incentives and disincentives to keep both sides at the negotiating table. This provision will enhance President Cristiani's ability to respond to the needs of his country. Neither economic support funds nor development aid are affected by this provision. For far too long the military has had a free reign in El Salvador at the expense of the American taxpayers. It is time to send them a message that will encourage real reform. The Foreign Affairs Committee approach does just that.

FRANKING

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

Mr. FRENZEL. Mr. Speaker, today I am introducing House Resolution 386 to reform the frank. My bill and the bill introduced today by my Republican leader, BOB MICHEL, are both designed to eliminate House franking overdrafts.

We have all seen the press reports that have pointed a finger at the House for overdrawing the postal account by some \$38 million. The House is overdue to solve the problem of runaway franking costs. Both the Frenzel and the Michel bill would put an end to franking benefits.

The Frenzel bill would accomplish the following:

First, establish an official mail allowance account for each Member that would be based on the actual House franking appropriation. This provision alone would save \$35 to \$40 million in 1992.

Second, the Frenzel bill further limits postal patron mailings from the current 3 to 1. It also limits town meeting notices to one. If the House adopted only this provision, the resulting savings would be some 300 million pieces of mail or some \$30 million in taxpayer paid postal costs.

Third, requires the House to disclose in the CONGRESSIONAL RECORD twice a year, showing total number of mailings and the number of pieces in each.

Fourth, postal patrons and town meeting notices shall contain the following disclaimer "Prepared, published and mailed at taxpayer ex-

pense." The Senate has adopted this requirement.

Fifth, all mass mailings, including direct response mail over 500 pieces, will now need a written advisory from the Franking Commission.

Sixth, finally, the bill prohibits the use of official mail allowance to pay for third class bulk rate express mail. In 1988, the House paid \$10 million to have our third-class orange bags sent by air, rather than by truck to the postal centers.

Clearly, this House must act to cut franking expenses. The most recent postal estimates show that the House franking deficit is more than the Senate's total spending for the frank. Both the Frenzel and the Michel bill would address this deficit. We should act now.

EL SALVADOR DESERVES SHOT AT FREEDOM

(Mr. DORNAN of California asked permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORNAN of California. Mr. Speaker, one of our prior deputy ambassadors to the United Nations a few years back called the General Assembly up there a cavern of wind. Well, that is what this Chamber is turning into on defense and foreign policy—a cave of hot air and wind.

I do not understand these speeches on El Salvador. The liberals in this Chamber were wrong, wrong, wrong on Nicaragua. They did everything they could to throw every road block in the way to pressure the nine Communist commandante thugs into having an election. Once they had the election, the people spoke out. El Salvador has a fine president, Cristiani, a graduate of Georgetown. They are trying to kill him again, and on the eve of the peace talks, I mean within 48 hours, what did the Communists do for Farobundo Marti in El Salvador? They blow up powerlines and kill people. That is how they go into peace talks if they are a Communist in Central America—kill people.

We have Democrats up here who act like allies—excuse me, liberals up here who are trying to chop the Cristiani government, the rightwing death squads and the leftwing death squads. The Communists will rip that country apart if they pull out our support. Let Members at least give El Salvador a better shot than we gave Nicaragua which, so far, achieved liberty in spite of the worst efforts of this Chamber and the other one, as a matter of fact, the U.S. Senate. In spite of the road blocks, Mrs. Chamorro is the President of what can be a free Nicaragua. Let Members stop trying to hurt El Salvador, and let Members give them a shot at freedom.

SUPERCONDUCTING SUPER COLLIDER PROJECT AUTHORIZATION ACT OF 1990

Mr. FROST. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 379 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 379

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4380) to authorize appropriations for the Superconducting Super Collider, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and which shall not exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science, Space, and Technology, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Science, Space, and Technology printed in the bill as an original bill for the purpose of amendment under the five-minute rule and each section shall be considered as having been read. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. MONTGOMERY). The gentleman from Texas [Mr. FROST] is recognized for 1 hour.

Mr. FROST. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from New York [Mr. SOLOMON], and pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 379 is an open rule providing for the consideration of H.R. 4380, the Superconducting Super Collider Project Authorization Act of 1990. The rule provides for 1 hour of general debate to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Science, Space, and Technology. The rule also provides for one motion to recommit with or without instructions.

House Resolution 379 provides that when the bill is considered for amendment under the 5-minute rule, that it shall be in order to consider the amendment in the nature of a substitute now printed in the bill as original text for the purpose of amendment. The rule further provides that each

section of the bill shall be considered as having been read and at the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and allows any Member to demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. Finally, Mr. Speaker, the rule provides that the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except the motion to recommit with or without instructions.

Mr. Speaker, H.R. 4380 authorizes funds for the research development, design, construction, and operation of the superconducting super collider. Last year, the Congress agreed to proceed with the construction of the SSC and this year's modest authorization level will allow the project to move forward. The bill authorizes funding for the SSC in three stages: First \$220 million for initial R&D activities; second, \$1.17 billion upon submission of specified planning documentation, the completion of a prototype design and certification that industry can begin prototype magnet production; and third, \$5.98 billion for completion of the project when the Secretary of Energy certifies the successful completion of the in situ magnet assembly test.

The SSC authorization, as reported by the Committee on Science, Space, and Technology, also addresses the concerns of cost overruns by limiting Federal funding for the project to \$5 billion and requires the State of Texas to contribute not less than \$1 billion and international and other non-Federal contributions to be between one-fifth and one-third of the total project cost.

Mr. Speaker, I believe the costs associated with the SSC project are a justifiable expense for our Government. The SSC represents a golden opportunity to help ensure that the United States remains on the cutting edge of scientific research. It means that the United States will lead the way in discovering new technologies and developing innovative solutions to the problems we will encounter in the 21st century. It also promises to pay tremendous dividends in another way, by encouraging our Nation's youth to pursue educational opportunities in science and engineering. The completion of the SSC should be a priority item in our pursuit of national excellence; it will provide an opportunity for the United States to lead the world in the development of science and technology for many years to come.

Mr. Speaker, I urge adoption of House Resolution 379 so that the House may proceed to the consider-

ation of this most important legislation.

□ 1300

Mr. Speaker, I yield, for the purpose of making a unanimous-consent request only, to the gentleman from Texas [Mr. BROOKS].

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO SIT ON TODAY DURING THE 5-MINUTE RULE

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may be permitted to sit on today while the House is reading for amendment under the 5-minute rule.

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

Mr. DANNEMEYER. Mr. Speaker, reserving the right to object, I have advised the chairman of the committee that I have a meeting that has been set up with Secretary of Agriculture Yeutter involving the entire California delegation for 3 o'clock today. It is an important meeting, and I cannot be in two places at one time. If the gentleman will agree to stop the deliberations of the Judiciary Committee at 3 o'clock, so the delegation can meet with Secretary Yeutter and I can be there, because I am involved in the issue, I will withdraw my reservation of objection. But I have some amendments I want to offer to the bill, and I cannot be in two places at one time.

I appreciate what the gentleman is trying to do to move this along, but I have this problem as well.

Mr. BROOKS. Mr. Speaker, if the gentleman will yield, I say to my friend, the gentleman from California, that we would be finished if it were not for the fact that the gentleman had three more amendments, having already had one, and the gentleman from Florida [Mr. McCOLLUM] had another amendment, having had some, and the gentleman from New Hampshire [Mr. DOUGLAS] had four—

Mr. DANNEMEYER. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

Mr. BROOKS. Mr. Speaker, it takes 10 Members standing to object to this request.

The SPEAKER pro tempore. The gentleman is correct.

Mr. BROOKS. Mr. Speaker, may I continue?

The SPEAKER pro tempore. The Chair understands the gentleman has a further comment, and the Chair recognizes the gentleman.

Mr. BROOKS. Mr. Speaker, let me continue and say that I have cleared this with the ranking Republican, the gentleman from New York [Mr. FISH]. He is to have called the Republican management, and he agrees this is essential if we are going to finish the Americans With Disabilities Act today,

as most of us had hoped, including the White House.

The SPEAKER pro tempore. The Chair will state that it takes 10 Members to object, and the Chair will count Members standing.

An insufficient number has arisen. Without sufficient objection, the request is granted.

There was no sufficient objection. Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, at the outset, let me just take this opportunity to commend the gentleman in the chair on the award he received last night at a very nice affair on the Korean War Memorial.

Mr. Speaker, I am pleased to join with the gentleman from Texas [Mr. Frost] in urging support for this open rule.

House Resolution 379 is a fully open rule. There are no waivers of House rules or restrictions placed on amendments under the terms of this rule. And so the House will have ample opportunity to debate the merits of H.R. 4380, which makes authorizations for the superconducting super collider project in Texas.

Mr. Speaker, as the United States, and indeed the entire world, prepares to enter the 21st century, it is absolutely essential for our country to stay at the cutting edge of scientific advancement and discovery. The superconducting super collider will help enable us to do that.

We are excited over the successful mission last week which placed the Hubble space telescope in orbit. That device will enable scientists to peer all the way to the edge of the universe—and all the way back to the beginning of time itself. The superconducting super collider will help enable scientists to unravel the mysteries of the universe that the Hubble space telescope will be photographing.

Mr. Speaker, these are exciting times. Enactment of H.R. 4380 will help keep America No. 1 in the realm of scientific exploration and technological development, the fruits of which are a benefit to all mankind.

And so I urge support of this open rule.

Mr. Speaker, I have no requests for time, and I yield back the balance of my time.

Mr. FROST. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered. The SPEAKER pro tempore. The question is on the resolution.

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

Mr. BARTON of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and

make the point of order that a quorum is not present.

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device and there were—yeas 406, nays 0, not voting 27, as follows:

[Roll No. 90]

YEAS—406

Anderson	Dingell	Huckaby
Andrews	Dixon	Hughes
Annunzio	Donnelly	Hunter
Applegate	Dorgan (ND)	Hutto
Archer	Dornan (CA)	Hyde
Army	Douglas	Inhofe
Aspin	Downey	Ireland
Atkins	Dreier	Jacobs
AuCoin	Duncan	James
Baker	Durbin	Jenkins
Ballenger	Dwyer	Johnson (CT)
Barnard	Dymally	Johnson (SD)
Bartlett	Dyson	Johnston
Barton	Early	Jones (GA)
Bateman	Eckart	Jones (NC)
Bates	Edwards (CA)	Jontz
Bellenson	Edwards (OK)	Kanjorski
Bennett	Emerson	Kaptur
Bentley	Engel	Kasich
Bereuter	English	Kastenmeier
Berman	Erdreich	Kennedy
Beverly	Espy	Kennelly
Bilbray	Evans	Kildee
Billirakis	Fascell	Klaczka
Bliley	Fawell	Kolbe
Boehlert	Fazio	Kolter
Boggs	Feighan	Kostmayer
Bonior	Felds	Kyl
Borski	Fish	LaFalce
Boucher	Flake	Lagomarsino
Boxer	Foglietta	Lancaster
Brennan	Ford (MI)	Lantos
Brooks	Ford (TN)	Laughlin
Broomfield	Frank	Leach (IA)
Browder	Frost	Leath (TX)
Brown (CA)	Galleghy	Lehman (FL)
Brown (CO)	Gallo	Lent
Bruce	Gaydos	Levin (MI)
Bryant	Gejdenson	Levine (CA)
Buechner	Gekas	Lewis (CA)
Bunning	Gephardt	Lewis (FL)
Burton	Geren	Lewis (GA)
Bustamante	Gibbons	Lipinski
Byron	Gillmor	Livingston
Callahan	Gilman	Lloyd
Campbell (CA)	Gingrich	Long
Campbell (CO)	Glickman	Lowery (CA)
Cardin	Gonzalez	Lowe (NY)
Carper	Goodling	Luken, Thomas
Carr	Goss	Machtley
Chandler	Gradison	Madigan
Chapman	Grandy	Manton
Clarke	Grant	Markey
Clay	Gray	Marlenee
Clement	Green	Martin (IL)
Clinger	Guarini	Martin (NY)
Coble	Gunderson	Martinez
Coleman (MO)	Hall (TX)	Mazzoli
Coleman (TX)	Hamilton	McCandless
Combest	Hammerschmidt	McCloskey
Condit	Hancock	McCollum
Conte	Harris	McCrery
Conyers	Hastert	McCurdy
Cooper	Hatcher	McDade
Costello	Hawkins	McDermott
Coughlin	Hayes (IL)	McEwen
Courter	Hayes (LA)	McGrath
Cox	Hefley	McHugh
Coyne	Hefner	McMillan (NC)
Crane	Henry	McMillen (MD)
Dannemeyer	Herger	McNulty
Darden	Hertel	Meyers
Davis	Hiller	Mfume
de la Garza	Hoagland	Michel
DeFazio	Hochbrueckner	Miller (CA)
DeLay	Holloway	Miller (OH)
Dellums	Hopkins	Miller (WA)
Derrick	Horton	Mineta
DeWine	Houghton	Moakley
Dickinson	Hoyer	Molinari
Dicks	Hubbard	Mollohan

Montgomery	Roberts	Spratt
Moody	Robinson	Staggers
Moorhead	Roe	Stallings
Morella	Rogers	Stangeland
Morrison (CT)	Rohrabacher	Stark
Morrison (WA)	Ros-Lehtinen	Stearns
Mrazek	Rose	Stenholm
Murphy	Rostenkowski	Stokes
Murtha	Roth	Studds
Myers	Roukema	Stump
Nagle	Rowland (CT)	Sundquist
Natcher	Rowland (GA)	Swift
Neal (MA)	Roybal	Synar
Neal (NC)	Russo	Tallon
Nelson	Sabo	Tanner
Nielson	Sangmeister	Tauke
Nowak	Sarpallus	Tauzin
Oakar	Sawyer	Taylor
Oberstar	Saxton	Thomas (CA)
Obey	Schaefer	Thomas (GA)
Olín	Scheuer	Thomas (WY)
Ortiz	Schiff	Torres
Owens (NY)	Schneider	Towns
Owens (UT)	Schroeder	Traffant
Oxley	Schuetz	Traxler
Packard	Schulze	Udall
Pallone	Schumer	Unsoeld
Panetta	Sensenbrenner	Upton
Parker	Sharp	Valentine
Parris	Shaw	Vento
Pashayan	Shays	Visclosky
Patterson	Shumway	Volkmer
Paxon	Shuster	Vucanovich
Payne (NJ)	Sikorski	Walgren
Payne (VA)	Sisisky	Walker
Pease	Skaggs	Walsh
Pelosi	Skeen	Washington
Penny	Skelton	Watkins
Perkins	Slattery	Waxman
Petri	Slaughter (NY)	Weber
Pickett	Slaughter (VA)	Weiss
Pickle	Smith (IA)	Weldon
Porter	Smith (NE)	Whittaker
Poshard	Smith (NJ)	Whitten
Price	Smith (TX)	Williams
Pursell	Smith (VT)	Wise
Quillen	Smith, Denny	Wolf
Rangel	(OR)	Wolpe
Ravenel	Smith, Robert	Wyden
Ray	(NE)	Wylie
Regula	Smith, Robert	Yates
Rhodes	(OR)	Yatron
Richardson	Snowe	Young (AK)
Ridge	Solarz	Young (FL)
Rinaldo	Solomon	
Ritter	Spence	

NAYS—0

NOT VOTING—27

Ackerman	Frenzel	Rahall
Akaka	Gordon	Salki
Alexander	Hall (OH)	Savage
Anthony	Hansen	Serrano
Bosco	Lehman (CA)	Smith (FL)
Collins	Lightfoot	Torricelli
Craig	Lukens, Donald	Vander Jagt
Crockett	Matsui	Wheat
Filippo	Mavroules	Wilson

□ 1327

So the resolution was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The **SPEAKER** pro tempore (Mr. **MONTGOMERY**). Pursuant to House Resolution 379 and rule XXIII, the Chair declares the House in the Committee on the Whole House on the State of the Union for the consideration of the bill, H.R. 4380.

□ 1329

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 consideration of the bill

(H.R. 4380) to authorize appropriations for the superconducting super collider, and for other purposes, with Ms. **SLAUGHTER** of New York in the chair.

The Clerk read the title of the bill.

The **CHAIRMAN**. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from New Jersey [Mr. **ROE**] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. **WALKER**] will be recognized for 30 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. **ROE**].

Mr. **ROE**. Madam Chairman, I yield myself such time as I may consume.

□ 1330

Madam Chairman, today, as we discuss the proposed superconducting super collider [SSC] project, we are debating one of the most important science and technology pieces of legislation that will come before the House of Representatives during the 101st Congress. What is at stake in H.R. 4380 is nothing less than American leadership in science, technology, and education. And if we are not willing to fight for leadership in these areas, we are not going to create the new wealth of tomorrow. Science, space, technology, and education—those are the areas from which we will create American jobs in the 21st century.

There can be no question that the SSC will be a critical component of our commitment to scientific and technological excellence. It will be the largest particle accelerator ever built, with 10 times the power of the premier machines currently operating in the United States and Europe. We believe that the SSC will be the most significant ground-based science project to be undertaken by the United States in the last quarter of the 20th century.

Madam Chairman, opponents of the SSC have attempted to give the impression that questions concerning both its cost and the technologies needed to build it have bitterly divided the scientific community and the Congress. In fact, nothing could be further from the truth. As one would expect from any multibillion-dollar project, there have been vigorous debates over the past 4 years concerning the importance of the SSC to this Nation's scientific future. But whenever the project has been subject either to a scientific review or to a congressional vote, the message has been clear: keep the project on schedule. In 1988, we overwhelmingly passed a bill which authorized funding for the SSC, although the bill was not taken up in the other body. Last summer, the House killed an amendment 330 to 93 which would have delayed SSC construction. In January of this year, a high-level technical review panel

which included five Nobel Laureates strongly endorsed the goals and the design of the SSC. And just 4 weeks ago, on March 28, the Committee on Science, Space, and Technology, by a 78-percent margin, approved for floor consideration the bill that we have before us today.

Why has every scientific review body and every congressional vote come down so strongly in favor of the SSC?

First of all, as even its opponents concede, the SSC is good science. The objective of the SSC is to increase our fundamental understanding of matter and the universe in which we live. The SSC has undergone more scientific review than any physics project in history, and one conclusion remains clear: a machine with the size and power of the SSC will be needed to make the next fundamental breakthroughs in particle physics.

Second, if history is a valid indicator, the eventual benefits that will flow from the SSC to our economy and to our way of life will include some that we cannot imagine, much less predict, today. Lasers, fiber optics, semiconductors and digital computers are just some of the technologies that have resulted from knowledge developed through past advances in physics. In the diagnosis of illness, magnetic resonance imaging and CAT scans, which utilize superconducting magnets, enable doctors to determine the precise location and size of tumors. The x ray beams from electron accelerators are being used today by industry to produce the next generation of computer chips that will be the heart of future supercomputers. Whether the advances of the future lie in these or entirely new fields, their impact will be great; it is estimated that at least one-third of today's GNP is based on accelerator-related technology.

Third, the SSC will help reverse the significant decline in scientific and technical interest among our Nation's youth. The tangible and clearly apparent commitment to scientific preeminence represented by the SSC will serve as an inspiration for a new generation of American students to pursue careers in math and science, much as the Apollo Moon Space Program did in the 1960's. The project will send an unmistakable signal to our Nation's future leaders that their current leaders are committed to national excellence in science and technology.

The benefits that the SSC will bring to science education are already being realized. More than 100 universities in over 30 States are participating right now in research opportunities associated with the SSC. In addition, the State of Texas will soon establish a \$100 million fund to enhance research at the SSC site and to support research at universities nationwide. A portion of this money will be used for

schools with developing physics programs, including historically black colleges. The challenge of building an SSC and the possibility of conducting experiments at the SSC site are already creating a surge of excitement among faculty, graduate, and undergraduate students across the Nation.

Given the size, complexity, and importance of the SSC, its funding should not be left to the vagaries of the annual appropriations process. If the SSC is to be the centerpiece of this Nation's commitment to scientific and technological excellence, then we should provide the program with the stability and continuity that it needs to flourish. The bill before the House today is designed to provide the SSC program with just that stability.

Madam Chairman, let me say a few words about the provisions of H.R. 4380, the Superconducting Super Collider Act of 1990.

The bill provides the Secretary of Energy with the authority and the funding necessary to undertake the research, development, and construction of the SSC. In addition the bill creates the position of the Director of the Office of the SSC, charged with the responsibility of managing the overall project.

Federal expenditures for the project are limited to \$5.0 billion.

The bill provides that the State of Texas will contribute at least \$1.0 billion, and provides for the refund of State contributions if the project is terminated by the Federal Government prior to October 1, 1995.

There is a requirement that between one-fifth and one-third of the project costs will be raised from international participants. No more than 50 percent of any major component or system, including the superconducting magnets, may be produced by foreign firms. The bill limits the award of contracts for SSC construction to domestic firms, to foreign firms that are based in countries that contribute to the SSC, or to foreign firms that agree to perform a majority of contractual activities for the SSC in the United States.

Authorization for funding is released in phases, subject to the achievement of certain technical milestones.

First, funds in the amount of \$220 million are made available for the initial steps of the project for magnet R&D, and for the design of key facilities.

Second, funds in the amount of \$1.17 billion become available after the submission of specified planning documents, the completion of a prototype magnet design, and the certification that industry can begin prototype magnet production. These funds will allow the SSC management team, in conjunction with industry, to complete an on-site magnet assembly test in late 1992.

Third, funds in the amount of \$5.98 billion—nearly 80 percent of the total project cost—become available only after certification by the Secretary of Energy that the magnet assembly test has been successful and that the Department of Energy has the necessary financial commitments from the State of Texas and from international sources.

Finally, the bill directs the Secretary to make every effort to devise innovative strategies for minimizing the cost of the project.

Madam Chairman, these are technically and financially responsible provisions. They will ensure that none of the partners in this endeavor—neither the Federal Government, the State of Texas, nor our international participants—will expend inordinate construction monies if the technologies necessary to build the project are not demonstrated. Tough safeguards are in place to protect our investment.

Now is the time to move forward with the SSC, not to hamstring it with further unnecessary delays. Scientists and engineers from around the world are ready to proceed. The last element that is needed to assure the stability of the program is a clear signal from the Congress, in the form of this authorization bill, that we intend to see the SSC project through—within cost and on schedule, and with fair and equitable participation by our State and international partners.

In summary, I strongly believe that enactment of this bill will help protect the SSC from the year-to-year vagaries that plague so many of the long-term R&D programs that this country undertakes. When we pass this bill, we will be assuring our partners from the State of Texas that their investment will be protected, and assuring the other 49 States that State-Federal partnerships can work effectively in high-technology areas. When we pass this bill, we will be saying to potential international partners that the United States is firmly committed to building the world-class state of the art high-energy physics facility and that we welcome their participation. And finally, when we pass this bill, we will be sending a signal to the world and to our young people that we intend to maintain our leadership in a field that has yielded enormous benefits to society and that we are willing to invest in the technologies that will move this country forward.

BIOGRAPHIES OF THE DEPARTMENT OF ENERGY'S HIGH ENERGY PHYSICS ADVISORY PANEL, SUBPANEL ON SSC PHYSICS

On December 21, 1989, the Department of Energy [DOE] requested Dr. Francis Low, the chairman of DOE's High Energy Physics Advisory Committee [HEPAC] to form a blue ribbon subpanel to review and comment on the SSC final design. In particular, DOE wanted the subpanel to consider that while the optimum design for physics re-

search is one that provides the highest energy and luminosity technically feasible, budget constraints might require the design to be less than optimum.

The subpanel was convened and met January 6-8, 1990. Its report was submitted and discussed at the HEPAP meeting on January 12, 1990. Brief biographies of the members of the subpanel follow.

Dr. Signey D. Drell, the chairman of the HEPAP's 1990 Subpanel on SSC Physics, is currently the director of the Stanford Linear Accelerator Center.

Dr. Drell was employed previously as a consultant to a number of organizations including: Los Alamos Science Laboratories, the Office of Science and Technology, the U.S. Arms Control and Disarmament Agency, the National Security Council, and the Senate Select Committee on Intelligence. He has also been a professor of physics at the University of Illinois, Stanford University, and the Massachusetts Institute of Technology.

His research has been directed towards quantum field theory; elementary particle physics; understanding of the structure of hadrons, particularly the quark confinement problem; and arms control and national security.

Dr. Drell was educated at Princeton University—AB 1946, and the University of Illinois—AM 1947; Ph.D. physics 1949.

Dr. William Brinkman is currently employed at AT&T Bell Laboratories.

He was employed previously as the vice president for research at Sandia National Laboratories, and as the director of the chemical physics research laboratory and the physics research laboratory at the Bell Laboratories. He has also served as a NSF research fellow at Oxford University.

His research includes solid state theory; itinerant magnetism and spin fluctuations; electron tunneling theory; and the theory of metal-insulator transitions.

Dr. Brinkman was educated at the University of Missouri at Columbia (BS 1960; MS 1962; Ph.D. physics 1965).

Dr. Alexander Chao is currently employed at the Superconducting Super Collider Laboratory.

Previously, he worked with the SSC Central Design Group at Lawrence Berkeley Laboratory, and as a physicist at the Stanford Linear Accelerator Center.

His research has been primarily in accelerators.

Dr. Chao was educated at Taiwan University at Tsin-Hua (BS 1970) and the State University of New York at Stony Brook (Ph.D. 1974).

Dr. James Cronin is currently employed as a professor of physics at the University of Chicago.

He was employed previously as a physicist at Brookhaven National Laboratory, and as a professor at Princeton University. In addition, Dr. Cronin has served as a Member of the Panel on Elementary Particle Physics for the National Academy of Sciences.

His research has been in elementary particles; the development of improved detection techniques; and C-P (charge-parity) violation.

He was awarded the Nobel Prize in physics in 1980.

Dr. Cronin was educated at Southern Methodist University (BS 1951) and the University of Chicago (MS 1953; Ph.D. physics 1955).

Dr. Ernest Henley is currently the Dean of the College of Arts and Sciences at the University of Washington.

He was employed previously as an electrical engineer at Airborne Instruments Laboratory and the Microwave Laboratory at the University of California, and as a physicist at the MIT Radiation Laboratory. In addition, he has been an exchange scientist to the USSR and a distinguished scholar to the People's Republic of China. Dr. Henley has also been a professor of physics at Stanford University, and Columbia University.

His research has been in theoretical nuclear and particle physics, including symmetries.

Dr. Henley was educated at the City College of New York (BEE 1944) and the University of California (Ph.D. physics 1952).

Dr. Leon Lederman is currently a professor at the University of Chicago.

Previously, Dr. Lederman was the Director of Fermi National Accelerator Laboratory, and the Director of Nevis Laboratories. In addition, he has been a Member of the Board of Directors for Universities Research Association, a collaborator with the European Center for Nuclear Research in Geneva, and the U.S. Representative to the International Committee on Future Accelerators. Dr. Lederman has also been a professor of physics at Columbia University.

His research has been in properties and interactions of elementary particles. He received the Nobel Prize for physics in 1988.

He was educated at the City College of New York (B.S. 1943) and Columbia University (AM 1950; Ph.D. physics 1951).

Dr. Tsung-Dao Lee is currently the Enrico Fermi Professor of Physics at Columbia University.

He was employed previously as an astrophysicist at the University of Chicago, a physicist at the University of California, and as a Member and professor of the Institute for Advanced Study. In addition, Dr. Lee is a honorary professor at several universities in China, including Beijing University.

His research is in field theory; statistical mechanics; gravity and particle physics. He was awarded the Nobel Prize in Physics in 1957.

Dr. Lee was educated in China and at the University of Chicago (Ph.D. physics 1950).

Dr. Robert B. Palmer is currently located at Brookhaven National Laboratory.

He is also associated as a physicist with the Stanford Linear Accelerator Center. Previously, Dr. Palmer was a research associate at Imperial College in London.

His research has been in particle and accelerator physics.

Dr. Palmer was educated at Imperial College in London, England (BS 1956; Ph.D. physics 1964).

Dr. James M. Paterson is currently an Adjunct Professor of Physics at Stanford University involved with research at the Stanford Linear Accelerator Center.

He was employed previously as a research associate in physics at the Cambridge Electron Accelerator at Harvard University.

His research has been in the design and development of particle accelerators, and their use in elementary particle physics research.

Dr. Paterson was educated at the University of Glasgow, Scotland (BSc 1959; Ph.D. physics 1963).

Dr. Chris Quigg is currently employed by Lawrence Berkeley Laboratory.

He was employed previously as the Head of the Theoretical Physics Department at Fermi National Accelerator Laboratory, and as a professor at the State University of New York at Stony Brook. Dr. Quigg has

also served on advisory committees to Stanford Linear Accelerator Center, Brookhaven National Laboratory and Lawrence Berkeley Laboratory.

His research is in the phenomenology of elementary particles.

Dr. Quigg was educated at Yale University (BS 1966) and the University of California at Berkeley (Ph.D. physics 1970).

Dr. Norman F. Ramsey, Jr. is currently the Higgins Professor of Physics at Harvard University.

He has also been a professor of physics at the University of Illinois and Columbia University, and the director of a nuclear laboratory. In the 1940s, Dr. Ramsey was associated with the Radiation Laboratory at the Massachusetts Institute of Technology, the Atomic Energy Project Laboratory at Los Alamos, and he was the head of the physics department at Brookhaven National Laboratory. In addition, Dr. Ramsey has served as President of Universities Research Association, Chairman of the AAAS Physics Section, Eastman Professor at Oxford University, and as Chairman of the Board of Governors of the American Institute of Physics.

His research is directed towards nuclear moments; molecular beams; high energy particles; nuclear interactions in molecules; deuteron quadrupole moment; molecular structure, diamagnetism; thermodynamics; proton-proton scattering; high energy accelerator; atomic masers; electron scattering; and neutrons. He was awarded the Nobel Prize in physics in 1989.

Dr. Ramsey was educated at Columbia University (AB 1935; Ph.D. physics 1940) and Cambridge University (MA 1941; DSc 1954).

Dr. Jack Sandweiss is currently the Donner Professor of Physics at Yale University.

He was employed previously as a physicist and professor at the University of California. In addition, Dr. Sandweiss has been a consultant to the Laboratory of Marine Physics at Yale University, Brookhaven National Laboratory, and Argonne National Laboratory and National Accelerator Laboratory.

His research is in high energy physics; bubble chamber technique; physics of strange particles; and counter and spark chamber techniques.

Dr. Sandweiss was educated at the University of California (BS 1952; Ph.D. physics 1956).

Dr. James L. Siegrist is currently located at the Lawrence Berkeley Laboratory.

Previously, he was employed with the Stanford Linear Accelerator Center.

His research has been in wire chamber/counter experiments; and computer employment in research weak interaction experiments.

Dr. Siegrist was educated at Stanford University (Ph.D. 1979).

Dr. Steven Weinberg is currently Josey Professor of Science at the University of Texas in Austin.

Previously, he was a professor of physics at Columbia University, the University of California at Berkeley, the Massachusetts Institute of Technology, and Higgins Professor at Harvard University. Dr. Weinberg has also served as a Sloan Foundation fellow, a senior scientist with the Smithsonian Astrophysics Observatory, a scholar with the Library of Congress, and the director of the Jerusalem School of Theoretical Physics.

His research is in elementary particles; field theory and cosmology. He was awarded the Nobel Prize in Physics in 1979.

Dr. Weinberg was educated at Cornell University (AB 1954) and Princeton University (Ph.D. physics 1957).

Dr. Victor F. Weisskopf is currently a Professor of Physics for the Emer Institute at the Massachusetts Institute of Technology.

He was employed previously as a research associate at the University of Berlin, the Swiss Federal Institute of Technology and the University of Copenhagen, as a professor of physics at the University of Rochester, and as a group leader at Los Alamos Science Laboratory. Dr. Weisskopf has also served as a Rockefeller Foundation fellow and the Director General of the European Center for Nuclear Research.

His research has been in quantum mechanics; electron theory; theory of nuclear phenomena; and nuclear physics.

Dr. Weisskopf was educated at the University of Göttingen (Ph.D. physics 1931).

□ 1340

Mr. TRAXLER. Madam Chairman, will the gentleman yield?

Mr. ROE. Yes, I yield to the gentleman from Michigan.

Mr. TRAXLER. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, it has been my pleasure to collaborate on a number of science projects with the gentleman. Let me say that the problem that I foresee as an issue for this Congress is that the major science projects which the gentleman and I are pleased to work on regretfully, for various reasons that I have not been able to understand, start out at a figure of X, but are completed at a figure of at least 3X.

So as the chairman of the authorizing committee, I guess my question to the gentleman is: What assurances can the gentleman give this body and the American taxpayer that the numbers we are looking at in this bill constitute the final completion figure or, in the alternative, can the gentleman assure us that he would not support any further funding beyond that which is in the bill for this project?

Mr. ROE. Well, I think first the gentleman asks a very valid question. I do not know anything that the Government has done at the Federal level or the State level or municipal level that has not in some instances cost more money, in many instances cost more funds.

I agree with the gentleman on that point. We have put a ceiling of \$5 billion for Federal funding in this particular bill and we intend to stick with that figure.

We are going to have amendments that will be offered that are going to further move to guarantee that ceiling level. That is our intent.

In addition to that, there is a series of tests that we are providing and certain milestones have to be passed where the Congress will have a chance to take another look at that point if

they determine to take some other direction.

So from my point of view, with the information and facts we have before us today, we intend to put a \$5 billion ceiling, which we have done in the legislation, on Federal expenditures on this legislation.

Mr. TRAXLER. I appreciate the gentleman's response, if the gentleman will yield further.

I want to say, Madam Chairman, that this is a very troublesome issue for me as we have worked together over the years.

I wish to say to the gentleman and I think the body and to the science community as a whole that from my perspective there needs to be a realism and an honesty in numbers.

I have a suspicion that what occurs in the Congress is lowballed on the initial numbers so that we buy into a science project. I am not just talking about this project; I am talking about major science projects. We buy into them, and then a constituency develops for that project outside of this body in private industry and within this body and across the dome in the other body of Members whose districts will benefit particularly from such projects; which is not to say that is an evil practice. I would also add that I could be part of that.

Mr. ROE. I would also apply that to the Congress of the United States.

Mr. TRAXLER. I do think it is important for the process that the Congress hold the feet of these individuals who promote major science to the fire and hold them accountable on the numbers that they are providing to us at the time we approve of the projects and buy in and authorize and appropriate the moneys.

Otherwise, as the gentleman well knows—

Mr. ROE. If I may reclaim my time because we have other speakers and we do not have much time.

Mr. TRAXLER. May I just complete in 30 seconds?

Mr. ROE. I yield to the gentleman.

Mr. TRAXLER. As the gentleman well knows, we could find ourselves as we have been in the past, adding more and more authorization and more and more money as a project grows and grows and grows.

I might say that the information I have is that this project will not be completed for less than \$14 billion and \$16 billion is more realistic.

Mr. ROE. Now wait, wait, wait; I am not going to yield any more time because I am not going to spend a half hour in debate. But I do want to respond to that one point.

As far as this authorizing committee is concerned, this authorizing committee has held hearings for the last 3 or 4 years, and this authorizing committee is coming to the floor with the facts, not imagination, as we know

them today. We are taking the first time and we are saying there is a provision in the bill that provides for a ceiling of that \$5 billion.

I do not know what the Committee on Appropriations is going to do. I do not know what the other body is going to do. But that is the intent, and that is what we are presenting to the body today.

Now if the gentleman is asking me as chairman of that committee is that our intent, that is our intent. What happens beyond that I am really not quite sure.

That is what we are going to stick with. So that is what our position is.

Mr. McCURDY. Madam Chairman, will the gentleman yield?

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

Mr. McCURDY. Madam Chairman, I thank the gentleman for yielding. Madam Chairman, I want to commend the chairman for his willingness to work with Members to try to improve the bill to ensure that there is cost containment, that there are guarantees against major cost overruns or increases in this program. I think his willingness to continue to accept these amendments adds certainly to this bill. And I thank the gentleman for his flexibility.

Madam Chairman, I rise in support of the amendment offered by Representatives WOLPE and ECKART which would require the GOA to evaluate each of the reports made by the Department of Energy about the progress of the superconducting super collider.

Under this authorizing legislation, the obligation of funds is tied to completion of critical tasks. The successful completion of these tasks, is certified solely by the Department of Energy. It is vital that at each of these phases, an accurate and unbiased assessment about the present and future costs of the project be made. The GAO could make such an evaluation and possibly save the Federal Government billions of dollars.

As a member of the Armed Services and Science, Space and Technology subcommittees which have research and development oversight, I am skeptical of research programs that are too ambitious in scope and funding outlays. Past experience has shown that these massive projects are extended for years and have ever escalating costs.

The Department of Energy assured us last year that the total cost of the superconducting super collider would be \$5.9 billion, but less than 6 months later these costs have escalated to \$8 billion. Other particle accelerator projects, which have technology that is similar to the super collider, have either gone over budget or have been terminated after numerous Federal dollars were poured into them. An evaluation by the GAO could prevent, or at the very least warn members of Congress of potential major cost overruns.

Further, there are still many questions left unanswered about the benefits that the United States can gain from the massive investment we are making in this technology. Not small

among these questions, is the potential for gain in world markets from our massive Federal investment in this atom smashing technology. During this time of fiscal constraint, can we truly afford to pour billions of dollars into science that may not have any commercial applications? Evaluation by the GAO may answer some of these questions.

Finally, I would like to emphasize the strong reservations I hold about the super collider. I am fearful that many worthy science projects may be denied funding because we are spending all our science dollars on a few big ticket items. As was pointed out recently by the Christian Science Monitor, for the first time since World War II, the National Science Foundation and the National Institutes of Health funded less than 30 percent of the research projects they considered excellent and worthy of funding because they did not have enough money in their budgets.

I urge my colleagues to support this amendment which will ensure that our Federal dollars are being spent wisely.

Mr. ROE. Madam Chairman, I would hope that the gentleman will understand when we do make these improvements we will be able to get some additional votes that we did not get the last time.

Madam Chairman, I reserve the balance of my time.

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

Madam Chairman, I rise in support of H.R. 4380. By statutorily capping the Federal funding of the SSC for good and setting a mandatory floor for international contributions which must be met before over 80 percent of the funds authorized can be expended, the bill Chairman ROE brings before the House today is a step in the right direction. Most importantly, H.R. 4380 immediately limits taxpayer exposure by requiring that magnet redesign be completed and that the Secretary of Energy certify that the magnets can actually be manufactured before any construction begins. No new appropriations can be spent until this happens.

Madam Chairman, with that said and given any additionally necessary fiscal and technical controls added today, by unlocking the fundamental law of matter, quite seriously, the superconducting super collider has the potential to find technological solutions to some of today's most vexing problems. It could impact on everything from our industrial competitiveness to global environmental quality. The trouble is the specificity and magnitude of these great things promised are unknown, they cannot be fully explained, and remain many years down the road.

This is simply the nature of basic research. But history tells of many unpredicted scientific breakthroughs and the advances they have brought the world, from nuclear medicine and energy to semiconductors. In this

regard, it is noteworthy that the SSC is brought to us as the high energy physics community's highest priority. We in the House must understand and fully appreciate that this is an investment in our future. Our children's economic standard of living and social quality of life depend on this kind of deferred gratification. And this kind of investment.

Yet serious concerns with this project remain. The SSC has experienced technical problems, such as those requiring the current magnet redesign effort, and repeated significant cost escalations from \$4.4 billion in 1986, to \$5.9 billion in 1988, to around \$8 billion today. That is almost 100 percent in less than 5 years. And who knows how much more it will balloon to. Because of this troubling trend, I fear this project is going to devour resources from many other highly merited, worthwhile science and technology development efforts. After all, these programs, such as Human Gene Mapping, Energy Department Facility Cleanup, and Hydrogen, Solar, and Fusion Energy R&D, must all compete in the same appropriations bill. Those programs that lack large coalitions are at serious risk.

Because of these concerns, however, H.R. 4380 is badly needed. First, the bill fully addresses the technical questions by requiring that tough technology milestones be met for magnet design, manufacture and an "in situ" string test before funding required before the funds can be made available.

Second, it addresses directly the paramount fiscal concern through the \$5 billion ceiling on taxpayer expenditures. Make no mistake about it, this is not going to be like the debt ceiling. This must be a hard, explicitly permanent cap that is not to be violated. If it is this member, for one, as the ranking member of the authorizing committee, will actively oppose any further Federal support.

I would hope that the Committee on Appropriations will also follow and will say that not only is this an authorization cap, this is an appropriations cap. Not one dime more than \$5 billion in Federal expenditures for this program.

Instead, any additional resources can and should come from the SSC's international participants, other non-Federal sources, and creative funding mechanisms such as leasebacks.

Let us be perfectly clear, when the House votes for this legislation today it is going on record that the SSC will not cost the taxpayer one dime more than \$5 billion.

□ 1350

Whether the total project cost is \$7.5 billion as authorized in the bill, \$8 billion as predicted, or heaven forbid, even higher. At the same time, a few

improvements to H.R. 4380 are not unreasonable. The gentleman from New York [Mr. BOEHLERT] will offer an amendment that simply says the \$5 billion Federal cap is, in fact, real by requiring the Energy Secretary to certify that it can and will be met. He would be required to do so before being able to spend the last, largest chunk of the money, \$6 billion, so we do not get so far out on a limb that we have no choice but to spend more. This would guarantee that this Congress is fully informed early enough in the process, after \$1 billion instead of \$7 billion, if the cost to the taxpayer is going to be higher yet again.

An amendment by the gentleman from New York [Mr. BOEHLERT] and the gentleman from Massachusetts [Mr. CONTE] will make it clear that the Texas original donation of land which was a precondition for site selection is not to be considered a part of the \$1 billion in SSC construction support they are now required to provide. If it is, the total cost goes up.

Another provision by the gentleman from Wisconsin [Mr. SENSENBRENNER] deletes administration language to exclusively include Texas' investment risk free. No other investment is assured—not our foreign partners, and certainly not the U.S. taxpayer, and this was never a condition of the original commitment. It does not take into account the derived past, present, and future benefit of this investment in Texas. Most dangerously, it prejudices a purely objective decision on the project by building in artificial termination costs.

Language requiring a GAO review for new money that is spent, is prudent as long as it does not require additional delays. Finally, I will request a change in the effective date of the Federal cost cap to assure the inclusion of \$130 million that was appropriated in fiscal years 1988 and 1989.

With or without these perfecting amendments, H.R. 4380 is a good bill. Each amendment simply makes it better. I will vote for each and for final passage.

I commend the gentleman from New Jersey [Mr. ROE] and committee member from New York [Mr. BOEHLERT] for their leadership in bringing fiscal and technical discipline to this enormous capital project. I would like to recognize two members of the Committee on Science, Space, and Technology, the gentlemen from Texas [Mr. SMITH] and [Mr. BARTON] for their tireless efforts on behalf of the super collider. This legislation is a product of their collective contributions, and would have been found lacking if not for each of them.

Mr. SENSENBRENNER. Madam Chairman, will the gentleman yield?

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

Mr. SENSENBRENNER. Madam Chairman, let me associate myself with the remarks of the gentleman from Pennsylvania [Mr. WALKER], and emphasize that the \$5 billion contained in the authorization of Federal contributions, in the eyes of this Member, is a \$5 billion ceiling. I also will not support any additional authorization or appropriation if there are cost overruns to it.

The concern that I have, which will be addressed in my amendment, relates to the refund provision to the State of Texas contained in page 14 of the reported bill. As it stands, under the reported bill, if before October 1, 1995, the Secretary of Energy determines that the SSC project should be terminated, then the State of Texas will get a complete refund for both its cash payments as well as its in-kind payments which would include the construction of highways, power lines and towers, sewers, and the like. This can be up to the billion dollars that the State of Texas has committed to the project.

Now, if this language stays in the bill, I can hear the argument that will be made once the first cost overrun is made. That is, give the project \$200 billion more so that they can save from having to pay Texas back a billion dollars. If Congress does that, then the next time a cost overrun occurs we will, "Give us \$300 million or \$400 million more"—again, to save having to refund to the State of Texas a billion dollars. So that way we end up underwriting the overruns, a way of preventing the refund from occurring that is mandated under section 14 of the bill. That is why I will be offering an amendment to strike this provision of the bill, unless some kind of an arrangement is worked out to prevent this kind of a bootstrapping arrangement where cost overruns get subsidized by the Congress in the name of "preventing us from making a higher expenditure and refunding the State of Texas what they have contributed," both in cash and in-kind contribution.

Mr. WALKER. Madam Chairman, I laud the gentleman for the amendment and will be supportive of that amendment when it comes to the floor.

Madam Chairman, I reserve the balance of my time.

Mr. ROE. Madam Chairman, I yield 3 minutes to the distinguished gentleman from Tennessee [Mrs. LLOYD].

Mrs. LLOYD. Madam Chairman, I rise in support of H.R. 4380, the Superconducting Super Collider Project Authorization Act of 1990.

In supporting this bill, I do so because I believe the superconducting super collider is good. Since 1983, the merits of the SSC concept have been discussed and debated within the scientific community. The consensus that has emerged is that the SSC is

the most important physics undertaking in the United States during the last quarter of this century. This project will provide the tools for scientists to expand their knowledge and understanding of matter. Understanding the material that makes up our world has been a goal of science since the time of the ancient Greek scholars. If successful, the SSC will complete our understanding of the standard of how particles and forces interact to form matter.

The second point I want to emphasize is that this project will provide a tremendous boost to science education in our Nation. In fact, this has already begun. Teams of scientists and graduate students from universities throughout the country are coming together to plan, design, and develop experiments for the SSC. These experiments will be tested, analyzed, and refined over the next 9 years. Already, there is excitement building in the science community; the effect on graduate students is evident and will be even more dramatic as the SSC project nears completion.

This excitement and energy will in turn be transferred to other students in the years ahead. Our young scientists and students need this challenge; they need to know that science is important to our Nation. During this past year our subcommittee has held a number of hearings on science education; time and again we have heard teachers say that the students need challenge and excitement. I believe this SSC can excite our students and rekindle their interest in science.

Finally, I believe it is important that the Congress provide a clear signal of our support for this project. An undertaking of this importance and magnitude should begin with the support and approval of Congress. The Congress should concur that the proper provisions are in place to both assure success of the project and also fulfill our responsibilities in overseeing Federal expenditures. Unless we send a clear, unequivocal message of support, this project will surely become one more example of a major project which we have started and failed to finish.

I urge your support for H.R. 4380, the Superconducting Super Collider Project Authorization Act of 1990.

Mr. WALKER. Madam Chairman, I yield 5 minutes to the gentleman from New York [Mr. BOEHLERT].

Mr. BOEHLERT. Madam Chairman, I rise in support of H.R. 4380. I agree with my chairman that this sort of research becomes a great nation, that unforeseen benefits will flow from it, and that this bill includes many significant safeguards that have been absent from previous legislation. I will vote for final passage of the bill.

But, I will also vote for—and indeed offer—amendments to the bill. If any-

thing, these amendments should be more appealing to supporters of the SSC than to its detractors because the supporters have more to lose if the plans go awry. And the project is much more likely to proceed as advertised with the amendments.

Too many supporters of the SSC—scientists and politicians alike—have fallen in love with the SSC, and their devotion has left them a little blind and defensive. It's the job of their friends—those of us who support basic research—to force them to step back and take a more unbiased look at the object of their desire. What will kill the SSC in the long-run is not the attacks by its opponents, but the bloated claims of its strongest supporters, which will leave the Congress feeling misled and betrayed.

First, we must recognize that this project still faces many technical hurdles. Chief among these is mass producing the magnets—the step that ended up derailing the Isabelle collider after 6 years of funding.

I am not arguing that industry cannot produce the magnets—only that doing so will require a great technical leap, which like all such leaps, is likely to be slowed by unforeseen difficulties. No less a supporter of the project than Dr. Bromley has pointed this out repeatedly in House and Senate testimony.

In fact, Dr. Bromley—who in addition to being the President's science advisor is a noted physicist—Dr. Bromley has argued that 25 or 30 industrially produced magnets ought to be tested before any construction gets underway. That is far more restrictive than the conditions set by H.R. 4380.

Supporters of the project should not be arguing simultaneously that the SSC will vastly stretch American technical know-how and that the project will proceed trouble-free with no further cost escalations and no cost overruns.

Second, while the SSC will advance American science and technology, it is wrong to pretend that the future of the American scientific enterprise is riding on it.

There are other expensive areas of scientific inquiry that are higher priorities—global climate change research and high performance computing—just to name two that are on Dr. Bromley's priority list. We have to be careful to ensure that other fields of science are not starved to pay for the SSC.

One field that is not being starved right now is physics. While the SSC sometimes is portrayed as all that is standing in the way of a mass exodus of physicists, the Department of Energy is actually embarked on a number of major construction projects in physics, including an upgrade of the accelerator at Fermilab.

And as for the claims about what the SSC will do for education, I think it is quite telling that the State of Texas has offered to pay private school tuition for the children of some SSC researchers. The project may not even benefit the public schools in Ellis County, TX—never mind the remainder of the Nation.

So I am not one of those supporters who has learned to stop complaining and love the SSC. But then again, I never viewed Dr. Strangelove as a model scientist.

The people who are model scientists are known for their objective pursuit of truth and their rigorous analysis of evidence. And those are the same traits that ought to characterize the debate over science policy.

The kind of debate that treats news weeklies as if they were scientific journals is likely to kill this project in the end by raising scientific and financial expectations that just cannot be met.

□ 1400

Mr. ROE. Madam Chairman, I yield such time as he may consume to the gentleman from Maryland [Mr. McMILLEN].

Mr. McMILLEN of Maryland. Madam Chairman, I rise in support of this authorization bill. I would like to commend the chairman of the committee for including in this legislation strong international participation cost caps.

Madam Chairman, I urge adoption of the legislation.

Mr. ROE. Madam Chairman, I yield such time as he may consume to the distinguished gentleman from Texas [Mr. HALL].

Mr. HALL of Texas. Madam Chairman, today I rise in support of H.R. 4380, a bill to authorize the superconducting super collider [SSC]. Mr. Chairman, as a member of the Science, Space, and Technology Committee, I have had the opportunity to watch Chairman ROE work tirelessly, with an unflagging commitment to see this project through, and bring to the floor a good bill, a clean bill, a bill that seeks to complete this project on time and on budget. I would like to thank the chairman for the leading role he has taken. All those who support the SSC should be commended, because support for the SSC is also support for education, for science, for U.S. economy, for U.S. industry, for advancements in medicine, for competitiveness, and for American leadership.

Madam Chairman, as a member of the authorizing committee, I have also had the opportunity to see the opponents of the SSC work tirelessly to strap the bill down with controversy and rhetoric. And I would like to remind my colleagues that last year you said no to these tactics and yes to the SSC with a resounding 330 to 93 vote. Before that, in 1988, you also

said yes by passing an authorization bill, although the other body did not take up the measure. In January of this year the high energy physics advisory panel [HEPAP], which is comprised of the premiere high energy physicists in the world, said yes with their review and endorsement of the SSC. And, of course, the Science Committee said yes by reporting this bill out of committee and to the floor, which brings us to where we are today. And we are here today to answer one basic question: Will the returns be worth the investment?

Let us think about the educational returns. It is no secret that science education in America is on a rapid decline. As few as one-third of graduate students enrolled in American university science programs are American citizens. The SSC will be a unique laboratory with no other comparable facility being planned anywhere else in the world. Therefore it will serve to create a major educational resource for the Nation by attracting the very best creative young minds in our country and in the world. These returns are already being reaped by 57 universities in 28 States receiving SSC fiscal year 1990 funding. And it is the intention of the SCC laboratory to emphasize its educational role at all stages of the laboratory's development and operation, providing different types and levels of educational effort during different phases of the project.

The potential impact on industry is best measured by the benefits of past U.S. research and investments into particle accelerators. From advances in micro circuits, lasers, medical treatments and the understanding of disease, the fruits of investment in basic particle research is all around us. Already research for the SSC has uncovered even more potential industry-related spinoffs such as: More efficient techniques for tunneling that will save millions of dollars in the construction of sewers, water systems, and subways; improved microwave amplifiers that boost the effectiveness of satellite communications; a coil of superconducting cable that could store electricity when demand is low and release it when demand is high; and enhancements in computer hardware and software necessary for us to remain competitive in the race for leadership in the development of supercomputers. In pure financial terms, it is estimated that at least one-third of today's gross national product [GNP] is based on accelerator-related technology.

Recent improvements in superconducting cable and magnets have made dramatic advances in medical treatments possible. Magnetic resonance imaging [MRI] and CAT scans, which use superconducting cable, allow doctors to locate and diagnose tumors with more accuracy and speed. Loma Linda University in California is plan-

ning to use an accelerator to treat cancerous tumors by destroying the tumor without damaging the surrounding healthy tissue. Accelerator research produces particle beams which are being used to study the physical characteristics of viruses, including the virus which causes AIDS.

As chairman of the Subcommittee on International Scientific Cooperation, I am pleased to report that the Department of Energy has completed its international plan and will soon begin consultations with potential foreign contributors to the project. It is important that we have the kinds of foreign contributions and participation in the project that are mutually beneficial—to us and to the contributing countries. That is the essence of a good deal, and I believe there is a broad middle ground that the United States and potential foreign contributors can find that will further each country's nationalistic scientific objectives and, at the same time, advance mankind's understanding of particle physics. H.R. 4380 directs the Secretary to obtain commitments of contributions of at least 20 percent but not more than one-third of the total cost of the project. I think that this range is reasonable, but we should not expect these contributions to be made overnight. We should be patient, because contributions and negotiations of this magnitude will take time.

Madam Chairman, the timing of this authorization bill is critical. The merits can obviously stand on their own against annual funding battles, if necessary. But our priorities must be set in order to answer the question we must all ask ourselves today: Will the 101st Congress vote to guide America back into its traditional leadership role in technology, or will we argue and nit-pick this program to the extent that our scientific community finds itself playing the role of outside observer? We must make a strong statement, as we have in past votes on the SSC, that we believe the SSC will become an unparalleled international center for science, education, and technological applications. Providing this program with the stability and continuity that it needs to flourish, by voting for H.R. 4380, is a swift and sure way to make a strong statement for science, for education, for industry, for medicine, for America.

Mr. WALKER. Madam Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. RITTER].

Mr. RITTER. Madam Chairman, I want to commend our chairman, the gentleman from New Jersey [Mr. ROE], and the ranking Republican member, the gentleman from Pennsylvania [Mr. WALKER], for taking a very positive step with this bill to try to lessen some of the superconducting super collider's financial and scientific

uncertainties, and to try to put a lid on the obligation of the Federal taxpayers. A reasonable assessment of the process is absolutely necessary, but this bill may be too little and too late.

Madam Chairman, as we have seen with the cost increases and magnet difficulties, construction of the superconducting super collider still has major question marks, and the potential for an open-ended financial commitment by the Federal Government, just like with any other R&D project. There is nothing permanent in the cap placed on the SSC by this legislation.

The SSC was sold initially as a machine to do basic research. It was not sold to the Congress initially as a research and development project in and of itself, but that is what it has become, and just like with any other research and development projects, we cannot place at the outset limits on the final cost because we do not know exactly where it is going. The SSC final price tag could be \$10 billion or even more.

Henson Moore, the DOE's Deputy Secretary, said that the price tag "is probably \$8 billion, but that's a preliminary, almost back-of-the-envelope figure." According to recent press reports, when that figure becomes more certain, it is quite possible the SSC's proponents will come back to the Congress and ask for more money.

Until our companies can produce the SSC's magnets, no cost estimate is reliable, and there is no congressional action that can hold the project's cost in check. There is no magic wand that will say that this R&D project to build this equipment will cost a certain amount, and that is it.

The magnet redesign alone has increased the cost by \$1.3 billion. Numbers like that make me wonder if the SSC will ever be built, even if we authorize the funding for it now. The Lord knows we do not need another Clinch River Breeder Reactor project.

□ 1410

The bill requires that prototype magnets be able to be made before the next \$1.17 billion is obligated. Again, there are no assurances that the magnets will work or that our companies can mass produce them. But I do want to commend the chairman and the ranking member for coming up with a bill that at least seeks to meet those benchmarks.

Then there are the international contributions which the DOE has been seeking for several years. Those are supposed to make up between 20 and 33 percent of the total cost, but all the DOE has to show for its work is a small pledge from India. Henson Moore's recent statements indicate that the DOE may not get more than \$1 billion from other nations, less than what is called for in this bill. If this happens again American taxpayers

will be called upon to make up the difference.

I also wonder whether the super collider is supercritical to our Nation's competitiveness. There are a lot of reports by a lot of people in a lot of different industries that spending \$8 billion or more on this particular basic science project would severely impact other far more deserving areas of science. Even in basic research, the New York Times, in its editorial, reported other branches of physics may starve to feed the SSC. The Washington Post reported recently that basic researchers in other fields are "beginning to see the handwriting on the wall." Some are leaving fields such as AIDS research and cancer research, citing funding cutbacks.

My colleagues, advanced materials, automated manufacturing, biotechnology, high-definition video systems, photonics, and optoelectronics all are far closer to the cutting edge of America's global challenges and competitive challenges than the SSC, and all are flat-funded almost or going negative. Before we commit ourselves to spend the still unknown and spiraling numbers of billions of tax dollars, we should stop and ask whether now is the right time to build an SSC.

Mr. ROE. Madam Chairman, I yield 2 minutes to the distinguished gentleman from Texas [Mr. SARPALIUS].

Mr. SARPALIUS. Madam Chairman, I commend the chairman on his work on this important piece of legislation.

All of us, as Members of Congress, should have a vision of the future, and, oh, what an investment this is in our future.

If we can stop and think that today we are spending over \$20 billion a year in defense to protect the Japanese while, in turn, they are investing in high technology. We now have an opportunity here to make a tremendous step in high technology.

Step into the future with me and see what this investment would be. We will be able to have an x-ray machine that one can stand in front of and find any tumors or cancers in their body. Through the compressed energy, we will be able to have a battery this size that will operate an automobile, a battery a little larger to provide enough energy for a home. We will be able to develop the Dick Tracy watch with a telephone in the watch.

You can let your imagination wander. Oh, what an investment this would be for us and for our young people in the future.

Mr. WALKER. Madam Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. FAWELL].

Mr. FAWELL. Madam Chairman, I thank the gentleman for yielding to me and I rise in support of the bill.

Madam Chairman, throughout our history, Americans have led the way in exploring new frontiers and creating

new technologies to meet the challenges of the future. Through such bold endeavors as the Space Program, our Nation has demonstrated its commitment to maintaining our leadership in science and technology, on which our future—and our children's future—depends.

America's scientific and technological edge is at risk of being surpassed by Japan and Europe. At stake is not only our traditional leadership in science and technology, but also our opportunity to explore new frontiers in knowledge that will result in advances in medicine, computers, telecommunications, and other critical technologies.

America's ability to maintain our leadership in science will depend on our commitment to projects like the SSC. Time and time again witnesses appearing before the Science Committee stress the importance of basic research to the health of our economy. Past American investments in particle physics prove this point.

Over the past 60 years, U.S. investments in particle accelerators have ushered in a new era of science and technology that has resulted in rapid advances in microcircuits, lasers, medical treatments, and the understanding of disease. The results are all around us; television sets, disc players, computers, and CAT scans all owe their existence to particle accelerators. In pure financial terms, it is estimated that at least one-third of our gross national product is based on our knowledge of the atom.

Madam Chairman, we cannot afford not to build the SSC. For the future of science and for the future of our economy, let us get on with this project.

Madam Chairman, in addition, I might add that this whole concept as it comes about is a tremendous educational tool for America to interest young people in going into science and technology and especially energy physics.

Mr. ROE. Madam Chairman, I yield 2 minutes to the distinguished gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Madam Chairman, I want to start out by commending the gentleman from New Jersey [Mr. ROE], the chairman, and the gentleman from Pennsylvania [Mr. WALKER], the vice chairman, for taking on an initiative that I think is the greatest research and development project in American history.

Thirty years ago John Kennedy snorted out a challenge to America. He said that if we were going to meet the competition and the future needs of our country we are going to have to put our money where our mouth was, and he pledged just that. He embarked this Nation on a space program and a research and development program to attain those goals. He just did not

talk. He did it. We were the first to make it to the Moon, and we are now beginning to reap the dividends and the harvest of those efforts.

Today we are embarking upon the next phase. Other nations put more money into research and development. There is no excuse for that. Ladies and gentlemen, it is time, and today is that day.

Let me also say this: We should all be proud today to stand here in the well supporting a project that is going to Texas. I think it is fitting with the energy background of that great State and the problems they have had to be the host of this project. They met the criteria. Today we are Texans and Americans.

Later now in the program I have an amendment. That amendment is right to the point. It says that if the President cites a nation for a trade practice that is detrimental and injures American business and commerce, then those companies domiciled in that country so listed by our President are ineligible to bid on these contracts.

Madam Chairman, I want the support of Congress. That is a policy statement. Let me say this: At this point it deals with India. It is more of a policy statement for the future, but if India is going to get away with putting \$50 million into the superconducting super collider and then telling our President, who is doing a good job, Mr. Bush, to go to hell on trade, costing his country billions of dollars, then we should analyze it right here today and let them to keep their \$50 million and let the President do his job with India through his negotiators in trade.

Madam Chairman, I ask for the support of the Members. I commend the chairman and the vice chairman for this bill.

Mr. WALKER. Madam Chairman, I yield 2 minutes to the gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. Madam Chairman and my colleagues, I addressed myself, or tried to address myself, to the superconducting super collider about the time it was possible this project would find its way into the economy in California.

Frankly, I addressed myself to the issue, because I first had to ask myself the question: "Why, for goodness sakes, are we going to talk about spending billions of dollars of American money in a research area like this?" That fundamental question is important for the House's consideration.

So let this layman try to share with my colleagues a piece of that which affected my conclusion.

□ 1420

First and foremost I learned that the Loma Linda University Medical Center in my district had been doing experiments with the Fermilab in Illi-

nois regarding superconductors and that process that involves the slamming together of protons at very high speeds. I learned the following. It seems that in this experiment a much smaller conductor was used to slam together hydrogen protons at very high speeds. When that occurred the proton pops loose. That proton I understand, from this layman's understanding, is highly receptive of very major concentrations of radiation.

That radiated particle, can be rifled at tissue that is cancerous tissue. Now, currently the problem with treating cancer with radiation is that often there is a flash point or heat point on the other side and the treatment kills other tissue, kills organs that are vital, and people die.

In this case the particle with such concentration does not have that flash point. By beaming such particles as a part of treatment they may save 90 percent of these people who currently die as a result of direct treatment by radiation for cancer. This is a fantastic breakthrough that reflects the critical importance of America making these kinds of investment in basic research.

I hope those who are concerned about the future of humankind will focus upon this kind of fundamental Federal role and responsibility. In that regard let me paraphrase the remarks of Nobel Laureate in physics Dr. Leon Lederman. Speaking of the Loma Linda superconducting super collider project: "This effort is a quintessential example of technology spinoff from abstract basic research to humanitarian and economic utility."

Mr. ROE. Madam Chairman, I yield 2 minutes to the distinguished gentleman from Michigan [Mr. WOLPE].

Mr. WOLPE. Madam Chairman, I wish I could today stand with the gentleman from New Jersey [Mr. ROE], my chairman, in support of this legislation. I have enormous respect for the gentleman from New Jersey for his work in advancing our Nation's research and development efforts and for his commitment to all critical basic research.

I recognize the deeper felt conviction that this project is of crucial value to our Nation's future. I appreciate his acceptance of certain amendments in the committee process and on the floor today, including one I will be offering with the gentleman from Ohio [Mr. ECKART], that in my judgment strengthens this bill and establishes stronger measures of accountability.

But in my judgment, this authorization at this time is simply premature. There are simply too many unanswered questions. The bottom line is that the authorization for this project is getting far ahead of our scientific understanding necessary to build this project.

We have already gone from an initial estimate of some \$3 billion as the

total cost of the project to \$4.4 billion, and now \$8 billion, and construction has not even begun. It is the taxpayer that is very likely to be stuck with the bill, far in excess of the \$5 billion that is being described as the taxpayers' share of this venture.

My first concern is that the taxpayers are shouldering an enormous risk while details of the project remain shrouded in uncertainty. I do not question the value of high energy physics research. It is the history of this project, of the super collider itself, that has me concerned.

Second, much more is at stake here than even the enormous projected taxpayer cost. My second major concern is that building the super collider will in fact crowd out other scientific research that in many respects will be far more critical to our Nation's future.

It is important to underscore as we move into the general debate under the 5-minute rule in just a few minutes that the scientific community is deeply divided, even the physics community, on the wisdom of this project.

Mr. WALKER. Madam Chairman, I yield 6 minutes to the gentleman from Texas [Mr. BARTON].

Mr. BARTON of Texas. Madam Chairman, I rise in strong support of H.R. 4380, a bill to authorize the superconducting super collider high energy particle accelerator. The first point that I would like to make is that I have tremendous respect for those that do not support the project quite as strongly as I do. I understand that a project of this size and this scope needs to be examined in great detail, and I truly respect those that are trying to do that with some of the amendments that are being offered today.

I would like to say that this project, while some classify it as a Texas project, is actually a national project located in Texas. Right now we have at the laboratory in De Soto over 500 scientists that are working to make the project a reality. We have an equal number of scientists and industrialists around our great Nation that are working on various subcontracts. In fact, we have people working in over 39 States of these United States.

We have negotiations either under way or expected to be under way with many, many foreign nations around this world.

In Texas as we speak the State is beginning the land acquisition process. In fact, within the next month we expect to have the first \$250 million of Texas bonds sold in the open market. The proceeds from that bond issue are going to be used to actually begin to acquire the land.

The Department of Energy has asked the Texas National Research Commission to acquire approximately

17,000 acres of land. That process is going to take approximately 2 years.

We have right now scientists beginning to define the experiments that are going to be conducted. The requests for proposal for the experiments in the four detection chambers are due later this year. So there is a lot of progress that is beginning to be made.

I would like to speak a little bit about some of the costs of the project, because some of the amendments that are going to be offered later in the debate will deal with the cost.

The first point I would like to make is that the cost of the project is not actually being overrun at this point in time. In fact, to date the money that has been obligated to be spent, we are spending slightly less than is actually being appropriated.

The cost estimate of the project is a different story. Back in 1986 the original estimate for the generic design, when they did not know where it was going to be located, was \$4.4 billion. By 1988 they had revised that estimate to \$5.3 billion, which when you adjust for inflation would come up to \$5.9 billion. That is the estimate that was used in the debate last year.

We expect within the next month or 2 months that the Department of Energy is going to release the very specific engineering design estimate based on the magnet design that has been chosen. We expect that to be somewhere between \$7½ and \$8 billion. We think that is going to be a very good estimate. That is why in this bill we have got the cap of \$5 billion on Federal participation. We expect to do everything we can to meet that estimate.

This project, the SSC, if we start construction in 1991, which is the current plan, will be 1998 before the project is operational. Once it is operational in 1998, it is going to have a life expectancy of 20, 30, perhaps 40 years. So we need to authorize it.

This is not the kind of project that we should do a year-by-year debate on the House floor on. It is a multiyear project to construct. It is a multi-decade project to operate. So we need the authorization bill that Chairman ROE has brought to the floor.

The bottom line is the SSC is an investment in the future of this country. It is an investment in our economic competitive position in the world. One-third of our gross national product today results from research that was originally done in high energy physics. One-third. Economic competition is going to be the life blood of this country of ours in the 21st century. In order to lead the world economically, we need basic research projects like the SSC.

Madam Chairman, I would urge Members to vote yes on the SSC when

we come to the final vote on H.R. 4380.

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

Mr. ROE. Madam Chairman, I yield 2 minutes to the distinguished gentleman from Texas [Mr. BRYANT].

Mr. BRYANT. Madam Chairman, I would like to first commend the gentleman from New Jersey [Mr. ROE] for his pioneering efforts in this area. I believe history books will tell future readers who was responsible for pressing forward in such an innovative area that has caused such an enormous contribution, which we are on the verge of making today.

Madam Chairman, the superconducting super collider is the moon shot of the 1990's. The fact of the matter is it comes at a time when America's predominant role in the world scientific community is threatened. What I am speaking about is the fact that today it is very appropriate we are taking up the super collider issue, because the front pages of newspapers all over America read that the government of Japan is targeting yet another American technology.

Today, the United States holds the lead in the world in an advanced computer technology known as massively parallel processing, a software technology that allow thousands of processors to work together at high speeds.

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Now having achieved dominance in supercomputing, the Japanese are now announcing that they are targeting the United States in the area of parallel processing. What does that have to do with the SSC?

The fact of the matter is that the project is one of the primary forces driving progress in American parallel processing efforts, and it will give us vanguard technology in many other areas as well.

I believe this will be the showcase project of our Nation's science program for the future, and it should be. Building the collider will help preserve America's technological lead, not only in the area of the superconducting super collider, but many others as well.

Finally I want to make this point: A superconducting super collider is going to be built somewhere no matter what.

Two overseas accelerators with capacities greater than America's current largest, Fermilab, are currently in the planning stages, one in the Soviet Union and one in Switzerland. The superconducting super collider would be stronger than both, if built. But should the Soviets or the Europeans build accelerators and the United States decides not to build, the United States will lose many of the world's top scientists. I submit we have already received a great deal from the super collider research. I submit it

would be false economy not to go forward at this time and to keep our lead in the area of scientific research in the world.

Mr. ARMEY. Madam Chairman, I want to take a few minutes to tell you why I strongly support the SSC and will oppose attempts to attach harmful amendments to H.R. 4380. I welcome open debate on the SSC. This project is eminently defensible and worthwhile.

In fact I would compare the SSC to past projects in its potential to contribute to the betterment of our civilization and our understanding of the underlying principles of the world which surrounds us. History books are full of examples of similar excursions and explorations intended to expand the frontiers of knowledge about our planet and beyond.

The Nation has a long tradition of supporting scientific research and exploration. For example, President Jefferson sent Lewis and Clark out West to explore the uncharted frontier. The information they came back with provided the next generation of westward travelers with a preview of the conditions they would encounter, terrain, weather, and native American tribes.

A more recent example is the Space Program. President Eisenhower supported the creation of NASA to explore the wonders of space. Each phase of NASA's existence has built upon our knowledge and allowed our country to lead the way into outer space. Could our communications satellite systems which benefit the entire Nation, and the world for that matter, have been placed into orbit without the benefit of the scientific foundation laid down by NASA in the 20 years between 1960 and 1980? The answer shouldn't surprise anyone. Most of the innovative products and services which we take for granted in 1990 are in some way beholden to the research which was done 20 or 30 years ago during the early days of our space effort.

The superconducting super collider is essential to the scientists of tomorrow and will equip those scientists with the basic research which will provide the United States the knowledge and the tools to continue our success in so many fields well into the 21st century. The dollars this Nation, the State of Texas, and foreign contributors will invest to make the SSC a reality will help maintain our leadership in high-energy physics and will lead to advances in communications, electronics, computers, and countless other fields.

We have a responsibility to provide a firm foundation for the next generation of Americans. The collider is an integral piece of that foundation. More than that, we have a duty to uphold our historical tradition of leading the way into the future through ambitious exploration.

I am proud the collider will be built in Texas. But the collider itself is more important than where it will be built. Individual scientists, universities, and companies from around the country will participate in building and using the collider. This is truly a national project and I am proud to support it.

Some have raised questions about this project. A few Members have doubted Texas' financial commitment. Let me tell you this, Texas will provide every single dollar that is

called for in the sealed bid they submitted. Well-intentioned Members have suggested that perhaps we are not capable of manufacturing the magnets which are central to the success of the SSC, or that we can produce them in the necessary quantities or to the design specifications called for in the blueprints. Of course we can. I'm sure there were similar skeptics about NASA 30 years ago. I'm confident that our scientific community will overcome the small obstacles that will inevitably arise along the way. NASA faced countless problems through the years, each one successfully solved by the practical American geniuses of the day.

The same is true of the SSC. The SSC is a multiyear project and it will still be unlocking doors 20 years from now. There will, of course, be problems along the way, but we have the will to succeed. And succeed we will.

The SSC is necessary and within our abilities. Let's overcome any obstacles in our path and build it. Let's make an investment our grandchildren will appreciate.

Mr. BROOKS. Madam Chairman, I rise in strong support of H.R. 4380, which authorizes the superconducting super collider. The SSC will be the world's largest particle accelerator and will make the United States the leader in high-energy physics. It will also advance our fundamental understanding of matter and will benefit our Nation in several important areas, especially science education.

H.R. 4380 addresses the SSC in its entirety, while incorporating several checks on the project to insure that Federal funds are spent wisely. The bill requires international contributions equalling at least 20 percent of the SSC's total cost and caps Federal expenditures at \$5 billion. My own State of Texas, which was selected as the site of the SSC by an independent review panel, has also pledged to put up at least \$1 billion in State funds to help finance the SSC.

I believe the SSC is vital if this Nation is to lead the world in science and technology and I urge my colleagues to join me in voting for H.R. 4380.

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

Mr. ROE. Madam Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. Pursuant to the rule, the committee amendment in the nature of a substitute now printed in the reported bill shall be considered by sections as an original bill for the purpose of amendment, and each section shall be considered having been read.

The Clerk will designate section 1.

Mr. ROE. Madam Chairman, I ask unanimous consent that the committee amendment in the nature of a substitute be printed in the RECORD and open to amendment at any point.

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

There was no objection.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 4380

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Superconducting Super Collider Project Authorization Act of 1990".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) basic scientific research has laid the groundwork for the development of technologies that have improved the Nation's economic competitiveness as well as its standard of living;

(2) many current technologies in the United States were made possible by the development of modern particle accelerators, and past investments in basic research in high energy physics have been repaid many times over in terms of new technology, new jobs, enhanced national security, and advances in medicine;

(3) while the United States has maintained preeminence in high energy physics, substantial scientific challenges are being posed by facilities located outside of the United States;

(4) the SSC is the next logical step in maintaining the Nation's leadership in high energy physics;

(5) the State of Texas, which was selected competitively by the Department of Energy as the site for the SSC, has committed to assist the Federal Government by providing substantial capital and resources to offset construction and operating costs of the SSC;

(6) progress in high energy physics is dependent on access to premier scientific instruments located around the world;

(7) when completed, the SSC will be the premier tool of high energy physics which will attract the most talented scientists in the international community;

(8) international cooperation on the SSC will accelerate its benefits to all and will reduce its cost to the United States Government; and

(9) the completion of the SSC is critically dependent upon the successful production of the superconducting dipole magnets.

(b) PURPOSES.—The purposes of this Act are to—

(1) authorize funds for the SSC;

(2) authorize the Secretary of Energy to enter into arrangements for the research and development, design, construction, and operation of the project;

(3) authorize the Secretary to seek commitments to the construction of the SSC from international and other non-Federal sources;

(4) establish guidelines for the receipt of contributions from international and other non-Federal sources;

(5) establish policies for the awarding of construction and construction-related contracts; and

(6) authorize a Director of the Office of the Superconducting Super Collider, to facilitate management of the SSC.

SEC. 3. DEFINITIONS.

For purposes of this Act—

(1) the term "Authorizing Committees" means the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate;

(2) the term "construction" means all activities necessary for completion of the SSC and its supporting infrastructure, and includes conventional construction and the research, development, design, fabrication, in-

stallation, testing, and preoperation of technical systems;

(3) the term "conventional construction" means the design and construction of civil works, facilities, and other infrastructure necessary to construct the SSC, including tunnels, buildings, and roads, necessary to house and support the technical systems, and utilities as necessary for the direct support of elements of the SSC project authorized in accordance with the schedule set forth in section 7, to the extent such utilities are not otherwise readily available;

(4) the term "conventional construction plan" means the description of—

(A) methods of contracting for architectural and engineering and construction services;

(B) project responsibilities, including construction management services when appropriate;

(C) delineation of facilities and infrastructure to be constructed;

(D) schedules; and

(E) estimated costs;

(5) the term "facility site plan" means the configuration, including the location, size, and shape, of the property on which the SSC is to be constructed, which will form the basis for the procurement of land for the SSC;

(6) the term "magnet assembly test" means an in situ test consisting of not less than 10 nor more than 100 dipole magnets, and the appropriate supporting magnets, and cryogenic, vacuum, and utility support systems configured in upper and lower beam lines, to ensure that the magnets will operate in series as a unit at its full potential in accordance with program objectives;

(7) the term "magnet development plan" means the management plan that specifies project organization, schedules, facilities, estimated costs, performance criteria, design, specifications, fabrication, testing, and production release criteria for magnets;

(8) the term "magnet industrial production plan" means the description of the requirements for producing magnets of all types required for the SSC, as well as the superconducting cable, in a manufacturing environment, including management, organization, type of contracts, technical and administrative control provisions, technical specifications, procedures for testing, quality control, acceptance criteria including testing requirements and warranties, and the supply, transportation, emplacement, and installation of the magnets and related facilities and equipment;

(9) the term "preproduction phase" means activities associated with the development of production techniques and methods, tooling, and the production of magnets to ensure that the magnets to be manufactured are producible to design and performance specifications at acceptable cost and yield, including associated facilities;

(10) the term "prototype magnets" means magnets produced in carrying out the magnet development plan for the purpose of confirming the final criteria and specifications prior to beginning production of the magnets;

(11) the term "Secretary" means the Secretary of Energy;

(12) the term "SSC" means a superconducting super collider, a scientific facility known as a particle beam accelerator, which can provide data that will assist scientists in formulating a unified field theory, and to thus answer scientific questions regarding the nature of matter, and which includes associated infrastructure such as magnet test

facilities, laboratories, warehouses, offices, visiting scientist housing, roads, and other infrastructure necessary to support the SSC and associated equipment and personnel; and

(13) the term "technical systems" means the facilities, hardware, machinery, and equipment that comprise the injector systems (linear accelerator, low energy booster, medium energy booster, high energy booster, and beam transport systems), the collider ring systems (magnets, cryogenics, vacuum systems, main power supplies, radio frequency system, and detectors) and other systems required to inject, energize, guide, monitor, and control the proton beams.

SEC. 4. OFFICE OF THE SUPERCONDUCTING SUPER COLLIDER.

(a) **DIRECTOR.**—There shall be in the Department of Energy an Office of the Superconducting Super Collider, whose sole function shall be to facilitate the management and decisionmaking of the Federal Government as it undertakes the largest scientific project ever authorized for the Department of Energy, with a Director who shall be compensated at the rate of pay payable for level IV of the Executive Schedule under title 5, United States Code, and who shall report directly to the Secretary of Energy and supervise the SSC Project Office established by section 4(b) and the Superconducting Super Collider Laboratory to ensure that responsibility and accountability is placed with a minimum number of levels of management within the Department of Energy, and that all supporting and ancillary activities are carried out to further the mission of the project.

(b) **PROJECT OFFICE.**—There shall be established an SSC Project Office located at the site of the SSC, to be supervised by the Director of the Office of the Superconducting Super Collider, to provide the necessary support activities for the SSC.

(c) **SUNSET.**—Subsection (b), and the amendment made by subsection (a), shall cease to be effective 2 years after the completion of the construction of the SSC.

SEC. 5. PROJECT AUTHORIZATION.

The Secretary may enter into arrangements with universities or with State institutions, nonprofit entities, public utilities, industry, international sources, Federal agencies, or other persons, or with consortia thereof, for participation in the research and development, design, construction, or operation of the SSC.

SEC. 6. ESTABLISHMENT OF FUND AND AUTHORIZATION OF APPROPRIATIONS.

(a) **ESTABLISHMENT OF FUND.**—There is established in the Treasury of the United States a separate fund to be known as the Superconducting Super Collider Fund. Such fund shall have deposited in it—

(1) unexpended balances of appropriations made for the SSC before the date of enactment of this Act;

(2) State of Texas cash contributions received under section 8(a);

(3) international cash contributions received under section 8(b);

(4) other non-Federal cash contributions received under section 8(c); and

(5) appropriations made pursuant to subsection (c) of this section.

(b) **NONCASH CONTRIBUTIONS.**—For purposes of the expenditure limitations set forth in subsection (c)(2) of this section and section 7, noncash contributions received under section 8 shall be treated as though they were cash contributions deposited in the Superconducting Super Collider Fund, with a value equal to the fair market value of the

contribution at the time it was made, as determined by the Secretary.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—(1) There are authorized to be appropriated to the Superconducting Super Collider Fund, as described in subsection (a)(5), amounts necessary for expenditures for the SSC in accordance with section 7. In no case shall the sum of—

(A) the aggregate of appropriations under this paragraph;

(B) balances described in subsection (a)(1); and

(C) amounts expended after September 30, 1989, and before the date of enactment of this Act,

exceed \$5,000,000,000 for construction of the SSC.

(2) There are authorized to be appropriated to the Secretary from the Superconducting Super Collider Fund amounts necessary for expenditures for the SSC in accordance with section 7, to remain available until expended.

SEC. 7. USES OF THE FUND.

The Secretary may make expenditures from the Superconducting Super Collider Fund, to the extent provided in appropriations Acts, for construction and activities associated with construction, including equipment procurement and research and development, as follows:

(1) Not to exceed \$220,000,000 shall be available for obligation after October 1, 1989, for—

(A) research and development for magnet and technical systems;

(B) the design of on-site civil works and facilities including the main ring tunnel; and

(C) research and development associated with preproduction phase.

(2)(A) An additional \$1,170,000,000 shall be available for obligation 30 days after submission by the Secretary to the Authorizing Committees of—

(i) a facility site plan, approved by the Secretary;

(ii) a magnet development plan;

(iii) a complete summary project plan, containing management and organization plans, current cost estimates and schedules, a conventional construction plan, and a magnet industrial production plan, approved by the Secretary;

(iv) a written report on the status of the Supplemental Environmental Impact Statement;

(v) a written report on the status of agreements for international contributions to the SSC; and

(vi) a certification that prototype magnet design is complete and that prototype magnets can be produced by industry.

(B) Funds described in subparagraph (A) shall be available for—

(i) the continuation of purposes described in paragraph (1);

(ii) the on-site conventional construction of above ground facilities, including only the Magnet Development Laboratory, Magnet Test Laboratory, Laboratory/Office Complex, and on-site associated roads, service facilities, and utilities;

(iii) the construction of the first below ground tunnel segment consisting of a length no greater than 8 miles, with appropriate access structures, related appurtenances, supporting systems, and on-site supporting utilities;

(iv) the construction of prototype magnets and all necessary supporting systems and utilities;

(v) the installation and operation of prototype magnets, and all necessary support-

ing systems and utilities, for the purpose of conducting a magnet assembly test;

(vi) the construction of the injector systems, including all associated subsystems and utilities, except for the construction of the high energy booster; and

(vii) activities related to the preproduction phase.

(3) An additional \$5,980,000,000 shall be available for obligation, 30 days after submission by the Secretary to the Authorizing Committees of a report—

(A) certifying the successful completion of the magnet assembly test;

(B) certifying the securing of the commitments required under section 8 (a) and (b); and

(C) containing any revisions to the summary project plan required by paragraph (2)(A)(iii) that are necessitated by the results of the magnet assembly test,

for activities leading to the completion of the construction of the SSC including purposes described in paragraphs (1) and (2)(B), including research and development, conventional construction of the remainder of the 46 miles of the main ring tunnel, and the remainder of the technical systems including the high energy booster.

SEC. 8. NON-FEDERAL CONTRIBUTIONS.

(a) **STATE OF TEXAS CONTRIBUTIONS.**—

(1) **IN GENERAL.**—The Secretary shall negotiate with the State which has been selected as the site for the SSC, to mutually agree on a schedule for making cash and in-kind contributions to the SSC and on the composition of such contributions. The aggregate value of such cash and in-kind contributions shall be not less than \$1,000,000,000.

(2) **REFUND.**—(A) If, before October 1, 1995, the Secretary terminates the SSC project, the Secretary shall make a refund of cash payments and in-kind contributions made by the State of Texas from amounts available to the Secretary.

(B) Refunds for in-kind contributions shall be based on the fair market value of the contribution at the time it was made, as determined by the Secretary, and shall be returned to the State of Texas in a form and on such terms and conditions as may be mutually agreeable to the Secretary and the State of Texas.

(3) **DEFINITION.**—For purposes of this subsection, the term "in-kind contributions" means contributions other than cash that the Secretary determines have a direct impact on the functioning of the SSC, whether on or off the actual project site, and the expenditures which would not have been made but for the SSC; including materials and labor associated with conventional construction; technical expertise or studies; improvements made to infrastructure necessary to adequately serve the site area (such as roads and highways, airports, water and sewer, electricity and power); real estate and interests in real estate; contributions or improvements made to educational or academic facilities in support of necessary research related to the SSC; appropriate housing and other benefits for those associated with the SSC; and the cost of subsidies provided to the SSC (such as energy, water, or materials provided at less than market cost).

(b) **INTERNATIONAL CONTRIBUTIONS.**—The Secretary shall secure commitments for contributions from international sources with a value of not less than 20 percent nor more than 33 and one-third percent of the total cost of the SSC.

(c) **OTHER CONTRIBUTIONS.**—The Secretary may accept contributions for the SSC from other non-Federal sources.

(d) **CREATIVE FUNDING MECHANISMS.**—The Secretary shall make every effort to devise strategies that minimize the cost of constructing the SSC through the use of creative funding mechanisms such as leasebacks, the transfer of title to a facility constructed by a non-Federal party to the United States, third party financing, guaranteed loans, and interest subsidies for conventional construction. The Secretary may propose legislation to Congress to implement these mechanisms as needed.

(e) **USE OF CONTRIBUTIONS.**—Amounts received by the Secretary as cash contributions to the SSC shall be deposited into the Superconducting Super Collider Fund.

(f) **CONTRIBUTIONS OF SERVICES.**—The Secretary may accept contributions of services and other noncash items in accordance with section 652 of the Department of Energy Organization Act (42 U.S.C. 7262) to be used to carry out the purposes of the Superconducting Super Collider Project Authorization Act of 1990.

SEC. 9. ELIGIBLE CONTRACT RECIPIENTS.

(a) **DETERMINATION BY SECRETARY.**—Except as otherwise provided in this section, the Secretary shall award a contract in connection with the SSC only to—

(1) a domestic firm;

(2) foreign firms based in a country that is contributing to the SSC;

(3) a foreign firm that will perform the majority of its contractual activities for the SSC within the United States; or

(4) a joint venture between a foreign firm and a United States company which—

(A) is expressly organized to bid for SSC contracts; and

(B) indicates an intention to conduct a substantial portion of its contract activities in the United States.

(b) **EXCEPTIONS.**—For contracts that cannot be fulfilled from sources which meet the requirements of subsection (a) or can only be fulfilled by such firms at a substantially higher cost, the Secretary may award such contracts to other firms 30 days after the submission of a report to the Authorizing Committees explaining the reasons for the contract award.

(c) **FOREIGN MANUFACTURE.**—Not more than 50 percent of any major system or component purchased for the SSC may be manufactured in foreign countries, unless the Secretary determines that such system or component is not manufactured in the United States and available from a domestic firm and the Secretary submits a report, at least 60 days before entering into a contract for such system or component, to the Authorizing Committees explaining the reasons for such determination.

(d) **DEFINITIONS.**—For purposes of this section—

(1) the term "domestic firm" means a corporation or other entity organized under the laws of the United States or a State of the United States, more than 50 percent of which is owned by United States nationals, and that conducts a substantial portion of its business and manufacturing activities in the United States; and

(2) the term "foreign firm" means a corporation or other entity not described in paragraph (1).

SEC. 10. REPORTING REQUIREMENTS.

The Secretary shall prepare an annual SSC status report to be submitted to the Authorizing Committees no later than December 1st of each year beginning in 1990 until

completion of construction of the SSC. Such report shall include—

(1) an assessment of accomplishments compared with program objectives, explanations for deviations from any objectives, and, as appropriate, revised projections for future performance;

(2) a schedule which includes project milestones and which shows the actual date of completion compared to previous scheduled completion dates for each major construction and technical system activity;

(3) a program cost statement showing the actual cost of each major construction and technical system activity identified pursuant to paragraph (2), compared to previous estimated costs of such activity; and

(4) an accounting of the funds deposited in the Superconducting Super Collider Fund, including a specific accounting of contingency funds.

SEC. 11. LIMITATION ON USE OF FUNDS.

No funds authorized to be appropriated under this Act may be used for any activity not directly related to the construction of the SSC.

AMENDMENT OFFERED BY MR. ROE

Mr. ROE. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROE: Page 8, line 7, insert "a rate not to exceed" after "shall be compensated at".

Mr. ROE. Madam Chairman, this amendment is technical in nature and was requested by the Budget Committee after it reviewed the provision in our bill which creates a new position of Director of the Office of the Superconducting Super Collider. The bill language as reported by the committee was being read to create an entitlement for the pay of the Director, which was not intended. The amendment I am offering clarifies that such was not the intent of the committee.

Mr. WALKER. Madam Chairman, we accept the amendment.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROE

Mr. ROE. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROE: Page 8, lines 22 and 23, strike "Subsection (b), and the amendment made by subsection (a)," and insert in lieu thereof "This section".

Mr. ROE. Madam Chairman, this amendment is technical in nature and is offered to correct the section so that the sunset provision will apply to both the Director and the project office 2 years after completion of construction of the SSC. This was the intent of the committee. Several words in section 4 were inadvertently retained in the committee reported amendment after the section was amended in committee. Without this change, the sunset section, section (c), only sunsets the project office.

Mr. WALKER. Madam Chairman, we accept the amendment.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROE

Mr. ROE. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROE: Page 14, line 7, insert "For purposes of the preceding sentence, the term 'in-kind contributions' shall not include real estate and interests in real estate." after "\$1,000,000,000."

Page 14, after line 7, insert the following new paragraph:

"(2) **RETURN OF REAL ESTATE.**—If the Secretary terminates the SSC project, the Secretary shall return to the State of Texas real estate and interests in real estate contributed by the State of Texas for the purposes of the SSC project. Any return of real estate or interests in real estate under this paragraph shall be in lieu of a refund for such real estate or interests in real estate under paragraph (3)."

Redesignate subsequent paragraphs accordingly.

Mr. ROE (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. ROE. Madam Chairman, this amendment is intended to clarify the committee's intent that the State of Texas' \$1 billion contribution does not include real estate or interests in real estate. It is also intended to make clear that, in the event the SSC project is terminated, the Secretary of Energy will return to the State of Texas any real estate or real estate interests that the State has contributed to the SSC project.

This amendment has been brought to our attention by our committee colleague, the gentleman from New York [Mr. BOEHLER], and the distinguished gentleman from Massachusetts [Mr. CONTE]. I thank the gentlemen for the contribution they have made to the improvement of this important legislation. I urge approval of the amendment.

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

Madam Chairman, if I understand the gentleman's amendment, what we are assuring here is that we do in fact maintain the land contribution as originally understood by the committee and by the participants and so on?

Mr. ROE. If the gentleman will yield, that is absolutely correct.

Mr. WALKER. This is something which I think is a very good addition to the bill and I appreciate the chairman offering it. I think that this will help firm up what the \$1 billion contribution from Texas means, and will assure that the land that was contributed is in fact something which is in

addition to the \$1 billion contribution as was originally anticipated under the bids for this project in the first place.

Mr. BOEHLERT. Madam Chairman, will the gentleman yield?

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

Mr. BOEHLERT. Madam Chairman, I would like to thank the chairman for the sensitivity with which he has handled this amendment. I expressed some concern as a result of my initial inquiry into this whole matter involving the Texas land contribution, and I expressed some concern that the land contribution would be subtracted from the \$1 billion that Texas has agreed to put up for this project as its contribution. I was afraid that they were going to try to subtract that from the \$1 billion and come up with a lesser contribution. We all know that right from the beginning all of those candidate sites agreed that the land would be up front as part of the project as the local contribution and in addition they were able to offer something more, which they did.

So this amendment could save the American taxpayer somewhere in the neighborhood of \$50 million. I brought this to the chairman's attention and he was very responsive. I want to thank him for his acceptance of it.

Mr. WALKER. I thank the gentleman from New York and also our colleague from Massachusetts [Mr. CONTE], who is also concerned about this issue. I think the leadership they have provided is what has helped the committee come to the floor with this amendment and it does assure, I think, what could be a significant savings to the taxpayer.

I must say that the gentleman from Texas [Mr. BARTON] has also been very cooperative in this, and I think it was Texas' intent we are clarifying now in the language and the nature of it, and what we have now is an amendment that accommodates a lot of interests, and I think it is a very positive step forward and I thank the chairman for the amendment.

Mr. BARTON of Texas. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I, too, rise in support of this particular amendment. I want to lay out though in a little bit more detail some of the background.

Back in 1987 when the Department of Energy released the request for proposals for location of the SSC there were 43 proposals sent into the Department of Energy. Those 43 proposals came from I believe 25 States. Every State that submitted a proposal to be sited as the home of the SSC, as part of that specification they had to specify that they would contribute the land to the project. Every State that made the final list made that specification.

So there is absolutely no argument that Texas, as the home of the SSC, should provide the land, and that land should not be counted as a contribution, no question at all.

I would like to point out that since 1988 when the State of Texas was chosen as the home of the SSC, the original plan at that time was to begin land acquisition in March 1989. We have yet to buy 1 acre of land.

In 1989 Texas was in the midst of a recession and land prices were lower. It could have been obtained much more inexpensively than it will probably be obtained now.

□ 1440

So that is point No. 1.

Point No. 2, in 1988 the Department of Energy was asking for a little over 15,000 acres. Today they are asking for a little over 16,000 acres.

In 1988 the Department of Energy was only requiring that a little over 7,000 acres be purchased outright, which is called fee simple. The remaining acreage would have been purchased, only the subsurface rights, which is called stratified fee.

Today the Department of Energy wants over 10,000 acres purchased outright. If you purchase the land outright, it is going to be more expensive.

So the commitment that Texas was willing to make, as every other State was willing to make at that point in time, is not the same commitment that we are being required to make today.

Having said that, we know the cost constraints that are on the Federal budget. We understand the need for any State to honor whatever commitment it made at that point in time.

So we will support this amendment, but we want folks to know that it is a different requirement in terms of dollar outlay today than it was in 1988. And it could be a significant addition. It could be as much as \$50 million, \$75 million, which, in any State's budget, that is not chicken feed.

Having said that, I would support the amendment.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WOLPE

Mr. WALKER. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLPE: Page 10, line 13, strike "1989" and insert in lieu thereof "1987".

Mr. WALKER. Madam Chairman, this amendment simply makes a technical change that I thought had been agreed to and incorporated in the markup vehicle the Science Committee approved a few weeks ago.

It was my understanding at the time, that it was wholly consistent with the chairman's intent that the Federal spending cap be a true \$5 billion—not

\$5 billion plus some amount of previous funding.

A sum of \$33 million was, in fact, appropriated for the SSC in fiscal year 1988 and \$97,585,000 was appropriated in fiscal year 1989. That is over \$130 million before the effective date now in the bill.

My amendment simply moves the effective date back to make sure this \$130 million is counted against the cap—so its a real cap not a charade.

This amendment is really just truth in advertising.

Mr. ROE. Madam Chairman, will the gentleman yield?

Mr. WALKER. I yield to the chairman of the full committee.

Mr. ROE. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, we have reviewed the gentleman's amendment; it is an improvement to the bill and we have no objection to the amendment at all.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALKER].

The amendment was agreed to.

AMENDMENTS OFFERED BY MR. WOLPE

Mr. WOLPE. Madam Chairman, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. WOLPE: Page 11, line 10, strike "30" and insert in lieu thereof "60".

Page 12, after line 3, insert the following: "Within 30 days after such submission, the Comptroller General shall submit to the Authorizing Committees an evaluation of the materials contained in such submission."

Page 13, line 8, strike "30" and insert in lieu thereof "60".

Page 13, line 23, insert "Within 30 days after such submission, the Comptroller General shall submit to the Authorizing Committees an evaluation of the report submitted under this paragraph." after "high energy booster."

Page 18, after line 25, insert the following: "The Comptroller General shall submit to the Authorizing Committees an evaluation of each report submitted under this section."

Mr. WOLPE. Madam Chairman, the amendment that I am offering is very simple. It would require the General Accounting Office [GAO] to undertake evaluations of the super collider project plans and milestones and cost estimates at critical phases of this project's development.

These evaluations are needed to ensure that an impartial arbiter monitors the SSC's progress and that Federal tax dollars that are to be spent are in fact well spent.

The GAO has no vested interest, bureaucratic or financial, in this project. We need the GAO, in my judgment, to verify what the Department of Energy is telling us in the weeks and months ahead.

If the Congress does not closely monitor this project, in my view 5 years from now we are going to see

that the SSC has taken over the Federal R&D budget.

The Federal Government, on occasion, believe it or not, has actually finished projects on time and under budget. We are being told today that cost overruns are inevitable. Well, we all know that the *Apollo 11* landed on the Moon 6 months before the end of the decade in July 1969. We may not all be aware that the project also finished over \$18 billion under budget.

I simply do not accept the view and I do not think taxpayers accept the view that cost overruns and schedule slippage are inevitable.

Well-planned and well-managed projects are finished on time and under budget.

What is happening now, frankly, in my view, is that today's bureaucracy and special interests have become very adept at pushing the camel's nose under the tent.

On March 31, 1986, just 4 years ago, the SSC's central design group released a report indicating that the actual cost of this project was going to come in at around \$3 billion. It even had a \$529 million set aside for contingencies.

Now we are being told that we are talking about an \$8 billion project. We are being told that we have to authorize construction even before we know how to construct the project.

Mr. ROE. Madam Chairman, will the gentleman yield?

Mr. WOLPE. Madam Chairman, I would be pleased to yield to the chairman, the gentleman from New Jersey [Mr. ROE].

Mr. ROE. I thank the gentleman for yielding.

Madam Chairman, I assure we are not—I think there is a point we have to correct one statement. Nobody is authorizing construction at this point. So I would hope that we would try to get our facts straight a little bit.

Mr. WOLPE. Well, if I may reclaim my time, I think the whole purpose of this legislation is to put in place the super collider initiative. If I am incorrect in that, I stand corrected, but it seems to me that that is the whole thrust and purpose of the legislation before us.

There are three particular concerns. The first is that the cost estimates have ballooned from \$5.9 billion to nearly \$8 billion just in the last 6 months. They are going to go even higher, in my judgment.

The current design has not yet been tested. Previous project designs are responsible for over \$1 billion in the increased cost estimate. Future design changes or problems in any phase of the project could add billions more to its cost.

Finally, I think we ought to be really concerned when a former Director of Energy Research for the Department of Energy sends Secretary Watkins a

memorandum saying the following about those who are responsible for the management of this project, and I quote directly from the memorandum:

It is my view that the contractor is incompetent to manage and construct the SSC project. The contractor should be replaced. . . . Otherwise this program will experience massive overruns and, in their course, require extraordinary management attention due to the international and national political complications. Enormous damage can be done to the scientific enterprise and DOE science programs by continuing with the present contractor and personnel.

When you have the man responsible for oversight of this project make that kind of observation, I submit to my colleagues that we all ought to be concerned. The American taxpayer ought to be concerned. And we ought to put in place every possible means of independent oversight and accountability that can be established.

That is the purpose of the amendment that I have offered.

Mr. BOEHLERT. Madam Chairman, will the gentleman yield?

Mr. WOLPE. Madam Chairman, I am pleased to yield to my distinguished colleague, the gentleman from New Jersey [Mr. BOEHLERT].

Mr. BOEHLERT. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, I think the gentleman has an outstanding amendment. I rise in full support of it.

Madam Chairman, I think it is very important that we have an outside group of experts, one with no vested interest in the project, to review the cost estimates. The former DOE officials, as the gentleman has observed, have complained that the project is not being adequately reviewed by disinterested parties. I think it is important to mention that.

Madam Chairman, I want to compliment the gentleman on his amendment, and I am in full support of it.

Mr. WOLPE. Madam Chairman, I thank the gentleman for his comments, and I want to express my appreciation to him for the leadership he has exercised in crafting a number of other amendments that will be offered in due course that I think will at least strengthen the bill and provide some measure of increased protection.

But I think the fundamental issue is that we are moving prematurely at this stage to advance this initiative. The scientific community itself is divided on this issue. No less an expert than the immediate past president of the American Physical Society demonstrates the division within the scientific community itself.

Let me quote from a letter sent by this leading physicist to one of my colleagues:

The profession of physics has made a large contribution to knowledge, technology, the other sciences, and education in the past 50 years. Those contributions came from the synergism, balances, and evolution

of many subfields. Referring to the SSL and to particle physics in particular, of the approximately 40,000 members of the American Physical Society those in that subfield constitute about 8.5%. Referring to the contributions of subfields to technology: particle physics itself (therefore the SSL) has made negligible contributions * * *.

Today we are really in trouble in regard to the support and understanding by the public of a balanced physics enterprise; many important subfields are below critical support levels and highly capable students are leaving. The great majority of training is done by the small science subfields. Other fields (chemistry, materials science) are suffering similarly. In my opinion Congress should call time out on large prestige projects and build up their information on the totality and the interplay of subfields in the scientific disciplines which are important to this Nation.

To conclude, I appreciate all the work that has been done on this bill and I respect those who have worked hard on it. I feel the taxpayers deserve as much protection as we can give them. That is the purpose of these amendments. I want the taxpayers to feel that we are looking out for their interests.

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

Madam Chairman, we have reviewed this amendment, and I think from our point of view it adds a dimension that I think is an important one. We want to compliment the gentleman for offering the amendment. We have no objection to the amendment on this side.

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

Madam Chairman, I want to call my colleagues' attention to a letter that I received from an individual who wrote a letter to the editors of *Time* magazine, talking about costs of these high-energy physics programs. He relates his own experience as a business manager with a much smaller, what he calls D-Zero Project at Fermilab, and the kind of unforeseen cost buildups that occur in these kinds of projects and the risks that they have to cancel such project.

I'd like to read from this letter, and then I will ask unanimous consent that it be placed in the *RECORD* at this point in the debate.

□ 1450

John Penn who is the former business manager of D-Zero, at Fermilab says:

The moral to all this is that physicists have no conception of costs. They are definitely not "money people." And as scientists, they are more than willing to discard that which does not work and start all over. Even though in places such as Fermilab and the Department of Energy there may be financially oriented people, the truth is that physicists—such as Dr. Leon Lederman, head of Fermilab, ultimately call the shots.

The SSC is going to be a black hole into which we will be shoveling money for many, many years.

I think the gentleman's amendment in putting GAO in a critical position to

oversee the costs of this project is a good one. I support it fully.

Mr. ECKART. Madam Chairman, will the gentleman yield?

Mr. RITTER. I yield to the gentleman from Ohio.

Mr. ECKART. Madam Chairman, I just want to associate myself with the gentleman's remarks and to stand in support of my colleague from Michigan's amendment, and thank the chairman, the gentleman from New Jersey [Mr. ROE], and the ranking member from Pennsylvania for their accepting it. An independent review of this activity by the GAO, I think, is very important. It creates the appropriate milestones and will give Members a better handle on actual costs, and will provide accountability and verification of the promises and projections made for the performance of this project. The wisdom of the leadership of the committee in accepting it, and my colleague, the gentleman from Michigan in offering it is self-evident, given the reality to the rhetoric, and is necessary for the taxpayer to understand what exactly we are supporting.

Mr. OBEY. Madam Chairman, I rise in support of the amendment.

I wanted to just address this amendment at this time in order to try to make a somewhat larger point. I congratulate the gentleman for offering the amendment. I think it is a good one. I think it will help to bring the House back to reality to some degree on this issue.

I am one Member who believes that we ought to increase, not decrease, our investment in science. I think our civilian science budget has been extraordinarily short-changed over the past decade. However, I think that even with this amendment we are going to be continuing the aura of unreality, which has permeated the discussion on this issue.

Last year, a number of us questioned the cost estimate for the super collider. We were told we should not worry about it, that those costs were and would be under control. At that time we were assured by DOE that the costs would be about \$4.4 billion. Since then, Secretary Moore indicated that DOE would not support the package if it cost more than \$5.9 billion. Now, DOE estimates that when it is all over it will probably cost about \$8 billion. I think the problem is, as the gentleman from Michigan said earlier in debate, that political action on this issue is simply ahead of the science.

Now, I think what happens on this amendment will help to some degree, but I think what happens on this entire bill is that Congress is being roped in to buy an idea before we actually know, or before the agency knows, what the costs are going to be.

Congressional Quarterly pointed out in an article recently that DOE has consistently low-balled their cost esti-

mates on virtually every project within their command over the past 20 years. The dean of space engineers at NASA said the following: "You always try to put the best picture on it. If you don't quote a low cost, you ain't going to get it to begin with." He then went on to talk about the "willful self-delusion" which occurs on a routine basis on projects like this.

It seems to me that this project is the best example I can point to of the new kind of pork which is going to be permeating this budget. We have some 2,600 contracts let under this project. As one of the committee members indicated earlier, we have 30 universities in 25 States already participating in this program. That is precisely what is wrong with it. At my State university, for instance, we had a call from one of the physicists at my State university saying, "I hope you will support that super collider because we will be able to deal with it." But the fact is that the taxpayer's interest is not served by that kind of action. I was in the weird position with the president of my university telling me that "This is a bad expenditure of public money" while we have individual scientists within his university saying it is a good expenditure because they get some of the money.

Now, I simply suggest that this is another example of an outrageously out-of-control item in the budget. And the problem is that if we do not have control of the costs on items like this, what is going to happen is that a lot of other vital science will get squeezed right of the budget. We will not have enough funding for the scientific programs that are truly at the heart of our competitiveness as an economy and as a society.

I am happy to see this amendment, but I intend to vote against the entire bill because very frankly, Congress is being suckered on this. DOE is going to get their nose in under the tent, and then "Katie bar the door," as far as costs, and we will not be able to stop it because virtually every university in this country and every State in this country will lobby Members to support this package because they get a tiny piece of the action. The time to stop this is now before it destroys the balance in our scientific programs. If we want to get their overall budget house in order, fine. Right now, we do not have the revenue to support this package or a lot of other programs, and we should not delude ourselves into thinking that we are funding this package with the bill that we provide today. This is just the first initial cost. It will explode far beyond the numbers that we see here today, and we ought not to do that.

Mr. WOLPE. Madam Chairman, will the gentleman yield?

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

Mr. WOLPE. Madam Chairman, I want to express my appreciation to the gentleman for his statement.

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

Mr. OBEY. I yield to the gentleman from Michigan [Mr. WOLPE].

Mr. WOLPE. Madam Chairman, I think the real strategy that is being pursued is one of getting the contracts out as quickly as possible, so as to put in place a lot of vested interests that will have an economic stake in the continuity of the project. This will undermine any kind of opportunity to make a rational judgment about the merits of the project, and will move its construction way ahead of any kind of justification for it.

In the same Congressional Quarterly piece I believe the gentleman was citing in his statement, it reports that the Energy Department says it has already awarded 2,600 contracts in 36 States. Six hundred companies in 42 States have expressed an interest in getting a piece of the action. Forty-two universities, and 7 research laboratories in 25 States have received Federal money from the program. A printout from fiscal 1990 disbursements from the Energy Department shows money flowing into about 800 entities in about 40 States.

I do not think I have ever seen the Energy Department act as efficiently as they have in the allocation of these contracts.

Mr. OBEY. They are taking a good lesson from the Pentagon, and spreading it around. This will follow the space station. In 1984 we were told the space station will cost \$8 billion. Today, we are told it will cost \$36 billion. We simply cannot afford to begin to undertake these programs until we have an accurate understanding of roughly what the cost is going to be, and since DOE in the last 10 years has had a cost increase in projects similar to this of about 46 percent, we ought not take their word on this stuff, because their word has been demonstrated to be no good.

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

Mr. RITTER. Madam Chairman, will the gentleman yield?

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

Mr. RITTER. Madam Chairman, I want to associate myself with the gentleman's remarks. We do not often agree on the floor of this House on many things, but I think he is right on target in calling attention to the way this project is moving through the Congress. It is moving through the Congress as a masterful exercise in political science, as opposed to science

itself, because if we poll the scientific community outside of the physics community, there is really no support for the project. If we poll the industrial research community, those players in the front lines facing global competition every day, outside of those who will participate in the contracts, there is no support.

I will be very surprised if there is any Member of this House who has not heard from a constituent university or a constituent industrial contractor, urging support for this bill. So what we have here is a masterful orchestration at which the taxpayer is the loser. We are into an open-ended R&D commitment. That is what this project is. It is not a machine to do R&D. It will be one day. But until such time as it is, it is open-ended, and I commend the gentleman.

□ 1500

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

(On request of Mr. ECKART, and by unanimous consent, Mr. OBEY was allowed to proceed for 30 additional seconds.)

Mr. ECKART. Madam Chairman, if my colleague will yield to me, what my colleague has so artfully pointed out is the Pentagonizing of this project. A simple look at the map colored in appropriately where contracts have already been placed reflects most clearly how this project has been spread already beyond the intimate bounds of the State of Texas.

So I think my colleagues have raised a very significant point. The close scrutiny of this amendment, I think, is necessary to address some of the concerns, although it will not necessarily alleviate all of them.

Mr. OBEY. Madam Chairman, I would say that the amendment will help. What would help most of all is if we did not pass this legislation or anything like it until we know what we are doing, and we simply do not know that on this project.

Mr. BRUCE. Madam Chairman, I move to strike the requisite number of words, and I yield to the chairman of the committee, the gentleman from New Jersey [Mr. ROE].

Mr. ROE. Madam Chairman, I want to say to my colleagues that I just could not sit still another minute and allow that kind of dialog to go on, assuming there is some great big subterfuge here.

Let me ask the proponents this: I happen to support the GAO amendment. I think it is a good amendment. But we are using every opportunity to run the program down. If Members are opposed to it, for God's sake, say so. They should not use all kinds of surreptitious means to say, "Well, we think here it is going to cost \$14 billion," and this and that.

Who are these experts? Where are these experts that we are talking about? We are talking about spreading out the science and technology in the universities. Do we want all the Texas universities to participate? Do all the scientists live in Texas? Do all the people who are going to do all the work live in Texas? Is it a national program, or is it not a national program?

If it is a Texas program, then vote no. That is what Members should do instead of being surreptitious and coming back and saying, "Oh, there's a little bit here," and "I heard about \$14 billion here, and then there is a little bit there."

What are the facts as we compare it to this and compare it to that? The fact remains that it is a national program. There are 38 States that participated in this program, and we all put up tens of millions of dollars to participate in the program in the first place. With integrity and honesty, we all put our best foot forward, and Texas happened to win. I wish it could have been New Jersey that won. But now, because it did not go in one of the other States, some of those very people are up here saying what a terrible idea it is and figuring and conniving every way to kill this program.

If anyone thinks this gentleman from New Jersey is stupid, he is not. We have gone along with these amendments and worked with Members to crystalize them and clarify them. Why? Because they are right. I would not sit here and approve an amendment because I need a Member's vote. At least I am honest. I am for something. If I am against it, I am against it. I am not going to use this surreptitious way of offering amendments and other ways to try to undermine and destroy. That is not necessary. Where does truth prevail?

Now, 49 or 50 States are participating. Do we want the other States to send their scientists and their engineers? Do Members want us to say that everybody should come from New Jersey or Texas? Is that what the issue is? Is that the way to undermine this when the chairman and the vice chairman have accepted an amendment because the amendment is right? So I would hope that the Members would deal with the issue up front on the merits of the case and not take the point of view of sowing ten thousand wild seeds to undermine and destroy something when it is not based on fact.

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

Mr. ROE. Yes, I yield to the gentleman from Wisconsin.

Mr. OBEY. Madam Chairman, I hope the gentleman is not suggesting that this Member in any way engaged in surreptitious conduct. I think I said quite explicitly on the floor that this

amendment would help marginally, but I think we ought to oppose the entire package. I think I have been quite up front about it.

No one is questioning the integrity of the gentleman in the well. I am questioning the integrity of the numbers provided by the Department of Energy because, based on past performance, they never give us honest numbers.

Mr. ROE. Madam Chairman, I would like to respond to that. I have known the gentleman for 25 years, and I feel the same way. Someone suggested earlier that Roe did not believe in the \$5 billion cap, but I do. This is the first time I am aware of that any bill has come before this House where we have come back and said we mean it, that if they cannot build it for that amount of money, then we just will not build the thing. That is the way to look at it. That is the position we have taken, and I think it is fair.

Mr. OBEY. Madam Chairman, would the gentleman be willing to bet me 10 bucks here and now that the cost will not exceed \$9 billion?

Mr. ROE. We cannot wager on the floor of the House. The gentleman knows that.

Mr. OBEY. I thank the gentleman for making my point.

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

Madam Chairman, I support the Wolpe-Eckart amendment and urge my colleagues to do likewise. I will not belabor the issue. I would merely point out that I think we are taking a very prudent step in adopting this amendment. It will give us a time-out at a critical juncture in the SSC project to make sure that the substantial sums of money that are going to be expended will really be able to get the job done, and that we have the assurance from an independent agency that we are on track with a fiscally responsible project.

Madam Chairman, I support the Wolpe-Eckart amendment, and I urge my colleagues to support it.

When this legislation was before the Committee on Science, Space, and Technology, the committee agreed with me that we ought to find an independent means to assess the uncertain cost estimates made by DOE before we proceeded to spend huge sums on the SSC.

For that reason, the committee approved report language to this bill calling for that kind of independent evaluation, by the GAO or other competent entity. The Wolpe-Eckart amendment would write this requirement into law, choosing the nonpartisan and respected General Accounting Office to perform the assessment work.

This kind of independent assessment is important because DOE, over the years, has developed a history of mismanaging major

projects, leading to huge cost overruns or poorly designed facilities.

Let me cite just one example located in the district I represent in Colorado. In the 1970's, DOE planned a \$180 million plutonium processing facility at the Rocky Flats plant there, a facility that was completed a decade later after a 30-percent cost overrun. It was completed only in a fatuous sense, because major design flaws kept it from ever being used as planned, and in fact it's largely been abandoned; today, it is a quarter-billion dollar white elephant, sitting idle.

More relevant to today's debate, DOE also has a history of technical and cost-overrun problems with particle accelerator devices like the SSC. For example, in Upton, NY, a 2½-mile tunnel sits empty and unused, after the Federal Government spent tens of millions of dollars in the early 1980's on another accelerator project. We simply can't afford the same mistake with the SSC.

This independent cost estimate is doubly important today, and not just because the new 1990 price tag of \$8 billion is nearly double the 1988 price tag of \$4.4 billion and considerably higher than the 1989 price tag of \$5.9 billion. Just recently, referring to the rapidly escalating costs, Energy Secretary Watkins told the House Appropriations Committee "I just don't trust the numbers I have in the system now."

And he shouldn't trust those numbers. Especially when another high ranking DOE official described the new \$8 billion price tag as a "back of an envelope estimate." That one comment alone—that the \$8 billion estimate is a back of the envelope figure—that one comment alone should justify this plain-sense amendment.

I applaud the Secretary for his candor on the uncertainty in DOE's cost estimates. We in Congress should take heed. This amendment allows the SSC project to continue until we would start to spend some big money on actual construction. Only at that point would this amendment kick in. All this amendment says is, when DOE presents Congress its SSC plan, we take a short time out and assess the plan to make sure it is fiscally responsible.

If DOE has done its work well, this amendment will cost the project only a slight delay. But if there is a problem, this amendment could save American taxpayers hundreds of millions or even billions of dollars. I urge my colleagues to vote for this amendment to ensure fiscal responsibility in constructing the SSC.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Michigan [Mr. WOLPE].

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

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

The CHAIRMAN. Evidently a quorum is not present. Pursuant to the provisions of clause 2, of rule XXIII, the Chair announces that she will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be

taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 91]

Akaka	Dickinson	Huckaby
Anderson	Dicks	Hughes
Andrews	Dingell	Hunter
Annunzio	Dixon	Hutto
Anthony	Donnelly	Hyde
Applegate	Dorgan (ND)	Inhofe
Archer	Dornan (CA)	Ireland
Arney	Douglas	Jacobs
Aspin	Downey	James
Atkins	Dreier	Jenkins
AuCoin	Duncan	Johnson (CT)
Baker	Durbin	Johnson (SD)
Ballenger	Dwyer	Johnston
Barnard	Dymally	Jones (GA)
Bartlett	Dyson	Jones (NC)
Barton	Early	Jontz
Bateman	Eckart	Kanjorski
Bates	Edwards (CA)	Kaptur
Beilenson	Edwards (OK)	Kasich
Bennett	Emerson	Kastenmeier
Bentley	English	Kennedy
Bereuter	Erdreich	Kennelly
Berman	Espy	Kildee
Bevill	Evans	Kleczka
Bilbray	Fascell	Kolbe
Billirakis	Fawell	Kolter
Billie	Fazio	Kostmayer
Boehlert	Feighan	Kyl
Boggs	Fields	LaFalce
Bonior	Fish	Lagomarsino
Borski	Flake	Lancaster
Bosco	Foglietta	Lantos
Boucher	Ford (MI)	Laughlin
Boxer	Ford (TN)	Leach (LA)
Brennan	Frenzel	Leath (TX)
Brooks	Galleghy	Lehman (CA)
Broomfield	Gallo	Lehman (FL)
Browder	Gaydos	Lent
Brown (CA)	Gejdenson	Levin (MI)
Brown (CO)	Gekas	Levine (CA)
Bruce	Gephardt	Lewis (CA)
Bryant	Geren	Lewis (FL)
Buechner	Gibbons	Lewis (GA)
Bunning	Gillmor	Lipinski
Burton	Gilman	Livingston
Bustamante	Gingrich	Lloyd
Byron	Glickman	Long
Callahan	Gonzalez	Lowery (CA)
Campbell (CA)	Gordon	Lowey (NY)
Campbell (CO)	Goss	Luken, Thomas
Cardin	Gradison	Machtley
Carper	Grandy	Madigan
Carr	Grant	Manton
Chandler	Gray	Markey
Chapman	Green	Marlenee
Clarke	Guarini	Martin (IL)
Clay	Gunderson	Martin (NY)
Clement	Hall (OH)	Martinez
Clinger	Hall (TX)	Matsui
Coble	Hamilton	Mavroules
Coleman (MO)	Hammerschmidt	Mazzoli
Coleman (TX)	Hancock	McCandless
Combust	Hansen	McCloskey
Condit	Harris	McCollum
Conte	Hastert	McCrery
Conyers	Hatcher	McCurdy
Cooper	Hawkins	McDade
Costello	Hayes (IL)	McDermott
Coughlin	Hayes (LA)	McEwen
Courter	Hefley	McGrath
Cox	Hefner	McHugh
Coyne	Henry	McMillan (NC)
Crane	Herger	McMillan (MD)
Crockett	Hertel	McNulty
Dannemeyer	Hiler	Meyers
Darden	Hoagland	Mfume
Davis	Hochbrueckner	Michel
de la Garza	Holloway	Miller (CA)
DeFazio	Hopkins	Miller (OH)
DeLay	Horton	Miller (WA)
Dellums	Houghton	Mineta
Derrick	Hoyer	Moakley
DeWine	Hubbard	Mollinari

Mollohan	Roe	Staggers
Montgomery	Rogers	Stallings
Moody	Rohrabacher	Stangeland
Moorhead	Ros-Lehtinen	Stearns
Morella	Rose	Stenholm
Morrison (CT)	Rostenkowski	Stokes
Morrison (WA)	Roth	Studds
Mrazek	Roukema	Stump
Murphy	Rowland (CT)	Sundquist
Murtha	Rowland (GA)	Swift
Myers	Roybal	Synar
Nagle	Russo	Tallon
Natcher	Sabo	Tanner
Neal (MA)	Saiki	Tauke
Neal (NC)	Sangmeister	Tauzin
Nielson	Sarpalius	Taylor
Nowak	Savage	Thomas (CA)
Oakar	Sawyer	Thomas (GA)
Oberstar	Saxton	Thomas (WY)
Obey	Schaefer	Torres
Olin	Scheuer	Torricelli
Ortiz	Schiff	Towns
Owens (UT)	Schneider	Trafficant
Oxley	Schroeder	Traxler
Packard	Schuette	Udall
Pallone	Schulze	Unsoeld
Panetta	Schumer	Upton
Parker	Sensenbrenner	Valentine
Parris	Serrano	Vander Jagt
Pashayan	Sharp	Vento
Patterson	Shaw	Visclosky
Paxon	Shays	Volkmer
Payne (NJ)	Shumway	Vucanovich
Payne (VA)	Shuster	Walgren
Pease	Sikorski	Walker
Pelosi	Sisisky	Walsh
Penny	Skaggs	Washington
Perkins	Skeen	Watkins
Petri	Skelton	Waxman
Pickett	Slattery	Weber
Pickle	Slaughter (NY)	Weiss
Porter	Slaughter (VA)	Weldon
Poshard	Smith (IA)	Wheat
Price	Smith (NE)	Whittaker
Pursell	Smith (NJ)	Whitten
Quillen	Smith (TX)	Williams
Rangel	Smith, Denny	Wilson
Ravenel	(OR)	Wise
Ray	Smith, Robert	Wolf
Regula	(NH)	Wolpe
Rhodes	Smith, Robert	Wyden
Richardson	(OR)	Wyllie
Ridge	Snowe	Yates
Rinaldo	Solarz	Yatron
Ritter	Solomon	Young (AK)
Roberts	Spence	Young (FL)
Robinson	Spratt	

□ 1532

The CHAIRMAN. Four hundred sixteen Members have answered to their names, a quorum is present, and the Committee will resume its business.

PARLIAMENTARY INQUIRY

Mr. ROE. Madam Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. ROE. Madam Chairman, would it be permissible for the chairman to ask for a unanimous-consent statement indicating that the committee supports this amendment vote?

The CHAIRMAN. The gentleman has not stated a parliamentary inquiry.

Mr. ROE. I thank the Chair.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from Texas [Mr. BARTON] for a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 420, noes 0, not voting 13, as follows:

[Roll No. 92]

AYES—420

Akaka Duncan
 Anderson Durbin
 Andrews Dwyer
 Annunzio Dymally
 Anthony Dyson
 Applegate Early
 Archer Eckart
 Arney Edwards (CA)
 Aspin Edwards (OK)
 Atkins Emerson
 AuCoin Engel
 Baker English
 Balenger Erdreich
 Barnard Espy
 Bartlett Evans
 Barton Fасcell
 Bateman Fawell
 Bates Fazio
 Beilenson Feighan
 Bennett Fields
 Bentley Fish
 Bereuter Flake
 Berman Foglietta
 Bevill Ford (MI)
 Blibray Ford (TN)
 Billfrakis Frank
 Billey Frenzel
 Boehlert Frost
 Boggs Gallegly
 Bonior Gallo
 Borski Gaydos
 Bosco Gejdenson
 Boucher Gekas
 Boxer Gephardt
 Brennan Geren
 Brooks Gibbons
 Broomfield Gillmor
 Browder Gilman
 Brown (CA) Gingrich
 Brown (CO) Glickman
 Bruce Gonzalez
 Bryant Gordon
 Buechner Goss
 Bunning Gradison
 Burton Grandy
 Bustamante Grant
 Byron Gray
 Callahan Green
 Campbell (CA) Guarini
 Campbell (CO) Gunderson
 Cardin Hall (OH)
 Carper Hall (TX)
 Carr Hamilton
 Chandler Hammerschmidt
 Chapman Hancock
 Clarke Hansen
 Clay Harris
 Clement Hastert
 Clinger Hatcher
 Coble Hawkins
 Coleman (MO) Hayes (IL)
 Coleman (TX) Hayes (LA)
 Combest Hefley
 Condit Hefner
 Conte Henry
 Conyers Herger
 Cooper Hertel
 Costello Hiller
 Coughlin Hoggland
 Courter Hochbrueckner
 Cox Holloway
 Coyne Hopkins
 Crane Horton
 Crockett Houghton
 Dannemeyer Hoyer
 Darden Hubbard
 Davis Hughes
 de la Garza Hunter
 DeFazio Hutto
 DeLay Hyde
 Dellums Inhofe
 Derrick Ireland
 DeWine Jacobs
 Dickinson James
 Dicks Jenkins
 Dingell Johnson (CT)
 Dixon Johnson (SD)
 Donnelly Johnston
 Dorgan (ND) Jones (GA)
 Dorman (CA) Jones (NC)
 Douglas Jontz
 Downey Kanjorski
 Dreier Kaptur

Parker
 Parris
 Pashayan
 Patterson
 Paxon
 Payne (NJ)
 Payne (VA)
 Pease
 Pelosi
 Penny
 Perkins
 Petri
 Pickett
 Pickle
 Porter
 Poshard
 Price
 Pursell
 Quillen
 Rangel
 Ravenel
 Ray
 Regula
 Rhodes
 Richardson
 Ridge
 Rinaldo
 Ritter
 Roberts
 Robinson
 Roe
 Rogers
 Rohrabacher
 Ros-Lehtinen
 Rose
 Rostenkowski
 Roth
 Roukema
 Rowland (CT)
 Rowland (GA)
 Roybal
 Russo
 Sabo
 Salki
 Sangmeister
 Sarpallus
 Savage
 Sawyer
 Saxton
 Schaefer
 Scheuer
 Schiff
 Schneider
 Schroeder
 Schuette
 Schulze
 Shumer
 Sensenbrenner
 Serrano
 Sharp
 Shaw
 Shays
 Shumway
 Shuster
 Sikorski
 Sisisky
 Skaggs
 Skeen
 Skelton
 Slattery
 Slaughter (NY)
 Slaughter (VA)
 Smith (IA)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith, Denny
 (OR)
 Smith, Robert
 (NH)
 Smith, Robert
 (OR)
 Snowe
 Solarz
 Solomon
 Spence
 Spratt
 Staggers
 Stallings
 Stangeland
 Stark
 Stearns
 Stenholm
 Stokes
 Studts
 Stump

Sundquist
 Swift
 Synar
 Tallon
 Tanner
 Tauke
 Tauzin
 Taylor
 Thomas (CA)
 Thomas (GA)
 Thomas (WY)
 Torres
 Torricelli
 Towns
 Traficant
 Traxler
 Udall
 Unsoeld
 Upton
 Valentine
 Vander Jagt
 Vento
 Visclosky
 Volkmer
 Vucanovich
 Walgren
 Walker
 Walsh
 Washington
 Watkins
 Waxman
 Weber
 Weiss
 Weldon
 Wheat
 Whittaker
 Whitten
 Williams
 Wilson
 Wise
 Wolf
 Wolpe
 Wyden
 Wylie
 Yates
 Yatron
 Young (AK)
 Young (FL)

NOT VOTING—13

Ackerman
 Alexander
 Collins
 Craig
 Flippo
 Goodling
 Huckaby
 Lightfoot
 Lukens, Donald
 Nelson
 Rahall
 Smith (FL)
 Smith (VT)

□ 1540

Mr. SIKORSKI changed his vote from "no" to "aye."

So the amendments were agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BOEHLERT

Mr. BOEHLERT. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOEHLERT: Page 13, line 13, strike "and (b); and" and insert in lieu thereof "and (b)";

Page 13, after line 13, insert the following new subparagraph:

(C) certifying that the construction of the SSC can be completed without exceeding the limitation on appropriations under section 6(c)(1); and

Page 13, line 14, strike "(C)" and insert in lieu thereof "(D)".

Mr. BOEHLERT (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. BOEHLERT. Madam Chairman, this amendment is nothing more than a truth in advertising provision.

While we are talking about truth in advertising, it is my hope that the forthcoming debate will be devoid of some of the exaggerated claims which have been made up to this juncture.

The SSC will not cure cancer, will not solve the problem of male pattern baldness and will not guarantee a World Series victory for the Chicago Cubs. It involves good science, but we must be cautious and prudent as we proceed. I would not be supportive if the chairman had not accepted a number of my amendments designed to protect the taxpayer's interests and assure us that the construction not get ahead of the science.

My amendment simply states that before the Department of Energy gets its final increment of money under the bill, the Secretary must certify that the SSC can be built without exceeding the \$5 billion cap on appropriations in this bill.

The debate over this amendment can be summarized in a single question: Would Congress prefer to learn whether the \$5 billion cap will be breached after the \$5 billion is spent or before?

There is only one answer that is fiscally responsible. The cap is meaningless unless it operates as a brake on spending. If we just let the Department spend down the \$5 billion and then come back and say, "Well, gee, we just ran up against that cap, and we need a billion or so more to finish up," what will we have accomplished? The cap will be as porous as the debt ceiling.

The appropriations cap was not my idea. The chairman included it in the bill because he felt—for both political and fiscal reasons, I suspect—he felt that the Federal financial exposure should not be unlimited. The figure of \$5 billion was considered reasonable; it's a 25-percent increase over previous estimates.

Now this bill has been sold as one that limits Federal liability to \$5 billion—not a mere pittance.

So all I'm asking is: Are we serious about this cap? If we are, let's run the project in a way that allows us to review the cap early on—before we have no choice but to raise it.

This is in keeping with the process inherent in the other provisions of the bill. The Secretary already must certify that the minimum international commitments have been obtained and that the cost estimates for the project are accurate and up to date. This amendment would add the spending cap certification at that same point. In other words, Congress would get a complete fiscal picture of the project before the bulk of the money is released.

Some have presented this as a killer amendment. How can this be? The cap is already in the bill. If we are serious about the cap, this amendment would not change its impact; it would just allow Congress to review the project at a more responsible point.

If we're not serious about the cap, if we are actually authorizing such sums, then let's be honest about what we're doing.

This bill is set up like an installment payment plan for a car—a very expensive domestic car. Wouldn't we protect consumers from an installment plan in which the dealer could say after the last payment, "The price has gone up since you bought the car; you have to pay for another year or junk the car."

This amendment is the equivalent of consumer legislation. We ought to know what the SSC is going to cost the Federal Treasury before we make our last payment.

This is an amendment that simply enforces language that is already in the bill. Anyone who supports H.R. 4380—and I will vote for final passage—ought to support this amendment.

Mr. ROE. Madam Chairman, will the gentleman yield?

Mr. BOEHLERT. I yield to the gentleman from New Jersey [Mr. ROE].

Mr. ROE. Madam Chairman, I think the gentleman from New York [Mr. BOEHLERT] further fortifies the discussion we have had all day on the floor on this very important issue. It is reasonable to expect that this certification will have to be made based on the completion of out-year milestones and also based on the best information available at the time this certification is made. I think the gentleman is adding a new dimension, but a firmer dimension, and from this side of the aisle, we accept the amendment of the gentleman.

Mr. BOEHLERT. Madam Chairman, reclaiming my time, I am glad to see that, and I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TRAFICANT

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

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

At the end of section 9, insert the following new subsection:

(—) RESTRICTION ON CONTRACT AWARDS.—No person or enterprise domiciled or operating under the laws of a foreign government may enter into a contract or subcontract made pursuant to this Act if that government unfairly maintains, in government procurement, a significant and persistent pattern or practice of discrimination against United States products or services which results in identifiable harm to United States businesses, as identified by the President

pursuant to section 305(g)(1)(A) of the Trade Agreements Act of 1979.

Mr. TRAFICANT (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

MODIFICATION TO AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Madam Chairman, I ask unanimous consent that on line 2 the word "operating" be deleted and the word "incorporated" be placed in its stead.

The text of the amendment, as modified, is as follows:

Amendment offered by Mr. TRAFICANT: At the end of section 9, insert the following new subsection:

(—) RESTRICTIONS ON CONTRACT AWARDS.—No person or enterprise domiciled or incorporated under the laws of a foreign government may enter into a contract or subcontract made pursuant to this Act if that government unfairly maintains, in government procurement, a significant and persistent pattern or practice of discrimination against United States products or services which results in identifiable harm to United States businesses, as identified by the President pursuant to section 305 (g) (1) (A) of the Trade Agreements Act of 1979.

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

There was no objection.

Mr. TRAFICANT. Madam Chairman, the amendment speaks for itself. The amendment speaks to the trade law and the fact that under section 301 the President shall fight those particular countries whose trade policies literally are injurious and damaging to American business and commerce. This amendment basically states that any country so cited by the President under our trade law as having procurement policies at their national level which injure American industry and business, would then be prohibited and ineligible from bidding on contracts let underneath and pursuant to this particular act.

I would basically state that it deals with India at this particular point. India has basically told our administration to go to hell. Now, there is some \$50 million in contributions. India under the bill would still be able to contribute, but at this particular point would be the only nation so cited.

This is a policy move, a policy move that I believe the Congress should support, and one that we should move in the direction of.

Mr. PENNY. Madam Chairman, would the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Minnesota [Mr. PENNY].

Mr. PENNY. Madam Chairman, I just want to stress that I think the

gentleman from Ohio [Mr. TRAFICANT] has hit on a modest but important policy initiative, and that is simply to say when the Federal Government is going to spend billions of dollars on a construction program within our borders, that is reasonable to confine participation in that expenditure and in that construction to those countries with whom we have a positive and free-fair-trading relationship, and that at the very least if we have cited nations for flagrant violations of fair-trade practices, that they not be part of that club that is allowed to participate in these types of projects.

For that reason I would rise in support of the amendment of the gentleman from Ohio [Mr. TRAFICANT] and urge the House to act favorably upon it.

Mr. TRAFICANT. Madam Chairman, reclaiming my time, I appreciate the remarks of the gentleman from Minnesota [Mr. PENNY] very much, and with that, I yield back the balance of my time.

Mr. McMILLEN of Maryland. Madam Chairman, I rise in strong support of passage of H.R. 4380, the superconducting super collider project authorization. We've heard glowing praise of how this project, the likes of which have not been seen in the annals of American science, will unlock the myriad of mysteries regarding the nature and structure of matter. This will provide us with insight into the origins of the universe and will lead us to understanding how best to harness energy forces to serve mankind. The SSC will surely inspire a generation of younger Americans to serve their country through the disciplines of science and engineering.

What is at stake here is America's leadership in the realm of basic and applied scientific research. Not initiating this program or even delaying it will relegate the United States to a second tier in world's scientific community.

Embarking on this awesome initiative, however, should not be construed as a blank check to those at the helm of the superconducting super collider. We need sophisticated cost and fiscal controls on this operation to ensure that our science dollars—both Federal and Texan—are well spent. Further, we should strive to ensure that our international partners are fully involved, so that the SSC's enormous cost is borne by those who stand to gain from its research advancements. I commend Chairman ROE of the Science Committee for crafting a bill that takes into account these concerns.

Chairman ROE once said that "science is our country's new wealth—our key to future prosperity." No greater example of this exists than the superconducting super collider, an endeavor that is sure to yield tangible and usable benefits for generations to come.

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

The amendment, as modified, was agreed to.

The CHAIRMAN. The Committee will rise informally.

ENROLLED BILL SIGNED

The SPEAKER pro tempore (Mr. HOYER) assumed the chair.

The SPEAKER pro tempore. The Chair lays before the House the following enrolled bill:

H.R. 1011. An act to provide for the establishment of the National Commission on Wildfire Disasters, to provide for increased planning and cooperation with local fire-fighting forces in the event of forest fires, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

SUPERCONDUCTING SUPER COLLIDER PROJECT AUTHORIZATION ACT OF 1990

The Committee resumed its sitting.

AMENDMENT OFFERED BY MR. SENSENBRENNER

Mr. SENSENBRENNER. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SENSENBRENNER: Page 14, lines 8 through 18, strike paragraph (2).

Page 14, line 19, redesignate paragraph (3) as paragraph (2).

□ 1550

Mr. SENSENBRENNER. Madam Chairman, my amendment is simple and straightforward. It would delete the provision in H.R. 4380 which guarantees the State of Texas a refund for its contributions to the SSC if the project is terminated before October 1, 1995. My amendment could save the Federal Government \$1 billion or more.

The principle underlying my amendment is that of risk-sharing. It is only fair that the participants and beneficiaries in a major Government science project share in both the rewards and the risks of that undertaking. This is, by definition, what a partnership is all about. And this is the type of relationship which has been envisioned by Federal Government negotiators with the State of Texas thus far. Yet the SSC refund provision contained in H.R. 4380 would dramatically alter this relationship.

The State of Texas completed vigorously to host the SSC project. Texas did so because of the enormous potential economic benefits that will accompany the construction and operation of the SSC. Indeed, the State of Texas recognized that the economic attraction of hosting the SSC is so great that it pledged \$1 billion to the project, with no strings attached. Let me emphasize this point because it is central to my argument that a legislated bailout clause is unnecessary and unwise.

My discussions with officials at the Department of Energy indicate that the administration has made no repre-

sentation to the State of Texas that it would be reimbursed for any part of its contribution to the SSC project in the event the project is not completed. Furthermore, the proposal submitted by the State of Texas contains no reference to any obligation on the part of the Federal Government to reimburse the State for any part of its contribution in the event the project is cancelled. In other words, the refund provision contained in H.R. 4380 has not been a condition for State participation as negotiated thus far. I ask my colleagues why it should be thrown in as an incentive now, after the State bid has already been accepted.

There are several compelling reasons for opposing a legislated bailout clause for the State of Texas. First, as the administration, a strong supporter of the SSC project, has communicated to us, the refund provision contained in this bill will set a dangerous precedent. The U.S. Government may find itself unable to negotiate future joint science projects without this type of risk protection for the State participant, adding untold billions of liability and potential debt to the deficit. That is why the National Taxpayers Union describes the Texas bailout provision of H.R. 4380 wholly repugnant and fully supports my amendment.

Second, changing the rules of the game for Federal and State cooperation in the SSC project raises a serious controversy. Perhaps if other States competing for the SSC had known that their contributions would be guaranteed, their bids would have been significantly different.

Finally, I am concerned that the mandatory refund provision may have the undesirable effect of forcing the Federal Government to proceed with the SSC even if a situation arises where the cost of the project escalates out of control. The Federal Government may rationalize that it is cheaper to absorb these cost-overruns than to cough up the \$1 billion to bail out Texas.

In closing, let me clarify that my amendment is not an anti-SSC amendment and does not jeopardize the future of the SSC in any way, shape or form. The Texas bailout clause, which my amendment would delete, would only be applicable in the event that the SSC project is canceled. The intent of my amendment is simply to preserve the original intent of the Federal-State cooperative arrangement. However, the bill before us changes completely the nature of this Federal-State venture. Under H.R. 4380, Texas would no longer be an equity partner, but would merely be acting as a creditor extending a guaranteed loan to the Federal Government. Under these terms, Texas would be guaranteed a positive rate of return on its investment whether the SSC is constructed or not. Clearly, such an

arrangement is a win-win proposition for the State of Texas, but there is no attraction for the Federal Government and the American taxpayer.

Mr. CHAIRMAN. The time of the gentleman from Wisconsin [Mr. SENSENBRENNER] has expired.

(By unanimous consent, Mr. SENSENBRENNER was allowed to proceed for 3 additional minutes.)

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

Mr. SENSENBRENNER. I yield to my colleague from Wisconsin.

Mr. OBEY. Madam Chairman, I would simply like to say that the gentleman I think has laid out a number of very good reasons to support his amendment. I think he is certainly correct in pointing out that without his amendment there will be an added disincentive for the Federal Government to evaluate on their merits the cost/benefit ratio associated with this project.

The other thing I would say is that the bill as it stands, without the gentleman's amendment, would retain the quaint idea that if the U.S. Government is persuaded on the merits to finally pull the plug on this project, as presently financed, the only taxpayers who would get their money back would be taxpayers from the State of Texas. I find that idea quaint, and I do not think we ought to be supporting it.

I think the gentleman from Wisconsin in correct in offering his amendment.

Mr. SENSENBRENNER. I thank my colleague from Wisconsin for his comments.

Amplifying on that further, this bill requires that there be certain international cost-sharing to be negotiated between the Department of Energy and certain foreign governments. If the precedent is set that Texas gets a refund should the SSC not be completed, every one of these foreign governments is going to be coming in demanding identical refund treatment, and that will further expose the potential liability of the Federal Government over and beyond the \$1 billion that is contained in the guarantee to the State of Texas.

Mr. BARTON of Texas. Madam Chairman, I rise in opposition to the amendment.

We want the SSC to be a project that is designed to succeed, not a project that is almost guaranteed to fail. I would like to point out that right now, as we debate this amendment on the House floor, the State of Texas, through the auspices of the Texas National Research Laboratory Commission and officials at the Department of Energy are negotiating on how to spend the Texas money that has been promised, the \$1 billion.

Texas put that money up in a good faith effort to save Federal dollars, to

save Federal tax dollars. We did not put that money up hoping that at some point in the future the project would be terminated and we would be asking to be reimbursed.

Having said that, because as of today we have one international commitment of \$50 million from the Government of India, it is expected that in the first 2 to 3 years of the construction phase of the project the State of Texas is going to be asked to front-load its contribution perhaps as much as \$600 or \$700 million.

□ 1600

If for some reason, and we hope that day never arrives, but if for some reason it was made a decision here in the Capitol, in the Congress of the United States, to terminate the project, I think it is reasonable to expect that if the taxpayers of Texas have obligated their funds in a good-faith effort, they should be reimbursed that.

Having said that, when Mr. SENSENBRENNER made it known that he was prepared to offer this amendment, we tried to negotiate a compromise in which any funds that were expended, any State funds that were expended that were for roads or power lines, anything for which there is an alternative use not related to the SSC, we would not expect to be reimbursed. But if in fact the State spends its funds to purchase the first lot of superconducting magnets, and we are going to purchase approximately 10,000 of those magnets, if the project were to be terminated, there is no alternative use for a 60-foot-long magnet. So we need this provision in the bill. It was in the bill last year that passed the House. This is not a new thing. We want to work to be successful, we do not want to work at cross purposes.

So I would ask that we vote against the Sensenbrenner amendment, keep the bill as it came out of committee, keep the bill as it has been in the past and keep the partnership intact instead of creating a division.

Mr. RITTER. Madam Chairman, I rise in support of the amendment.

Madam Chairman, first of all, the great State of Texas stands to be, let us face it, the major beneficiary of the construction of the superconductor super collider. It has quite generously offered up \$1 billion of contributions, some of which are contributions directly to the superconductor super collider construction, some of which may be of use alternatively, but which would not have been built had there not been a superconducting super collider project. In any event, in the original bid documents, the original document where the State of Texas offered up this \$1 billion cost-share states, and I quote, that the TNRLC, that is, the Texas National Research

Laboratory Commission, is completely open to alternative allocations that DOE considers most beneficial, subject only to the condition, and this is the key language, subject only to the condition, the one condition, that the Dallas-Fort Worth site is selected for construction and operation of the SSC. No mention was made of any refund in case the SSC project didn't go forward. A refund was simply not part of the agreement.

Now there are fabulous benefits, we all know, to the State of Texas coming from the SSC. Is it not unreasonable to expect Texas to absorb some risk? Or is it all gravy?

I guess that is my question for my colleagues from the State of Texas.

Madam Chairman, does anyone from the State of Texas want to respond to that question?

Mr. CHAPMAN. Madam Chairman, will the gentleman yield?

Mr. RITTER. I yield to the gentleman from Texas.

Mr. CHAPMAN. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, let me just point out and I will have some time later myself, but let me point out to the committee I do not know of any Federal commitment that creates jobs, be it a science project, a defense contract, or any other expenditure of America's taxpayer dollars in which, if it is large enough—and let us take the defense budget as an example—in that circumstance, as the gentleman knows, not only if there is a cancellation of an ongoing project does the contractor get reimbursed, he gets a profit. He gets his expenses plus a profit. Texas is not asking for a profit.

Mr. RITTER. The gentleman makes a good point.

Mr. CHAPMAN. So there are numerous examples in which the American taxpayer not only has paid reimbursement, does pay reimbursement, not only that, virtually guarantees a profit to the recipient. That is not the case here.

Mr. RITTER. Reclaiming my time, the gentleman makes an interesting point.

But, let us take a look at the Clinch River breeder reactor project. Did the expenditures by the private contractors in that particular effort, did they receive reimbursement? I believe the answer is no. They did not receive reimbursement.

Mr. BRYANT. Madam Chairman, will the gentleman yield?

Mr. RITTER. I yield to the gentleman from Texas.

Mr. BRYANT. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, yes, let us take a look at another example. How about Fermilab?

When Fermilab was built, there was no provision like the Sensenbrenner or the Ritter amendment here. There

was no provision that they could not be reimbursed. There was no contribution in fact. What about the Stanford linear accelerator?

Mr. RITTER. If I may reclaim my time, I would like to comment on the Fermilab and the Stanford linear accelerator. These projects never involved an offer of \$1 billion. There was no State offer.

Mr. BRYANT. That is exactly right.

Mr. RITTER. You have got the language, we have the language right here in the bid document. A refund was never in the original offer.

Mr. BRYANT. That is correct. Mr. RITTER. That was the original offer. So we are now going back on the original offer and saying, "Yes, there is going to be a bailout if things don't go right."

Mr. BRYANT. Then I would ask what the gentleman is complaining about. Inasmuch as Texas has come forward with a billion dollars, but in the case of Fermilab, in the case of the Stanford linear accelerator nobody came forward with any money, what is the gentleman's complaint?

Mr. ARMEY. Madam Chairman, will the gentleman yield?

Mr. RITTER. Madam Chairman, I yield to the gentleman from Texas [Mr. ARMEY].

Mr. ARMEY. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, I listened to the gentleman's remarks very carefully. I have to say that I was mightily flattered as a Texan, by his remarks.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. RITTER] has expired.

(On request of Mr. ARMEY and by unanimous consent Mr. RITTER was allowed to proceed for 2 additional minutes.)

Mr. ARMEY. Madam Chairman, will the gentleman continue to yield?

Mr. RITTER. I yield to the gentleman from Texas.

Mr. ARMEY. Madam Chairman, if in fact the superconducting super collider is to be built with taxpayers' money, it must be done so out of a confidence that in the long run it will give us a level of increased science and engineering knowledge that benefit not only the entire Nation but future generations.

And for the generous gentleman to allege that Texas is the primary benefactor of the bill in the superconducting super collider more than any other State is to allege that Texas somehow is more capable of benefiting from better and more science and engineering.

Mr. RITTER. Reclaiming my time, I think we are in "Alice-in-Wonderland" if we do not believe that Texas is the major beneficiary of the \$8 billion construction project. Yes, eventually the

basic science would accrue to all mankind.

Let me just make one other point: No one, no one required Texas to come forth and offer up a billion dollars. They did it of their own volition.

In the offer, there was never a caveat that said, "We offer this billion dollars, but in the event the project doesn't go through, we want it back." That may have had some impact on a decision somewhere in the process of the superconducting super collider.

Mr. BOEHLERT. Madam Chairman, will the gentleman yield?

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

Mr. BOEHLERT. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, I think the gentleman is making some very good points in support of the Sensenbrenner amendment. Let me submit to my colleagues in the room: Unless this amendment is passed, we are going to be tying the hands of the administration as it goes abroad to negotiate with international partners for participation. What is an international partner going to say? The partner is going to say, "Hey, we want the same deal as Texas; if it doesn't work out the way we want it, we want to be reimbursed."

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. RITTER] has again expired.

Mr. ARMEY. Madam Chairman, I ask unanimous consent that the gentleman be allowed to proceed for 3 additional minutes.

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

Mr. ROE. Madam Chairman, reserving the right to object, the Chair here would like to respond.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. RITTER] controls the time.

Mr. ROE. Madam Chairman, I reserve the right to object. I would like to call to the attention of my good friends, my dear friends, that we would like to enter into the discussion too. We do not mean to be short, and I am not going to object to the 3 minutes, but let us have an opportunity to respond to a couple of the issues. Would that be okay?

Mr. RITTER. I have no objection.

Mr. ROE. Madam Chairman, I withdraw my reservation of objection.

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

There was no objection.

Mr. BOEHLERT. Madam Chairman, would the gentleman continue to yield?

Mr. RITTER. Madam Chairman, I yield to the gentleman from New York.

Mr. BOEHLERT. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, I think another key point is this: The administration does not support the Texas refund language in the bill. I do not need to remind my colleagues that the administration is a cheerleader for this project, particularly because it is going to be located in Texas.

Mr. SENSENBRENNER. Madam Chairman, will the gentleman yield?

Mr. RITTER. Madam Chairman, I yield to the gentleman from Wisconsin [Mr. SENSENBRENNER].

□ 1610

Mr. SENSENBRENNER. Madam Chairman, I have a statement of administration policy that says the administration supports changes that would delete the provision providing the State of Texas with a refund of its contribution if the project is terminated.

This amendment is Texas-bashing. Why would the No. 1 Texan in the White House support my amendment?

Mr. HALL of Texas. Madam Chairman, will the gentleman yield?

Mr. RITTER. I yield to the gentleman from Texas.

Mr. HALL of Texas. Madam Chairman, I think the gentleman from Pennsylvania knows the high regard I have for him. We have worked through many amendments before on this and the other, but when the gentleman said it benefits only Texas, I would like to ask a question.

Mr. RITTER. Madam Chairman, if I may reclaim my time, I am not saying it benefits only Texas. I am saying, and Members should be realistic, the main beneficiary of building the SSC is the State of Texas. That is obviously why Texas offered up a billion dollars in contributions.

Madam Chairman, I yield to the gentleman from Texas.

Mr. HALL of Texas. Madam Chairman, I know the gentleman is very aware of the facility at CERN and DESY where they brought the crystals from Russia, they brought the magnets from China, and brought them from all over the world. That is an international project. There was not just a point of the fact that it was near the Swiss-French border that they all got together and built that. The whole world benefits. Should not the whole world benefit in this? Clearly, the whole United States benefits from it.

Mr. RITTER. The gentleman makes a good point. It is definitely an international project. I was simply trying to point out that Texas gets the bulk of the building activity and the construction jobs and the vast related resources expended there.

Mr. ROE. Madam Chairman, I move to strike the last word. I have not said whether I am opposed or in agreement to this amendment, but I would like to make a couple of points.

First of all, No. 1 on the Clinch breeder reactor, the United States spent \$1.5 billion of the taxpayers' money as Members know. A billion and a half dollars they expended, and then willy-nilly 4 or 5 years later, it was decided not to go ahead with the Clinch breeder reactor. Why was that decided? Who made that great decision along the line? Somehow in the malaise of Congress and the administration, a decision was made, regardless of where it came from, for \$1.5 billion. Too bad. Just cancel it, throw it away.

Do Members know what they did? They had \$1 billion worth of tubes and tanks, stainless steel in warehouses all over. They did not come from Tennessee or Texas, they came from all over the country. Do Members know what they did? I want every person in this country to hear me today—they threw them away. They sold them for scrap because somebody changed their mind.

Now, we are talking about spending \$5 billion of taxpayers' money, \$1 billion from Texas, and Members make the analogy that, well, then, we are giving back to Texas. I remind Members of something. It is \$1 billion in addition to the people's money from Texas, above their Federal taxes. They went to a referendum in Texas, and the people voted, 2 to 1, in favor of this program. So for every dollar that is lost here, we lose two from Texas.

Think I am from Texas? I am not, I am from New Jersey. So let Members get the record straight, and I think the issue before Members legitimately is this: We are trying to craft a piece of legislation that is fair and equitable and achieves a goal. It is not the words we are talking about, it is the result of the superconductor super collider, what we can do, and achieve for mankind. Not building 5 million hurdles so it is impossible to move ahead. That is what this debate is all about. That is what these issues are about.

Now, back to another point, we are talking about in the way this guarantees in established or this refund is established. It has a ceiling and a limit. It is 1995. Those tests will not be completed until 1993. So Texas is not going to get any big bundle back. They are not going to get \$1 billion back, and if I were from Texas, and I were putting up the billion dollars that I am putting up, and being abused on the floor of the House, because it is a State's right, and I am trying to participate. I am trying to build a partnership, I am putting \$1 billion up, people vote 2 to 1 in my State to build something that was good for America, and Members are making it now evil and ugly that they are terrible people, that is not fair.

I am saying to Members the level I am talking about, I have not said yea

or nay, is based on what Texas would contribute. If the Congress comes back, and let me ask Members something, let me ask Members a question, suppose Congress comes back in its great wisdom and Congress says, "Well, gee, we struck a good deal now. It is equitable. It is fair. We are protecting the Texas taxpayer. We are protecting the U.S. taxpayer. More important, we will create something that is great." Now, all of a sudden we come back, and in 2 years we say, "Too bad," like we did with the Clinch breeder. We had the magnets going, we had this, but we quit. We do not want to do it anymore. We are going to walk away and take our marbles and go home.

What does that leave the State of Texas? That is the question I propound.

Mr. SENSENBRENNER. Madam Chairman, will the gentleman yield?

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

Mr. SENSENBRENNER. Madam Chairman, I thank the gentleman for yielding, and I would like to ask him a question.

If this was so important to the State of Texas that there be a refund provision, why did they not put that in their bid that they submitted to the Department of Energy? They did not. The only condition on the bid was that it was subject to the condition that the Dallas-Fort Worth site be selected. They could have funded their refundment provision, and that would have been on the table at the time the DOE was reviewing the proposals from the various States. DOE may very well have selected it. If that was the case, then that would have been settled, but it was not.

I come as someone who supported Texas in the selection process, even though my Governor did not. I think that what is being done here is changing the rules in the middle of the game.

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

Mr. ROE. Madam Chairman, I yield to the gentleman from Texas.

Mr. DELAY. Mr. Chairman, since when do bids become contracts—when someone makes a bid. That is an open offer, and usually in general terms, as the gentleman from Pennsylvania pointed out, that is an offer. When the details are worked out, as they have been worked out in this bill, then it becomes a contract, and the details are given.

When do people, or when does anyone, when has anyone been held to be responsible for a general bid, as if it were a contract?

Mr. ROE. Reclaiming my time, if the gentleman would allow me to respond, I think it might be helpful to clarify

what really happened on the way to the Forum.

Senator DOMENICI from the other body passed an amendment on a bill that precluded any of the States that were putting in their bid to include any enhancements per se as part of their bid. They came back and said, "You have to bid on a so-called level plain." I hate that word, but that is the word we have to use. "But you can present an envelope in what the sweetener would be coming from that prospective State," and the envelope was not to be opened, under the Domenici amendment until after the determination was made as to what State would be awarded that bid.

So from what I understand, the Department of Energy did not know what was in Texas' envelope or in anyone else's envelope, and they first went to the selection process. They finally selected the bids coming from Texas, and after that they opened up the envelope where the billion dollars was in the envelope. So it was an added start. It was not part of the original bid.

Madam Chairman, I yield to the gentleman from Texas [Mr. BRYANT].

Mr. BRYANT. Madam Chairman, is it not the case that the bill that passed 2 years ago authorizing this project included identical language as the bill today, and would it therefore be fair to ask the gentleman from Wisconsin [Mr. SENSENBRENNER] if he felt that strongly where he was 2 years ago, and I am informed by the staff of the committee that the offering by the gentleman from Wisconsin [Mr. SENSENBRENNER] would radically change the nature of the agreement that was entered into 2 years ago when the House passed the authorizing bill in the first place.

□ 1420

Mr. ROE. Madam Chairman, there was an amendment made. There was a vote on the last one. It did not include the entire issue; it included the cash contribution only.

If I may continue to answer the gentleman's question, the language went like this: Any cash payments made by the selected State shall be refunded in cash by the Secretary in the event the facility is cancelled or in the event funds are not appropriated to complete construction of the facility.

Mr. BRYANT. In other words, the gentleman from Wisconsin [Mr. SENSENBRENNER] is trying to change the status quo 2 years later; is that correct?

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. ROE] has expired.

(On request of Mr. SENSENBRENNER, and by unanimous consent, Mr. ROE was allowed to proceed for 1 additional minute.)

Mr. SENSENBRENNER. Madam Chairman, will the gentleman yield?

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

Mr. SENSENBRENNER. Madam Chairman, I thank the gentleman from New Jersey for yielding.

The gentleman from Wisconsin is not trying to change the status quo; the Texas people are, because they have put in a mandatory refund provision for in-kind contributions, which does include roads, power lines, and sewers. They are the ones who are upping the ante. I think it is bad policy, and my amendment will strike that.

Mr. BARTON of Texas. Madam Chairman, will the gentleman yield?

Mr. ROE. I yield to the gentleman from Texas.

Mr. BARTON of Texas. Madam Chairman, I thank the committee chairman for yielding.

Madam Chairman, I think the gentleman would admit that we offered to compromise on that. We offered to write language that would guarantee that with respect to any use for which State funds had been expended and for which there was no alternative use, in other words, any roads, any power lines or anything like that, we would not expect to be reimbursed for those, and the gentleman turned that down.

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

Madam Chairman, there is a great old country and western song called "All My Ex's Live in Texas." Part of our debate here today is on the question that says, "all my taxes go to Texas."

This is a question of how we are going to deal with a very fundamental question within the SSC debate. Texas got the SSC bid or made the bid and got accepted based upon the fact that they were willing to donate the land and that they were willing to give a billion dollars toward the construction of the facility.

Mr. ROE. Madam Chairman, will the gentleman yield?

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

Mr. ROE. Madam Chairman, I would say to my dear good friend that the billion dollars was not part of the original deal. That was in the envelope.

Mr. WALKER. Oh, yes, I understood that.

Mr. ROE. All right. I misunderstood the gentleman.

Mr. WALKER. I said that they got the contract or they were accepted based upon the fact that theirs was the best bid, and I think we accept that.

Mr. ROE. Madam Chairman, will the gentleman yield again?

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

Mr. ROE. Madam Chairman, the billion dollars was not known nor was it part of the bid originally.

Mr. WALKER. All right, I accept the gentleman's amendment.

But what we are now dealing with is the question of what should be the exposure of the American taxpayers throughout this process. We have determined in this bill that the exposure of American taxpayers for the construction of the SSC shall be \$5 billion, not a dime more. That is what this bill says, and we mean for that to be a very, very firm cap.

Now, what the amendment offered by the gentleman from Wisconsin [Mr. SENSENBRENNER] is doing is assuring us that we have a cap-keeper, that in fact that cap can be kept throughout the process. The reason why this amendment is important to that end is for this reason: If in fact we say that we are going to reimburse Texas if we pull out of the project, the argument will always be at the time that we come up against that cap that we have got to spend the additional \$200 million or we have got to expend an additional \$300 million, because we could owe Texas up to a billion dollars if we end this project.

So we will be given the argument that breaking the cap for a couple of hundred of million dollars really saves us money because otherwise we would have to pay off the Texas entitlement.

I am convinced that we mean it in this bill when we say there shall be a \$5 billion cap, period. I do not want things out there driving the process over and above the \$5 billion cap. The Sensenbrenner amendment essentially says that that cap is in fact firm, and that if we decide to end the project, everybody is going to take a little bit of a risk; the American taxpayers will take a risk and spend some of their money at that point maybe on a project that will not go to completion. Texas will be in the same position, and our international partners will be in the same position. Everybody will be in the same boat. If we decide to end the project, everybody takes a risk because it did not pan out. If we in fact change the formula here and it is only the American taxpayer and it is only the commercial companies and it is only the international partners who are at risk and Texas is going to get reimbursed in full, that, it seems to me, is something which will constantly drive us toward exceeding the cap rather than keeping the cap.

Everyone who believes that that cap is an important part of this bill ought to be for the Sensenbrenner amendment. If Members think the cap has to be exceeded at some point, if they are willing to expend any amount of money it takes to build this project in the future, then they should vote

against the Sensenbrenner amendment. If that is where Members are on this project and they are willing to spend any amount of money that comes down the pike, all right. I realize there are some Members in the Chamber who are willing to do that, but I am not. I am saying that the cap is firm, it needs to be kept firm, and the Sensenbrenner amendment makes certain that happens, so we ought to support it.

Mr. BOEHLERT. Madam Chairman, will the gentleman yield?

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

Mr. BOEHLERT. Madam Chairman, I thank my colleague for yielding.

Madam Chairman, I can understand what the Members from Texas are doing. I see them all on their feet. They are big, they are parochial, as we all are with our respective States at the appropriate moment. But what the Texas Members are saying reminds me of Groucho Marx's old line: "Who are you going to believe, me or your own two eyes?"

Let us look at what the agreement says. The agreement says that the Texas National Research Laboratory Commission is completely open to alternative locations that the Department of Energy considers most beneficial, subject only to the condition that the Dallas-Fort Worth site is selected for construction in the operation of the superconducting super collider. There are no other provisions. That was the only proviso, subject only to the condition that the Dallas-Fort Worth site is selected.

Mr. WALKER. Madam Chairman, I thank the gentleman. I think he helps emphasize my point. This entitlement—and that is what it is—was not anticipated in the early deliberations.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALKER] has expired.

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

Mr. WALKER. Madam Chairman, this entitlement was not anticipated. We ought not to change it into an entitlement now. We ought to say very clearly that everybody is at risk in this process, no one is entitled to anything should it not pan out, and everyone benefits if we go to completion.

Mr. BRYANT. Madam Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Texas.

Mr. BRYANT. Madam Chairman, I would just like to ask the gentleman, does he dispute the fact that 2 years ago the authorizing bill specifically provided that cash contributions would be reimbursed if the Federal Government bailed out of this program? Does the gentleman dispute that?

Mr. WALKER. It did in fact say, "cash contribution," but what you have done now is you have made the entire \$1 billion of whatever Texas does into an entitlement. The amendment offered by the gentleman from Wisconsin [Mr. SENSENBRENNER] addresses that.

Mr. BRYANT. Madam Chairman, let me ask the gentleman this question: I think it would be fair for us to elaborate on this.

What is the gentleman talking about? The deal from the beginning was that we would get the cash reimbursed in the event the Federal Government decided not to go forward. That is what was in the law in the first place. Where was the gentleman 2 years ago?

Mr. WALKER. Madam Chairman, I will say to the gentleman that I do not believe that anything we did 2 years ago gave Texas an entitlement to the entire contribution which they voluntarily provided. That is exactly where we are right now.

Mr. BRYANT. Madam Chairman, I appreciate the gentleman's acknowledging that it is in the current bill at the present time that we would be reimbursed if the Federal Government did not go forward. It is astonishing to me that the gentleman does not acknowledge that the amendment offered from the gentleman from Wisconsin [Mr. SENSENBRENNER] would make a dramatic change in the deal.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALKER] has again expired.

(On request of Mr. SENSENBRENNER, and by unanimous consent, Mr. WALKER was allowed to proceed for 1 additional minute.)

Mr. SENSENBRENNER. Madam Chairman, will the gentleman yield?

Mr. WALKER. I am happy to yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Madam Chairman, the provision the gentleman from Texas [Mr. BRYANT] is talking about never passed the Senate, and as a result it was never enacted into law. The gentleman from Pennsylvania [Mr. WALKER] is exactly correct in that the provision in the bill which my amendment proposes to strike goes far beyond that which was passed by the House last year. That is what the objection is to this legislation.

Mr. WILSON. Madam Chairman, will the gentleman yield further?

Mr. WALKER. I am glad to yield to the gentleman from Texas.

Mr. WILSON. Madam Chairman, my colleague, the gentleman from Texas [Mr. BARTON] said a few minutes ago—and I remember this to be true also—that we gave the gentleman and the sponsor of the amendment the opportunity that Texas would not be reimbursed for any infrastructure that would be useful in other ways other

than the super collider, and that that amendment was turned down; is that correct?

Mr. WALKER. Madam Chairman, I think the gentleman from Wisconsin decided that the amendment he wrote for himself was the amendment he wanted to offer. The gentleman is certainly entitled to that position.

Mr. WILSON. But the gentleman is leading the House to believe that Texas wanted all of that back, but the truth is that we offered to give that back and were turned down; is that right?

□ 1630

Mr. WALKER. In all honesty, Madam Chairman, I do not think that there is anything to prevent anybody from coming to the floor right now and offering that as a compromise, but the gentleman from Wisconsin [Mr. SENSENBRENNER] has decided that he wants to offer his amendment. I think that is what he is entitled to do.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALKER] has expired.

Mr. HAYES of Louisiana. Madam Chairman, I move to strike the requisite number of words.

The point I would like to make, Madam Chairman, is really very simple.

The State of Texas made a bid. The bid was sealed. The bid was later opened by the Department of Energy. The bid was accepted. The \$1 billion at issue does not have a timetable. It is an amount, but it does not have any condition requiring it to flow at any instant, and, if I were the next Governor of the State of Texas, I would not send a dime into this project until I had the assurances that the taxpayers of my State, who supported a major bond issue in a time in which it is impossible to pass bond issues, had the assurances that they will receive in return for cancellation their own property and money back, and consequently I think those who are urging the adoption of this amendment are penalizing the generosity of Texas and are jeopardizing the project.

Mr. BOEHLERT. Madam Chairman, will the gentleman yield?

Mr. HAYES of Louisiana. I yield to the gentleman from New York.

Mr. BOEHLERT. Madam Chairman, I would like to ask my colleague; perhaps he knows; he is a neighbor, but did the referendum include any language whatsoever about a refund? Did the people of Texas, as they considered that referendum, know they were voting, they were taking a risk, they were gambling and they hoped they won?

Madam Chairman, I hope they win big with this project. I hope it is completed and operates as it is intended. I am just suggesting that they went in it with their eyes open wide.

The administration is opposed to this Texas refund language. That is critically important to remember.

Mr. HAYES of Louisiana. Madam Chairman, I believe the gentleman from Texas [Mr. WASHINGTON] wishes the time to respond.

Madam Chairman, I yield to the gentleman from Texas.

Mr. WASHINGTON. Madam Chairman, I was a member of the Texas Legislature at the time that this was discussed, and it was. It was not written into the language, but there was a clear understanding because many of us were reticent about getting behind this bonding package when we had no assurances as to what the Federal Government was going to do once we put our necks out there, our political necks out on the limb, and we did do it, and we did it in good faith, and it was done in good faith based on the understanding, the clear understanding, that the Federal Government was standing behind us on the measure before we went to our taxpayers and asked for all these bonds to be issued.

Mr. BOEHLERT. Madam Chairman, would the gentleman from Louisiana [Mr. HAYES], my colleague, yield so I can respond to that?

Mr. HAYES of Louisiana. I yield to the gentleman from New York.

Mr. BOEHLERT. Madam Chairman, clearly the answer to that question is: "No, it was not in the referendum. The refund language was not in the referendum."

Now there may have been a clear understanding in the Texas Legislature, but I would submit to my colleagues that there are a lot of clear understandings in the Texas Legislature that do not go beyond that.

Mr. HAYES of Louisiana. Madam Chairman, reclaiming my time, the matter before the voters of the State of Texas was an authorization for indebtedness. It would have been inappropriate to include such a provision, and, if anyone does not believe that the voters of the State of Texas are very concerned about money in their current budget crisis, I would suggest that the gentleman follow Interstate 10, stop at a few local saloons and ask the people in there if they would like to give away \$1 billion. The answer would be very, very clear to the gentleman and in words that we are not allowed to use here on the floor of the House of Representatives.

Mr. ARMEY. Madam Chairman, will the gentleman yield?

Mr. HAYES of Louisiana. I yield to the gentleman from Texas.

Mr. ARMEY. Madam Chairman, I had not intended to participate in this debate, but, quite frankly, I do think we need to make something clear here.

Madam Chairman, the people of Texas share with the people across this Nation a vision of the future.

Now that is really the question we have to address on the superconducting super collider, and I say to my colleagues, "If you believe that this investment will bring to our children wondrous sights that you and I cannot today imagine, vote for it. If you believe it will be a waste of the taxpayers' money, vote against it. But the committee is convinced."

Now, the State of Texas stood up to the plate first, and they said, "We'll put our \$1 million on the line because we believe in the future, and we are willing to enter a partnership with the Federal Government, and then they realized that the Federal Government doesn't have a very good track record. We better cover ourselves in case somebody changes their mind on that."

The Federal Government determined what the cost projection would be, and then somebody put it in the bill. I hope it was a Texan, but, whether it was a Texan or not, it was accepted by the committee, that should the Federal Government fail to complete their side of the bargain, the State of Texas would receive recompense for the investment they made up front first out of consideration for the children of this Nation.

Madam Chairman, I think this is a wrong move, and let me also say—

Mr. HAYES of Louisiana. Madam Chairman, if I might reclaim my time—

Mr. ARMEY. If I may make my final point?

It is not without precedent in authorizing legislation that we put in recompensation for States or other local governments that put their money up front, and the Federal Government did not see the project through. I can cite for my colleagues cases where this has happened before. This is not a novel innovation.

Mr. HAYES of Louisiana. If I may reclaim the remainder of my time just to make this point, Madam Chairman?

I do not believe that Travis drew a line in the dirt in the mission in San Antonio, and he stated that those who crossed it were going to die; it was implicit in the comment, but that Texans with faith in the future of subsequent generations gave their lives without being specifically asked. And a vote that determines a large amount of money; they gave dollars for future generations of Americans to make them competitive with the Japanese and the rest of the world and to allow all of us to benefit from science. I think that, if there is a debt, it is much larger than \$1 billion, and it is not owed by Texas, it is owed to it.

Mr. BOEHLERT. Yes, Madam Chairman, I am on the committee, and I just will be very brief.

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

I would like to enter into the RECORD at this point, and I will be glad to share it with my colleagues, if they would like me to read it, a letter to our colleague, the gentleman from Indiana [Mr. MYERS] who is on the Committee on Appropriations, dated June 26, 1989, from the Governor of the State of Texas, William P. Clements, Jr., at which time he said, among other things:

We in Texas strongly believe that the SSC will be the most important machine ever constructed and look forward to participating in this endeavor as the Federal Government's financial partner.

STATE OF TEXAS,
Austin, TX, June 26, 1989.

HON. JOHN MYERS,

U.S. House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMAN MYERS: I want to commend you and the Members of the House Appropriations Committee for recommending an appropriation of \$200 million for the Superconducting Super Collider for fiscal year 1990. Your leadership on this critical national project is appreciated.

As you know, the State of Texas will contribute \$1 billion to defray the cost of construction and operation of the SSC and will deliver all the land necessary for the project without cost to the Federal Government. If the Congress adopts the House Appropriations Committee's recommendation of \$200 million, with \$110 million being dedicated for the initiation of construction activities, the State is fully prepared to make a substantial contribution in fiscal year 1990. Over the remainder of the construction phase, the State will make annual contributions in proportion to the Federal appropriation for the project.

We in Texas strongly believe that the SSC will be the most important machine ever constructed and look forward to participating in this endeavor as the Federal government's financial partner.

With best regards,
Sincerely,

WILLIAM P. CLEMENTS, JR.,
Governor.

But the letter never, never, and I will share it with my colleagues, mentions anything about a refund.

Let me reemphasize a couple of points.

First, the No. 1 cheerleader for Texas in this Nation's Capital, who now occupies the Oval Office, is against the Texas refund legislation. The administration strongly opposes the Texas refund legislation because they feel it will be setting a very dangerous precedent. We all should recognize that we will be tying the hands of our negotiators as we send them abroad to elicit international participation in this venture.

Madam Chairman, I would remind my colleagues that there is an absolute 20-percent floor on international participation, so we are going to be looking for millions and millions from abroad. They are going to say, "We want the same deal as Texas," and in response to my chairman, the gentleman from New Jersey [Mr. ROE], for whom I have the greatest respect, in

response to my chairman's earlier comments suggesting that this is Texas bashing, I would submit to him it is nothing of the sort.

As a matter of fact, Madam Chairman, some of my best friends come from Texas.

Mr. ROE. Madam Chairman, will the gentleman yield to his chairman?

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

Mr. ROE. Madam Chairman, I never even slightly suggested that the gentleman from New York [Mr. BOEHLERT] would be Texas bashing in any stretch of the imagination.

Mr. BOEHLERT. Madam Chairman, reclaiming my time, I point out this is not Texas bashing. This is looking out for the best interests of the American taxpayers. It is not Texas bashing to suggest we should not let the construction get ahead of the science. It is not Texas bashing to suggest the General Accounting Office should be reviewing this project step by step. It is not Texas bashing whatsoever.

Madam Chairman, what we are trying to do is guarantee, as much as humanly possible, those of us who support this project, and incidentally I support the project. I voted for it in committee. I intend to vote for it here on the floor today. I think it is pretty good science; it is not the best, it is not the No. 1 priority on my list.

However, Madam Chairman, we should proceed, but we should proceed very cautiously, very prudently. I want to protect the interests of the taxpayers with a cap. I want to make certain we do not allow Texas to think that it is going to get some good deal if this thing does not materialize, as we all hope, because we are all at risk here.

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

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

Madam Chairman, I would just like to reemphasize that 2 years ago the law very plainly said that Texas would be reimbursed for the cash that it put in the project if the Federal Government abandoned it.

Madam Chairman, with that I yield to the gentleman from New Jersey [Mr. ROE].

Mr. ROE. Madam Chairman, I have to wait to see if the other Members are going to be interested in what I have to say.

□ 1640

Madam Chairman, I will proceed in any case. I would hope that my colleagues will listen, I say to the gentleman from Pennsylvania [Mr. WALKER].

Mr. BOEHLERT. Madam Chairman, will the gentleman yield?

Mr. ROE. I have not even started yet.

Mr. BOEHLERT. Well, I just want to make an observation.

Mr. ROE. Well, of course.

Mr. BOEHLERT. I say to the committee chairman, his Republican colleagues in the committee always listen when he speaks.

Mr. ROE. Oh, I know.

I cooled off from there to here because I want to use the word balderdash, balderdash.

First, the Department—oh, I cleaned that act up—the Department of Energy are the ones who engaged, and rightfully so, a very special team of scientists to further review after the last legislation and the last activity was taken, to further review what we should be doing right as another step in the superconductor super collider, and on that seven-man committee were five Nobel laureates, five of the finest people in the world recognized by their peers for their proficiency and their achievements in high-energy physics.

The Department of Energy and Secretary Watkins decided it would be right, and he was right, let us gather together the best we can find to take another look to be sure before we take another step forward, and that is a matter of record. That is a matter of fact.

Those seven members of that subcommittee came back to the full committee, who advised the Secretary of Energy, Mr. Watkins, Admiral Watkins, on all the energy matters of the country. That is a very special committee. That committee voted unanimously to support the recommendations that came from the seven-man subcommittee. The seven-man subcommittee came back and said:

We want to make, and we think it is essential, that if the United States is to be the premier country and this machine is to be the premier machine, what we should be doing is improving three or four major technical changes on this particular instrument and increasing the length of the tunnel by another 3 miles.

And the added cost was \$1.2 billion; \$900 million of which went for revisions to the machine and \$400 million went to adding the other 3 miles on the tunnel.

Did anybody tell Texas about that? Did that alter the situation? Did that change this whole debate? Of course it did, because the Committee on Science, Space, and Technology, made a decision when they voted this bill out, and they came back and said the following.

They said:

We know the cost is going to be higher by \$1.2 billion. The best brains in the country and in the world have recommended it. The Department of Energy approved it, and if we are going to build the SSC at all, we should build it right or not build it at all.

That was discussed in our hearings and it was discussed by the administrators and everybody who came into that room.

So this great big thing about these overruns and these overcosts, there was \$1.2 billion added in the last 3 or 4 months, not because it was added money. It was because we changed the design and we made it the most supreme piece of equipment we could produce with the best knowledge in the world. That is the truth.

Now we come back and say, "Well, isn't this terrible?"

I want to conclude this. I have had too much to say today, but we have spent a lot of time on this. Let me say this. This has been an excellent debate. It has been wonderful and a good one. There is probably no program in this country or anything we have done in this Congress that has had the scrutiny, and legitimate scrutiny, that this project has had, but there is one element that people could be missing and missing very seriously now. Are we trying to build something? Are we trying to create something? Are we trying to do something, or are we figuring 50 million reasons why we cannot and should not do it?

We would never have gone to the Moon by Apollo. We would not be in space today. We would not have our satellite today if there were so damn many doubters.

Every single constraint we can possibly put into the legislation, short of knocking it down and killing it, we have done. You cannot spend a Sou Marti, inch by inch, test No. 1, you have got to have your magnets tested in Fermi lab and it has got to be done.

No. 1, you cannot move ahead. You must certify to that effect.

Second, you cannot take the second test, the institution test, the environmental test. You have got to certify to that.

Third, you cannot spend a penny more than \$5 million, or you have got to certify that.

If you add one more constraint, I would suggest you put an amendment in now and simply come back and say let us cancel and destroy the SSC.

No, I will not yield time. Get your own time. Pardon me for being so volatile, but that is how I feel, and obviously I am emotionally involved.

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

No. 1, to my colleague, the gentleman from Louisiana, who so eloquently pointed out the Alamo, I would like to point out that there were 25 members of the New Orleans Zouaves there also that day.

There are a couple things we are saying. We are all just saying the same things over and over again, as we usually do when we go on this long, so I will continue to say some things over and over that have been said over and over, and I am sure the speaker who follows me will say some of the things I have said over and over; but obvious-

ly in the bid it was pointed out that if it be built in the particular area, the Dallas-Fort Worth area which it was, the assumption was clear and obvious that the billion dollars was contingent upon it being built. That is prima facie and evident to any fair mind.

I would again point out that when the Fermi lab was built, the land was donated to the Federal Government. The Stamford-Linier accelerator was built entirely with Federal funds from the Department of Energy. The Hubble space telescope was built with funding exclusively from NASA.

This billion dollar contribution is absolutely unprecedented and should serve as a model for other State-Federal cooperation, and if the Federal Government were to cop out on this commitment, it would absolutely be the end of any kind of federalism which we all protest that we so much appreciate.

So I would ask to vote no on the amendment, as I am confident the House will do.

Mr. HALL of Texas. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, let me just speak very briefly. I will not take my full 5 minutes, but I want to speak logically about this. I do not think anybody can change the fact that Texas committed to provide \$1 billion, plus the land, to help build a national user facility. I do not think anybody can dispute the fact that the SSC is not a local public works project in the same sense as a dam or a highway or a sewer treatment facility. This SSC is going to be used by the entire Nation, not just the people of Texas, just as CERN and DESY, where people came from all over the world and brought what they had and put it together there, it is for mankind.

I think this is a similar project here that all of you have supported at one time, or most of you have supported at one time and probably support now in the final analysis.

What does Texas have to lose, other than the billion bucks?

The gentleman from Pennsylvania referred to some song, "All Our Ex's Went To Texas," or something like that. Tennessee Ernie Ford had a song, too. It said, "Sixteen tons and what do you get? Another day older and deeper in debt." That is exactly what we will get if this thing falls by the wayside. That is the reason that the gentleman from Texas [Mr. WASHINGTON] stood on the floor of the Texas Senate and asked the people of Texas to put up \$1 billion.

Let me tell you, "There ain't much resale value for a partially constructed SSC." They would have a wasteland, I say to the gentleman from Pennsylvania. I know the gentleman is going to help me in just a minute.

Mr. WALKER. Madam Chairman, if the gentleman will yield, I just want to tell him that there also is another old country song, though, called, "You Get the Gold and We Get the Shaft."

Mr. HALL of Texas. I cannot think who the author was of that, but I bet it is the same guy who wrote the Pennsylvania Polka.

We have had hundreds of conversations. I think I personally have talked with almost everyone in here about this facility. We have taken, in the subcommittee we turned down and we accepted amendments. In the committee, we had full hearings and here on the floor today we have taken the Conte amendment. We have worked out the Boehlert amendment. We passed other amendments. We are working now to accept the Eckart amendment. We have accepted amendments that were not killer amendments. We have accepted, I believe, one other amendment. We accepted the amendment of the gentleman from Pennsylvania [Mr. WALKER].

□ 1650

We accepted the other Boehlert amendment. I think we are getting down to where this is the killer amendment that this facility and this bill cannot accept and cannot tolerate.

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

Madam Chairman, 99 times out of 100, I would think that the arguments used against the Sensenbrenner amendment were valid. Under normal circumstances I do believe the Sensenbrenner amendment would be illegitimate, because I do think we have a Federal system, and I do think that we ought to recognize that, no matter whether we support or oppose the specific piece of legislation before us. But we are not under normal circumstances in dealing with this bill.

We are operating under extraordinary circumstances and have been for some time. Those circumstances are called Gramm-Rudman, and under Gramm-Rudman, when one piece of the budget eats up a larger piece than is expected, then the other parts of the budget get squeezed down.

What bothers me is that we all know we are not operating under real numbers when it comes to the super collider. The author of Gramm-Rudman himself has recognized that, and he happens to be from Texas. I noted that he said that we should not worry about whether or not a supplemental is going to be required. He has stated that if in 4 or 5 years down the line we are going to need an extra \$800 million to pay for the super collider, then we will have to deal with that at that time.

I would suggest that that statement demonstrates the correctness of the

Sensenbrenner amendment in this case, because on this issue we are not being dealt with for real when it comes to the numbers. I would simply point out that when the author of the Gramm-Rudman process under which we are all forced to live today, when the author of that process now suggests that we should not worry about the implications of Gramm-Rudman down the line, that we ought to just swallow what happens today and then Texas can come in for \$800 million later on, that statement delegitimizes the Gramm-Rudman process. And with all due respect to the author of Gramm-Rudman, I just think that that means that the Sensenbrenner amendment is correct. Because what the Sensenbrenner amendment does is to say that if these numbers are illegitimate, if Congress is being sold the super collider under false pretenses with phony numbers, then the perpetrator of the fraud ought to pay the bill, and I would suggest that that is why we ought to pass the amendment, because the Senator from Texas ought to be required to live under his own legislation.

Mr. HAYES of Louisiana. Madam Chairman, will the gentleman yield?

Mr. OBEY. I am happy to yield to the gentleman from Louisiana.

Mr. HAYES of Louisiana. Madam Chairman, unlike a military construction project in which the item being constructed from start to finish is to be done, the project of the superconducting super collider is the most ambitious scientific experiment in the history of mankind, but it is done in stages. If the magnet technology does not work, then the technology moving the rest of the costs forward cannot happen, and I would hope that the gentleman realizes that in our committee we put in those kind of fail-safe devices with testing stages along the way.

Mr. OBEY. With all due respect, I understand the fail-safe provisions that the committee says it has put in. But my point is that the DOE simply cannot be trusted to level with this Congress about costs. It is obvious that the Senator from Texas knows that. He has already admitted as much, that we are going to have \$800 million more, and under those circumstances, I think his taxpayers ought to have to foot that bill, not just mine.

Mr. HAYES of Louisiana. If the gentleman will yield further, I would suggest that the gentleman's difference is with a Member of the other body and with an agency, but that the project here, with the stages of funding, proves its science as it goes, unlike so many comparable projects in other fields where there is no assurance whatsoever at the end of the trail and the aggregate spending that the project will work. This bill justifies its conditional spending.

Mr. OBEY. Reclaiming my time, the gentleman is correct with respect to one comment. I have no bone to pick with any member of the Texas delegation in this House. But I do have a bone to pick with a Member of the other body who does not want to live under rules which he himself has created and forced upon the entire Congress and the entire Federal Government.

The CHAIRMAN. The gentleman should avoid references to Members of the other body.

Mr. PICKLE. Madam Chairman, will the gentleman yield?

Mr. OBEY. I am happy to yield to the gentleman from Texas.

Mr. PICKLE. Madam Chairman, if a State enters into an agreement or contract with the Federal Government on a project such as this and at any given point 2 or 3 years down the line, the Federal Government just says, "We cannot go forward" for any number of several reasons and, "We are going to back out of this and shut the project down," that now puts a State on notice, all States, that they would hesitate to enter into these kinds of projects. So in all fairness, once it gets started, if it is in the legislation, then it ought to be abided by, and we ought to keep our agreement.

I think that is what Texas feels, and any other State, that if you do not do that, then all the other States are going to say, "I am going to have second thoughts before I will ever enter into a project like this."

Mr. OBEY. As I said earlier, under normal circumstances, I would agree with that. But when we know right now that DOE is simply not leveling with us in terms of the costs, when we know we are going to have an explosion in the cost of this project, I think in that case we have to deal with an extraordinary process, and I think the gentleman from Wisconsin is correct to offer the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. SENSENBRENNER].

The question was taken; and the chairman announced that the yeas appeared to have it.

RECORDED VOTE

Mr. SENSENBRENNER. Madam Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 256, noes 163, not voting 14, as follows:

[Roll No. 93]

AYES—256

Anderson	Bereuter	Broomfield
Annunzio	Billtrakis	Brown (CO)
AuCoin	Billey	Bruce
Barnard	Boehlert	Buechner
Bates	Bonior	Bunning
Bellenson	Borski	Burton
Bennett	Boxer	Campbell (CA)
Bentley	Brennan	Campbell (CO)

Carper	Johnston	Rohrabacher
Chandler	Jontz	Ros-Lehtinen
Clarke	Kasich	Rostenkowski
Clay	Kastenmeier	Roth
Clement	Kennedy	Roukema
Clinger	Kennelly	Rowland (CT)
Coble	Kildee	Rowland (GA)
Coleman (MO)	Kleczka	Russo
Conte	Kolbe	Sabo
Cooper	Kostmayer	Saiki
Costello	LaFalce	Sangmeister
Coughlin	Lagomarsino	Sawyer
Courter	Lantos	Schaefer
Cox	Leach (IA)	Schneider
Crane	Lent	Schroeder
Crockett	Levin (MI)	Schuette
Dannemeyer	Lewis (FL)	Schulze
Darden	Lewis (GA)	Schumer
Davis	Lipinski	Sensenbrenner
DeFazio	Long	Sharp
Derrick	Lowery (CA)	Shaw
DeWine	Lowey (NY)	Shays
Dicks	Machtley	Shumway
Dornan (CA)	Marlenee	Shuster
Douglas	Martin (IL)	Slaughter (VA)
Downey	Martin (NY)	Slitski
Dreier	Mazzoli	Skelton
Duncan	McCandless	Slattery
Durbin	McCloskey	Slaughter (NY)
Dyson	McCollum	Slaughter (VA)
Early	McDade	Smith (NE)
Eckart	McDermott	Smith (VT)
Edwards (OK)	McEwen	Smith, Denny
Emerson	McGrath	(OR)
Evans	McHugh	Smith, Robert
Fawell	McMillan (NC)	(NH)
Feighan	Meyers	Smith, Robert
Fish	Mfume	(OR)
Flake	Michel	Snowe
Foglietta	Miller (CA)	Solarz
Frank	Miller (OH)	Solomon
Frenzel	Miller (WA)	Spence
Gallely	Moakley	Spratt
Gejdenson	Molinari	Stangeland
Gekas	Moody	Stark
Gilman	Moorhead	Stearns
Gingrich	Morella	Studds
Glickman	Morrison (CT)	Sundquist
Gordon	Mrazek	Swift
Goss	Murphy	Synar
Gradison	Myers	Tauke
Grandy	Neal (MA)	Thomas (CA)
Green	Neal (NC)	Thomas (GA)
Guarini	Nielson	Thomas (WY)
Gunderson	Oberstar	Traxler
Hall (OH)	Obey	Udall
Hamilton	Olin	Upton
Hammerschmidt	Oxley	Vander Jagt
Hancock	Packard	Vento
Hansen	Panetta	Vucanovich
Hastert	Parris	Walgren
Hefley	Patterson	Walker
Henry	Paxon	Walsh
Herger	Payne (VA)	Waxman
Hertel	Pease	Weber
Hiler	Penny	Weiss
Hoagland	Petri	Weldon
Hopkins	Porter	Wheat
Horton	Poshard	Whittaker
Houghton	Quillen	Williams
Hughes	Ravenel	Wolf
Hunter	Ray	Wolpe
Hyde	Regula	Wyden
Inhofe	Rhodes	Wyllie
Ireland	Ridge	Yates
Jacobs	Ritter	Yatron
James	Roberts	Young (FL)
Jenkins	Robinson	
Johnson (SD)	Rogers	

NOES—163

Akaka	Berman	Carr
Alexander	Bevill	Chapman
Andrews	Bilbray	Coleman (TX)
Anthony	Boggs	Combest
Applegate	Bosco	Condit
Archer	Boucher	Conyers
Armey	Brooks	Coyne
Aspin	Browder	de la Garza
Atkins	Brown (CA)	DeLay
Baker	Bryant	Dellums
Ballenger	Bustamante	Dickinson
Bartlett	Byron	Dingell
Barton	Callahan	Dixon
Bateman	Cardin	Donnelly

Dorgan (ND)	Lancaster	Richardson
Dwyer	Laughlin	Rinaldo
Dymally	Leath (TX)	Roe
Edwards (CA)	Lehman (CA)	Rose
Engel	Lehman (FL)	Roybal
English	Lewis (CA)	Sarpallus
Erdreich	Livingston	Savage
Espy	Lloyd	Saxton
Fascell	Luken, Thomas	Scheuer
Fazio	Madigan	Schiff
Fields	Manton	Serrano
Ford (MI)	Markley	Skaggs
Ford (TN)	Martinez	Skeen
Frost	Matsui	Smith (IA)
Gallo	Mavroules	Smith (NJ)
Gaydos	McCready	Smith (TX)
Gephardt	McCurdy	Staggers
Geren	McMillen (MD)	Stallings
Gibbons	McNulty	Stenholm
Gillmor	Mineta	Stokes
Gonzalez	Mollohan	Stump
Goodling	Montgomery	Tallon
Grant	Morrison (WA)	Tanner
Gray	Murtha	Tauzin
Hall (TX)	Nagle	Taylor
Harris	Natcher	Torres
Hatcher	Nowak	Torricelli
Hawkins	Oakar	Towns
Hayes (IL)	Ortiz	Trafcant
Hayes (LA)	Owens (NY)	Unsoeld
Hefner	Owens (UT)	Valentine
Hochbrueckner	Pallone	Visclosky
Holloway	Parker	Volkmer
Hoyer	Pashayan	Washington
Hubbard	Payne (NJ)	Watkins
Hutto	Pelosi	Whitton
Jones (GA)	Perkins	Wilson
Jones (NC)	Pickett	Wise
Kanjorski	Pickle	Young (AK)
Kaptur	Price	
Kolter	Pursell	

NOT VOTING—14

Ackerman	Johnson (CT)	Nelson
Collins	Kyl	Rahall
Craig	Levine (CA)	Rangel
Flippo	Lightfoot	Smith (FL)
Huckaby	Lukens, Donald	

□ 1719

The Clerk announced the following pair:

On this vote:

Mr. Craig for, with Mr. Rangel against.

Mr. TOWNS changed his vote from "aye" to "no."

Mrs. VUCANOVICH and Messrs. ANNUNZIO, HERTEL, WHEAT, SCHAEFER, PARRIS, SOLARZ, STARK, PANETTA, SMITH of Vermont, LEWIS of Georgia, DERRICK, CROCKETT, and GUARINI changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ECKART

Mr. ECKART. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ECKART: Page 15, lines 22 through 25, strike "such as leasebacks" and all that follows through "conventional construction." and insert in lieu thereof "that will not require additional expenditures, or potential expenditures, of Federal funds for construction."

□ 1720

Mr. ECKART. Madam Chairman, the provisions of this amendment make a significant change in the area labeled creative financing. It would ensure that the cap is a reality, that additional expenditures will be forbid-

den beyond matters appropriated by the Congress.

Mr. ROE. Madam Chairman, will the gentleman yield?

Mr. ECKART. Madam Chairman, I yield to the chairman of the committee, the gentleman from New Jersey [Mr. ROE].

Mr. ROE. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, the committee has reviewed the gentleman's amendment and has no objection to accepting the amendment.

Mr. WALKER. Madam Chairman, will the gentleman yield?

Mr. ECKART. Madam Chairman, I yield to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, I initially had some problems with it because it did not relate specifically to construction. The gentleman has modified the amendment to deal with construction only. We are very happy on the minority side to accept the gentleman's amendment.

Mr. ECKART. Madam Chairman, I thank both of my colleagues. This provision to limit creative funding would be an appropriate addition to the bill.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. STOKES

Mr. STOKES. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STOKES: Page 19, after line 4, insert the following new section:

SEC. 12. MINORITY PARTICIPATION IN THE SUPERCONDUCTING SUPER COLLIDER.

(a) FEDERAL FUNDING.—The Secretary of Energy shall, to the fullest extent possible, ensure that at least 10 percent of the Federal funding for the development, construction, and operation of the Superconducting Super Collider be made available to business concerns or other organizations owned or controlled by socially and economically disadvantaged individuals (within the meaning of section 8(a) (5) and (6) of the Small Business Act (15 U.S.C. 637(a) (5) and (6))), including historically black colleges and universities and colleges and universities having a student body in which more than 20 percent of the students are Hispanic Americans or Native Americans. For purposes of this section, economically and socially disadvantaged individuals shall be deemed to include women.

(b) OTHER PARTICIPATION.—The Secretary of Energy shall, to the fullest extent possible, ensure significant participation, in addition to that described in subsection (a), in the development, construction, and operation of the Superconducting Super Collider by socially and economically disadvantaged individuals (within the meaning of section 8(a) (5) and (6) of the Small Business Act (15 U.S.C. 637(a) (5) and (6))) and economically disadvantaged women.

Mr. STOKES (during the reading). Madam Chairman, I ask unanimous

consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. STOKES. Madam Chairman, I rise in support of my amendment and the bill, and I want to commend the distinguished chairman, the gentleman from New Jersey [Mr. ROE], for bringing this important legislation to the floor.

Madam Chairman. I rise in support of H.R. 4380, the authorization of the appropriations for the superconducting super collider. I want to commend the distinguished Chairman, Mr. ROE, for bringing this important legislation to the floor.

As you know, the superconducting super collider is one of the most advanced and ambitious high physics projects ever undertaken by our Nation. Yet, our scientific and engineering workforce, the backbone of our technological strength and leadership, is eroding. A recent report by the congressionally established task force on women, minorities, and the handicapped in science and technology finds that our Nation faces a shortfall of scientists and engineers by the year 2000. It further states that we can meet these shortfalls by utilizing all our talent, especially those traditionally underrepresented, including minorities and women. My amendment helps us achieve that goal by doing just that. In fact, the language of this amendment is identical to language included in H.R. 2696, the energy and water appropriations bill for fiscal year 1990 which passed the House last June, cleared Congress last September, and became Public Law 101-101 with the President's signature on September 29, 1989.

Madam Chairman, my amendment should more appropriately be called the Mickey Leland amendment. Just before his untimely demise, Mickey Leland had contacted me at the time the energy and water appropriations bill was being marked up by the Appropriations Committee. It was he who requested that I sponsor the amendment, which was accepted and made a part of that bill which is in the current law. So this is really an opportunity for me and the House to once again remember a Member of this body who was respected and admired, and who, once again, affords us the opportunity to show our commitment to equal opportunity for minority business.

Madam Chairman, traditionally, minority-owned businesses, historically black colleges and universities, and other minority educational institutions, have not been included in projects of this magnitude. Conse-

quently, our Nation faces a situation constituting de facto exclusion of qualified contractors from such projects, as well as a situation that fails to utilize an available and technically expert scientific work force. My amendment would require the Secretary of Energy to ensure that at least 10 percent of the total Federal funding for the superconducting super collider project be made available to minority-owned business or institutions. By agreeing to this amendment, we will help to enhance and guarantee minority involvement in the scientific and technological industries which are bound to shape our Nation's future.

The estimated cost of overall development of the SSC will be between \$4 to \$6 billion. Adoption of this amendment will ensure that equal opportunity will be targeted toward competent, qualified minority institutions, businesses and students. At a time when our Nation is losing its competitive edge in the international marketplace, I sincerely hope that the House will adopt this amendment, and reaffirm its commitment to our pursuit of scientific and technological excellence by ensuring full participation of minorities in the areas of science and technology. This is key to ensuring our future strength in this arena.

Madam Chairman, I strongly urge my colleagues to support this necessary and worthwhile amendment, and final passage of H.R. 4380.

Mr. ROE. Madam Chairman, will the gentleman yield?

Mr. STOKES. Madam Chairman, I yield to the gentleman from New Jersey [Mr. Roe], the chairman of the committee.

Mr. ROE. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, the committee has reviewed this amendment. We have no objection. This is the same amendment that was in the original legislation last time, and we have no objection.

AMENDMENT OFFERED BY MR. WALKER TO THE AMENDMENT OFFERED BY MR. STOKES

Mr. WALKER. Madam Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. WALKER to the amendment offered by Mr. STOKES: Page 2, after line 5, insert the following new subsection:

(c) USE OF QUOTAS PROHIBITED.—Nothing in this section shall permit or require the use of quotas or a requirement that has the effect of a quota in determining eligibility under subsection (a) or (b).

Mr. WALKER (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. WALKER. Madam Chairman, this is an amendment that the gentleman from Ohio [Mr. Stokes] and I have worked together on. I was concerned about the language that it could ultimately be interpreted as permitting the use of quotas. I have developed language which just offers a simple prohibition of quotas in the bill. I think the gentleman from Ohio is prepared to accept this amendment at this point, and I would be glad to yield to him.

Mr. STOKES. Madam Chairman, will the gentleman yield?

Mr. WALKER. Madam Chairman, I yield to the gentleman from Ohio [Mr. Stokes].

Mr. STOKES. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, the gentleman is correct; we have had discussion involving his amendment to my amendment, and I have no objection to his amendment.

Mr. WALKER. I thank the gentleman.

Mr. ROE. Madam Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from New Jersey [Mr. Roe].

Mr. ROE. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, on this side of the aisle we have no objection to the gentleman's amendment to the amendment.

Mrs. BOGGS. Madam Chairman, will the gentleman yield?

Mr. WALKER. Madam Chairman, I yield to the gentlewoman from Louisiana [Mrs. Boggs].

Mrs. BOGGS. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, I wish to commend the gentleman from Pennsylvania [Mr. Walker] for working out the amendment to his satisfaction and to the satisfaction of the gentleman from Ohio [Mr. Stokes] and this Member who are sponsors of the amendment.

Mr. WALKER. I thank the gentlewoman. I think it has worked out very well as a result of the negotiations.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. Walker] to the amendment offered by the gentleman from Ohio [Mr. Stokes].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. Stokes], as amended.

The amendment, as amended, was agreed to.

The CHAIRMAN. Are there other amendments to the bill? If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

□ 1730

Accordingly the Committee rose; and the Speaker pro tempore (Mr. MURTHA) having assumed the chair, Ms. SLAUGHTER of New York, 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. 4380) to authorize appropriations for the superconducting super collider, and for other purposes, pursuant to House Resolution 379, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to. The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. HAYES of Louisiana. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered. The vote was taken by electronic device, and there were—yeas 309, nays 109, not voting 15, as follows:

(Roll No. 94)
YEAS—309

Akaka	Bosco	Courter
Alexander	Boucher	Cox
Anderson	Boxer	Coyne
Andrews	Brennan	Dannemeyer
Annunzio	Brooks	Darden
Anthony	Browder	de la Garza
Applegate	Brown (CA)	DeLay
Archer	Brown (CO)	Dellums
Arney	Bruce	DeWine
Aspin	Bryant	Dickinson
Atkins	Bustamante	Dicks
AuCoin	Byron	Dingell
Baker	Callahan	Dixon
Ballenger	Campbell (CO)	Donnelly
Barnard	Cardin	Dorgan (ND)
Bartlett	Chandler	Dornan (CA)
Barton	Chapman	Downey
Bateman	Clarke	Dreier
Bennett	Clay	Dwyer
Bentley	Clinger	Dymally
Berman	Coleman (MO)	Edwards (CA)
Bevill	Coleman (TX)	Edwards (OK)
Bilbray	Combest	Emerson
Bilirakis	Condit	Engel
Billey	Conte	English
Boehlert	Conyers	Erdreich
Boggs	Cooper	Espy
Borski	Costello	Fascell

Fawell	Lewis (GA)	Rose	Machtley	Ritter	Smith, Robert
Fazio	Lipinski	Roth	Marlenee	Rohrabacher	(OR)
Feighan	Livingston	Rowland (GA)	Martin (NY)	Ros-Lehtinen	Snowe
Fields	Lloyd	Roybal	McEwen	Rostenkowski	Solomon
Fish	Lowery (CA)	Russo	Miller (CA)	Roukema	Spratt
Flake	Lowey (NY)	Sabo	Morrison (CT)	Rowland (CT)	Stangeland
Foglietta	Luken, Thomas	Saiki	Murphy	Sawyer	Stark
Ford (MI)	Madigan	Sangmeister	Neal (NC)	Schneider	Studds
Ford (TN)	Manton	Sarpalius	Oberstar	Schroeder	Sundquist
Frank	Markey	Savage	Obey	Schuetz	Synar
Frost	Martin (IL)	Saxton	Olin	Schulze	Tallon
Gallegly	Martinez	Schaefer	Oxley	Sensenbrenner	Tauke
Gallo	Matsui	Scheuer	Paxon	Sharp	Thomas (WY)
Gaydos	Mavroules	Schiff	Payne (VA)	Shays	Upton
Gejdenson	Mazzoli	Schumer	Pease	Shuster	Vander Jagt
Gekas	McCandless	Serrano	Penny	Sikorski	Vento
Gephardt	McCloskey	Shaw	Petri	Slitsky	Weiss
Geren	McCollum	Shumway	Porter	Slattery	Weldon
Gibbons	McCrery	Skaggs	Regula	Smith, Robert	Williams
Gillmor	McCurdy	Skeen	Ridge	(NH)	Wolpe
Gilman	McDade	Skelton			
Gingrich	McDermott	Slaughter (NY)			
Gonzalez	McGrath	Slaughter (VA)	Ackerman	Kyl	Nelson
Goodling	McHugh	Smith (IA)	Collins	Levine (CA)	Owens (UT)
Gordon	McMillan (NC)	Smith (NE)	Craig	Lightfoot	Rahall
Goss	McMillen (MD)	Smith (NJ)	Filippo	Lukens, Donald	Rangel
Grant	McNulty	Smith (TX)	Huckaby	Moody	Smith (FL)
Gray	Meyers	Smith (VT)			
Green	Mfume	Smith, Denny			
Guarini	Michel	(OR)			
Hall (OH)	Miller (OH)	Solarz			
Hall (TX)	Miller (WA)	Spence			
Hammerschmidt	Mineta	Staggers			
Hansen	Moakley	Stallings			
Harris	Molinaro	Stearns			
Hatcher	Mollohan	Stenholm			
Hawkins	Montgomery	Stokes			
Hayes (IL)	Moorhead	Stump			
Hayes (LA)	Morella	Swift			
Hefner	Morrison (WA)	Tanner			
Hochbrueckner	Mrazek	Tauzin			
Holloway	Murtha	Taylor			
Hopkins	Myers	Thomas (CA)			
Horton	Nagle	Thomas (GA)			
Houghton	Natcher	Torres			
Hoyer	Neal (MA)	Toricelli			
Hubbard	Nielson	Towns			
Hughes	Nowak	Trafficant			
Hunter	Oakar	Traxler			
Hutto	Ortiz	Udall			
Inhofe	Owens (NY)	Unsoeld			
Ireland	Packard	Valentine			
Jenkins	Pallone	Visclosky			
Johnson (SD)	Panetta	Volkmer			
Johnston	Parker	Vucanovich			
Jones (GA)	Parris	Walgren			
Jones (NC)	Pashayan	Walker			
Kaptur	Patterson	Walsh			
Kasich	Payne (NJ)	Washington			
Kennedy	Pelosi	Watkins			
Kennelly	Perkins	Waxman			
Klecza	Pickett	Weber			
Kolbe	Pickle	Wheat			
Kolter	Poshard	Whittaker			
Lagomarsino	Price	Whitten			
Lancaster	Pursell	Wilson			
Lantos	Quillen	Wise			
Laughlin	Ravenel	Wolf			
Leach (IA)	Ray	Wyden			
Leath (TX)	Rhodes	Wyllie			
Lehman (CA)	Richardson	Yates			
Lehman (FL)	Rinaldo	Yatron			
Lent	Roberts	Young (AK)			
Levin (MI)	Robinson	Young (FL)			
Lewis (CA)	Roe				
Lewis (FL)	Rogers				

NAYS—109

Bates	DeFazio	Hefley
Bellenson	Derrick	Henry
Bereuter	Douglas	Herger
Bonior	Duncan	Hertel
Broomfield	Durbin	Hiller
Buechner	Dyson	Hosagland
Bunning	Early	Hyde
Burton	Eckart	Jacobs
Campbell (CA)	Evans	James
Carper	Frenzel	Johnson (CT)
Carr	Glickman	Jontz
Clement	Gradison	Kanjorski
Coble	Grandy	Kastenmeier
Coughlin	Gunderson	Kildee
Crane	Hamilton	Kostmayer
Crockett	Hancock	LaFalce
Davis	Hastert	Long

Martin (NY)	Ros-Lehtinen	Smith, Robert
McEwen	Rostenkowski	(OR)
Miller (CA)	Roukema	Snowe
Morrison (CT)	Rowland (CT)	Solomon
Murphy	Sawyer	Spratt
Neal (NC)	Schneider	Stangeland
Oberstar	Schroeder	Stark
Obey	Schuetz	Studds
Olin	Schulze	Sundquist
Oxley	Sensenbrenner	Synar
Paxon	Sharp	Tallon
Payne (VA)	Shays	Tauke
Pease	Shuster	Thomas (WY)
Penny	Sikorski	Upton
Petri	Slitsky	Vander Jagt
Porter	Slattery	Vento
Regula	Smith, Robert	Weiss
Ridge	(NH)	Weldon
		Williams
		Wolpe

NOT VOTING—15

Ackerman	Kyl	Nelson
Collins	Levine (CA)	Owens (UT)
Craig	Lightfoot	Rahall
Filippo	Lukens, Donald	Rangel
Huckaby	Moody	Smith (FL)

□ 1749

The Clerk announced the following pair:

On this vote:

Mr. Rangel for, with Mr. Craig against.

Mr. STANGELAND changed his vote from "yea" to "nay."

Mrs. MARTIN of Illinois changed her vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1750

GENERAL LEAVE

Mr. ROE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous matter, on H.R. 4380, the bill just passed.

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

There was no objection.

PERSONAL EXPLANATION

Mr. NELSON of Florida. Mr. Speaker, had I been present, I would have voted "aye" on rollcall No. 90, No. 92, and No. 94 and "nay" on rollcall No. 93.

INTRODUCTION OF THE JUDICIAL TAXATION PROHIBITION ACT

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

Mr. HANCOCK. Mr. Speaker, apparently the Supreme Court decided 2 weeks ago that the American Revolution did not count. That is how Missouri Circuit Judge Robert Dierker described in a letter to me the Supreme

Court's Missouri versus Jenkins decision which endorsed taxation by judicial decree. He is right.

A Federal judge in Kansas City is now free to double property taxes. Never mind that the Constitution clearly states in article I, section 8 that "Congress shall have Power To lay and collect Taxes," reserving all nonspecified powers to the States. Never mind that Alexander Hamilton stated in The Federalist Papers "The Judiciary . . . has no influence over either the sword or the purse."

Justice Kennedy got it right when he wrote that "taxation imposed by the unelected, life-tenured Federal judiciary disregards fundamental precepts for the democratic control of public institutions."

Yesterday, with a bipartisan group of 33 of my colleagues, I introduced legislation to correct the Supreme Court's fundamental error. Our bill, H.R. 4683, would exercise the powers delegated to Congress under article III of the Constitution to take the remedy of taxation away from all Federal courts inferior to the Supreme Court. I urge my colleagues to cosponsor this legislation and tell the courts to "Read our lips, No Taxation Without Representation!"

H.R. 4683

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Judicial Taxation Prohibition Act".

SEC. 2. FINDINGS AND DECLARATIONS.

The Congress finds and declares that—

(1) a variety of effective and appropriate judicial remedies are available for the full redress of legal and constitutional violations under existing law, and that the imposition or increase of taxes by courts is neither necessary nor appropriate for the full and effective exercise of Federal court jurisdiction;

(2) the imposition or increase of taxes by judicial order constitutes an unauthorized and inappropriate exercise of the judicial power under the Constitution of the United States and is incompatible with traditional principles of American law and government and the basic American principle that taxation without representation is tyranny;

(3) Federal courts exceed the proper boundaries of their limited jurisdiction and authority under the Constitution of the United States, and impermissibly intrude on the legislative function in a democratic system of government, when they issue orders requiring the imposition of new taxes or the increase of existing taxes; and

(4) the Congress retains the authority under article III, sections 1 and 2 of the Constitution of the United States to limit and regulate the jurisdiction of the inferior Federal courts which it has seen fit to establish, and such authority includes the power to limit the remedial authority of inferior Federal courts.

SEC. 3. PROHIBITION OF JUDICIAL IMPOSITION OR INCREASE OF TAXES.

(a) IN GENERAL.—Chapter 85 title 28, United States Code, is amended by inserting

between sections 1341 and 1342, the following:

"§1341A. Prohibition of judicial imposition or increase of taxes.

"(a) Notwithstanding any other provision of law, no inferior court established by Congress shall have jurisdiction to issue any remedy, order, injunction, writ, judgment, or other judicial decree requiring the Federal Government or any State or local government to impose any new tax or to increase any existing tax or tax rate.

"(b) Nothing in this section shall prohibit inferior Federal courts from ordering duly authorized remedies, otherwise within their jurisdiction, which may require expenditures by Federal, State, or local government where such expenditures are necessary to effectuate such remedies.

"(c) For purposes of this section, the term "tax" includes, but is not limited to, personal income taxes; real and personal property taxes; sales and transfer taxes; estate and gift taxes; excise taxes; user taxes; corporate and business income taxes; and licensing fees or taxes."

(b) CLERICAL AMENDMENT.—The table of sections for chapter 85 of title 28, United States Code, is amended by inserting between the item relating to section 1341 and the item relating to section 1342, the following new item:

"1341A. Prohibition of judicial imposition or increase of taxes."

SEC. 4. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect on the date of enactment.

REGULATION OF SOFT MONEY CAMPAIGN SPENDING

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

Mr. DICKINSON. Mr. Speaker, today, the editorial page of the Montgomery Advertiser contained an article regarding the abuse of soft money contributions, and how the effort to write the Beck decision into law merits the attention of Congress.

On June 29, 1988, the Supreme Court ruled in Beck versus Communication Workers of America that compulsory union dues cannot be spent for anything but collective bargaining. All union members have the right to know what their dues are being spent for, and all union members have the right to refuse to pay for practices with which they do not agree.

Only last Wednesday, there was a disturbing article in the Wall Street Journal where opponents of California reapportionment plans asked organized labor to contribute some \$1 million to the effort in lieu of regular campaign contributions. In this case, union dues would once again be used as campaign contributions, but because the law does not regulate soft money, the expenditures technically fall outside of limit and disclosure requirements. Would union members ever find out what their dues were being spent on? No.

No one knows how much soft money is spent on political activities since it is not reported. This is why the codification of the Beck decision is not enough for real campaign finance reform.

Meaningful reform must go beyond the codification of Beck, and a provision must be incorporated into the campaign finance reform package that will: Compel disclosure of soft-money spending, regulate soft-money spending, and restrict soft-money spending.

[From the Montgomery Advertiser, May 1990]

CONGRESS LOOKS AT "SOFT MONEY" ISSUE

(By James J. Kilpatrick)

WASHINGTON.—In the hardball league of big-time politics, "soft money" constitutes a key element of the game. This is the money that goes not directly to a candidate, but only generally for such gauzy purposes as "voter education."

As Congress nudges its way toward election reform, the topic of soft money cries out for attention. How much money are we talking about? No one knows for certain, because soft money is not reported. It is well established, however, that the great bulk of it comes from labor unions. Congressional Quarterly quotes one estimate that unions spent "at least \$45 million" in the 1988 elections, all but \$5 million on activities that favored Democrats.

Corporations and trade associations, to be sure, may also contribute soft money to voter education and registration, but industry tends to the timid side. Its soft money—there isn't much of it—generally is spent as a manifestation of civic virtue.

Sen. Mitch McConnell of Kentucky heads a Republican task force on campaign finance. He wants to write a provision into the pending bill for election reform that would compel disclosure of soft-money spending. More than that, he proposes "to regulate and restrict it," a goal more easily promoted than achieved. Democrats understandably oppose the idea.

Republicans will mount a companion effort to add another desirable amendment to the bill. This would write into law the salutary substance of what is known as the "Beck decision." It is an effort that merits more attention than it has received thus far.

The Beck case dates from 1976, when 20 employees of AT&T and its subsidiaries brought formal charges against the Communications Workers of America (CWA) and four of its local unions. Harry Beck and the other plaintiffs were not members of the union, but under a union-shop contract they were compelled to pay fees and dues that were equivalent to those paid by union members. Their complaint was that most of these payments went to purposes that were irrelevant at best and odious at worst.

Specifically, Beck and his coworkers objected to spending by the CWA in support of causes and candidates they opposed. They contended that their payments to the union, wrested from them under the coercion of a union-shop contract, could be used only for the legitimate purposes of collective bargaining, contract administration and grievance adjustment.

The case was bitterly fought. In the union's view, the relevant provisions of the National Labor Relations Act put no restrictions whatever upon their spending. If

Harry Beck didn't like it he could join the union and argue his position from within.

The trial court was not persuaded. It insisted upon a detailed accounting of CWA expenditures. After months of haggling, an astonishing figure emerged: Only 21 percent of the outlays were for purposes reasonably related to collective bargaining with AT&T and its subsidiary companies. The other 79 percent went for other union activities—for publications, for entertainment, for lobbying, for organizing workers in other companies, and so on.

Twelve years after the suit began, it reached the Supreme Court. In June 1988, Justice William Brennan spoke for a five-member majority. The law, he said, does not leave unions free "to exact dues equivalents from non-members in any amount they please, no matter how unrelated these fees may be to collective bargaining activities." Non-members may be compelled to pay fees intended to defray the costs of bargaining in their behalf—they cannot derive benefits as free riders—but beyond that limit, no.

Regrettably, the court did not reach the constitutional issue. The National Right to Work Legal Defense Fund, which supported Beck's suit, contended that under the peculiar circumstances of a union-shop contract, the union functions in effect as an agency of the state. No state may abridge a right of free speech. Harry Beck's right was plainly being abridged, but the high court put off the question.

The statutory interpretation enunciated in Brennan's opinion ought to be written into law. Union members of course have a right voluntarily to form a political action committee and support any candidate they like. They have no right to hijack non-members along the way.

[From the Wall Street Journal, Apr. 25, 1990]

CALIFORNIA DEMOCRAT GROUP ASKS LABOR TO GIVE \$1 MILLION

(By Jill Abramson and Jeffrey H. Birnbaum)

WASHINGTON.—Top California Democrats, who have launched a drive to defeat two Republican-backed reapportionment plans, asked organized labor to give \$1 million to the effort in lieu of regular campaign contributions.

Yesterday, after other California lawmakers resisted the unusual proposal, and after inquiries were made by this newspaper, the state's Democratic House delegation abandoned it. But the lawmakers still are moving forward with an aggressive "soft money" fund-raising campaign even as Congress debates ending or limiting such contributions.

Soft money, which consists of contributions to state party organizations and state-level political committees, falls outside of the limits and disclosure requirements of the federal election laws.

The California Democrats' goal is to raise at least \$2 million, according to several people involved in the effort. Labor almost certainly will still be asked to make a significant contribution, although not as part of the swap initially proposed at a meeting of delegation members with labor leaders earlier this month. Other major Democratic donors in California are also being asked to make big contributions.

State Rep. Vic Fazio heads the California Democrats' reapportionment drive, known as IMPAC 2000. He denied that labor was given any specific contribution target, but other people who are knowledgeable about

the meeting said the \$1 million figure was discussed. Mr. Fazio also asserted that there is nothing untoward about soliciting labor support for such an important effort. He said Republicans are pouring hundreds of thousands of dollars to try to pass the initiatives, which, he added, "aren't something that were put on the ballot by public citizens' groups."

The use of soft money is especially sensitive in California since the disclosure that U.S. Sen. Alan Cranston (D., Calif.) received more than \$800,000 in soft-money contributions from savings-and-loan executive Charles Keating for voter-registration drives. Sen. Cranston faces a Senate Ethics Committee investigation into his ties to Mr. Keating.

As many as a dozen of the 27 Democratic incumbents in California could be endangered when House districts are redrawn starting next year, according to several political analysts in the state. The two June ballot propositions, both of which are supported by the Republican Party, would change the way redistricting is done. One would set up a panel of retired judges to handle reapportionment. The other would require a two-thirds vote of both houses of the California Legislature to adopt a reapportionment plan. Current law requires approval only by a simple majority of the Legislature, which is controlled by the Democrats.

If both measures pass, the one with the largest number of votes would be adopted.

Over the past few weeks, some of the Democrats in the California delegation began to resist the proposed arrangement with labor, at least in part because they need labor contributions themselves. At least two of the members in tough contests were to be exempt from the swap, but a wider reluctance to forego the campaign income apparently killed the effort.

In addition, even though the monies would have come from several unions, at least some of the lawmakers privately worried about the appearance of taking so much from a single interest group. Labor leaders themselves had been skittish about the proposed swap.

Several prominent Democratic donors, including film producer and investor Frederick Field, have been asked to make large contributions to California IMPAC 2000. Besides that effort, Democrats in the California state Legislature also have fundraising campaigns in high gear. Altogether, California Democrats hope to raise more than \$5 million to defeat the ballot propositions.

Republicans, meanwhile, have their own big soft-money program to pass the two propositions. According to Bob Marks, campaign director for one of the proposition drives, supporters of the two ballot initiatives have already raised more than \$1 million and hope to raise at least \$2.5 million more. A \$400,000 television advertising campaign has been budgeted.

The Republican National Committee has kicked in more than \$500,000 to support the two propositions. David Packard, finance chairman of Californians for Political Reform, one of the ballot proposition groups has contributed \$25,000. Donald Fisher, chairman of the Gap Inc. clothing store chain, gave \$10,000. A number of law firms and oil companies have made large donations as well.

ORDER OF BUSINESS

Mr. WOLF. Mr. Speaker, I ask unanimous consent that the 60-minute special orders granted to the gentlewoman from Illinois [Mrs. MARTIN] and the gentleman from Virginia [Mr. SLAUGHTER] for today be switched so that the gentleman from Virginia [Mr. SLAUGHTER] will appear first, and the gentlewoman from Illinois [Mrs. MARTIN] will appear third on the list.

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

There was no objection.

WASHINGTON POST BURIES THE FACTS

The SPEAKER pro tempore (Mr. BILBRAY). Under a previous order of the House, the gentleman from Ohio [Mr. McEWEN] is recognized for 5 minutes.

Mr. McEWEN. Mr. Speaker, as my colleagues are aware, this past weekend perhaps the largest political gathering in the history of this Nation took place on The Mall when an estimated 500,000 to 700,000 people gathered together to express their support for the preservation of life as incorporated in our Declaration of Independence for this cause: Governments are instituted among men for the preservation of life, liberty and the pursuit of happiness.

Mr. Speaker, all of us also know that the Washington Post is biased in its journalism. Anyone who has watched its reporting, especially the last week before an election, has seen their preferences for their political opinion, and all of us are fully aware of that. And yet I think that they reached a new height, or a new low, when on Sunday morning, when they failed to report at all what was undoubtedly the largest political gathering in the history of this city.

Mr. Speaker, the New York Times reported the gathering in the upper front page, left-hand side, in which they diminished the figures to 200,000. That was the lowest that anyone had estimated. Others had estimated it went as high as 700,000.

However, Mr. Speaker, even at that figure, recognizing that the "I have a dream" speech given by Dr. Martin Luther King in 1963 was a quarter of a million people, one would have to recognize that, if the lowest estimate was 200,000, that indeed a performance of that level of political activity ought to at least merit an honorable mention in the Washington Post.

However, Mr. Speaker, if my colleagues look all through the front page, they look all through the front section, they will find out the Washington Post did not think it merited even an inch, and, if they look through section B, they will find out it did not even merit one column inch,

and then, if my colleagues look at section C, they will see about four paragraphs, and it says, "Refer to page C-17."

My colleagues, this, the largest political gathering in the history of the United States of America in Washington, DC, was reported on the obituary page of the Washington Post.

Mr. Speaker, let me tell my colleagues that I refuse to believe that that was coincidental, and I believe that a responsible organization ought to at least make some pretense of being fair in reporting the facts rather than burying such an important event as that.

CONFERENCE REPORT ON H.R. 2364, AMTRAK REAUTHORIZATION AND IMPROVEMENT ACT OF 1990

Mr. THOMAS A. LUKEN submitted the following conference report and statement on the bill (H.R. 2364) to amend the Rail Passenger Service Act to authorize appropriations for the National Railroad Passenger Corporation:

CONFERENCE REPORT (H. Rept. 101-471)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2364) to amend the Rail Passenger Service Act to authorize appropriations for the National Railroad Passenger Corporation, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Amtrak Reauthorization and Improvement Act of 1990".

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 601(b)(2) of the Rail Passenger Service Act (45 U.S.C. 601(b)(2)) is amended—

(1) by striking "and" at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting in lieu thereof a semicolon; and

(3) by adding at the end thereof the following:

"(F) not to exceed \$630,000,000 for the fiscal year ending September 30, 1989;

"(G) not to exceed \$656,000,000 for the fiscal year ending September 30, 1990;

"(H) not to exceed \$684,000,000 for the fiscal year ending September 30, 1991; and

"(I) not to exceed \$712,000,000 for the fiscal year ending September 30, 1992."

SEC. 3. INCENTIVES FOR PASSENGER SERVICE AGREEMENTS.

Title VIII of the Rail Passenger Service Act (45 U.S.C. 642 et seq.) is amended by adding at the end thereof the following new section:

SEC. 810. INCENTIVES FOR PASSENGER SERVICE AGREEMENTS.

"(a) Notwithstanding any other provision of law, in instances where a publicly funded commuter transportation authority established under Virginia law contracts to indemnify the Corporation for liability for operations conducted by or on behalf of the publicly funded commuter transportation authority or to indemnify a railroad over whose tracks such operations are conducted, liability for all claims, whether for compensatory or punitive damages, arising from any accident or incident occurring in the District of Columbia against the Corporation or the publicly funded commuter transportation authority in connection with operations conducted by or on behalf of such publicly funded commuter transportation authority, or against a railroad over whose tracks such operations were conducted at the time of the accident or incident, shall not be in an amount greater than the limits of the liability coverage maintained by the publicly funded commuter transportation authority to indemnify the Corporation or the railroad. In no event shall the publicly funded commuter transportation authority maintain an aggregate limit of liability coverage less than \$200,000,000.

"(b) Subsection (a) shall not be effective unless the Corporation or a railroad seeking coverage hereunder has entered into an operating agreement with a publicly funded commuter transportation authority established under Virginia law to provide access for revenue service to its property in connection with the operations of the publicly funded commuter transportation authority."

SEC. 4. AUTHORIZATION TO USE FUNDS FOR SIMILAR PURPOSES.

Proceeds from the sale of all or part of the railroad line for which funds were provided, for acquisition and rehabilitation, under section 511 of the Rail Safety and Service Improvement Act of 1982 may be used for similar purposes with respect to any railroad line connecting with such line, for the purpose of continued rail service on such lines.

SEC. 5. COOPERATION WITH STUDY.

The National Railroad Passenger Corporation shall cooperate with the efforts of the Washington State Department of Transportation in designing and carrying out a study of the feasibility of reestablishing rail service between Seattle, Washington, and Vancouver, British Columbia.

SEC. 6. ROUTING FEASIBILITY STUDY.

The National Railroad Passenger Corporation shall conduct a study to evaluate the short-term and long-term revenue and cost implications of separating the existing California Zephyr-Desert Wind-Pioneer train into two service routes serving separate western destinations via a southern route and a central route through Iowa. The Corporation shall include in this evaluation the projected cost for required additional passenger equipment, any projected loss, and any revenue and ridership gains, associated with offering a second service route. A detailed report on the findings of the study shall be submitted by the Corporation to the Congress within 6 months after the date of enactment of this Act.

SEC. 7. RESIDENCE OF EMPLOYEES.

(a) Section 11504(a) of title 49, United States Code, is amended to read as follows: "(a) No part of the compensation paid by a rail carrier providing transportation subject to the jurisdiction of the Commission under subchapter I of chapter 105 of this

title to an employee who performs regularly assigned duties as such an employee on a railroad in more than one State shall be subject to the income tax laws of any State or subdivision of that State, other than the State or subdivision thereof of the employee's residence."

(b) Section 11504(b) of title 49, United States Code, is amended to read as follows:

"(b)(1) No part of the compensation paid by a motor carrier providing transportation subject to the jurisdiction of the Commission under subchapter II of chapter 105 of this title or by a motor private carrier to an employee who performs regularly assigned duties in 2 or more States as such an employee with respect to a motor vehicle shall be subject to the income tax laws of any State or subdivision of that State, other than the State or subdivision thereof of the employee's residence.

"(2) In this subsection 'employee' has the meaning given such term in section 204 of the Motor Carrier Safety Act of 1984 (49 App. U.S.C. 2503)."

(c) Section 11504(d) of title 49, United States Code, is amended—

(1) by striking "express, sleeping car," and

(2) by striking "with—" and all that follows and inserting in lieu thereof the following: "with the State and subdivision of residence of the employee."

SEC. 8. JURISDICTION OF THE INTERSTATE COMMERCE COMMISSION OVER ACQUISITION OF CONTROL OF CERTAIN RAIL CARRIERS.

(a) Section 11348 of title 49, United States Code, is amended by redesignating subsections (a) and (b) as subsections (b) and (c), respectively, and by inserting before subsection (b) the following new subsection:

"(a)(1) Acquisition of direct or indirect control of a class I rail carrier by a person that is not a carrier and does not directly or indirectly control, and is not directly or indirectly controlled by, a carrier may be carried out only with the approval and authorization of the Commission.

"(2) The Commission may begin a proceeding to approve and authorize a transaction referred to in paragraph (1) on application of the person seeking that authority. When an application is filed with the Commission, the Commission shall notify the chief executive officer of each State in which property of the carrier involved in the proposed transaction is located, and shall notify that carrier.

"(3) In a proceeding under this subsection, the Commission shall consider the following:

"(A) The effect of the proposed transaction on the adequacy of transportation to the public.

"(B) The total fixed charges that result from the proposed transaction.

"(C) The interest of carrier employees affected by the proposed transaction.

"(4) The Commission shall approve and authorize a transaction under this subsection when it finds the transaction is consistent with the public interest. The Commission may impose conditions governing the transaction, including the subordination of all or any portion of any new debt created as part of the proposed transaction to any pre-existing debt owed to the United States sufficient to provide reasonable protection to the United States. When the transaction contemplates a guarantee or assumption, by a carrier, of payment of dividends or of fixed charges or will result in an increase of total fixed charges, the Commission may approve and authorize the transaction only if

it finds that the guarantee, assumption, or increase is consistent with the public interest.

"(5) The Commission shall publish notice of an application under this subsection in the Federal Register by the 15th day after the application is filed with the Commission and after a certified copy of it is furnished to the Secretary of Transportation. However, if the application is incomplete, the Commission shall reject it by the end of that period. The order of rejection is a final action of the Commission under section 10327 of this title. The published notice shall indicate that the application involves the acquisition of control of a class I rail carrier, to be decided within the time limits specified in paragraph (6).

"(6) Commission procedures with respect to an application filed under this subsection shall be as follows:

"(A) Written comments about an application may be filed with the Commission within 20 days after notice of the application is published under paragraph (5). Copies of such comments shall be served on the Secretary of Transportation, who may decide to intervene as a party to the proceeding. That decision must be made by the 15th day after the date of receipt of the written comments, and if the decision is to intervene, preliminary comments about the application must be sent to the Commission by the 15th day after the date of receipt of the written comments.

"(B) The Commission must conclude evidentiary proceedings by the 75th day after the date of publication of notice under paragraph (5). The Commission must issue a final decision by the 15th day after the date on which it concludes the evidentiary proceedings.

"(7) The final decision of the Commission under paragraph (6)(B) is a final action of the Commission under section 10327 of this title. If the Commission does not issue a final decision within the time limits provided under this subsection, it shall send a written notice to Congress that a decision was not issued and the reasons why it was not issued, and shall thereafter on a weekly basis report to Congress on the steps that have been taken toward the issuance of such final decision.

"(8) Nothing in this subsection shall preclude the Commission from approving more than one application filed under this subsection with respect to the acquisition of control of the same rail carrier.

"(9) In this subsection, the term 'control' does not refer to use of a voting trust in a proceeding subject to section 11343 of this title."

(b) Within 30 days after the date of enactment of this Act, the Commission shall issue interim regulations implementing the provisions of the amendment made by subsection (a). Such interim regulations shall take effect upon issuance, notwithstanding section 553 of title 5, United States Code. Final implementing regulations shall be issued and in force not later than 180 days after such date of enactment.

SEC. 9. RAILROAD UNEMPLOYMENT INSURANCE ACT AMENDMENT.

(a) Section 8(a)(1)(B)(vi) of the Railroad Unemployment Insurance Act (45 U.S.C. 358(a)(1)(B)(vi)) is amended by inserting "the National Railroad Passenger Corporation and" immediately after "the contribution of" in the first sentence.

(b) The amendment made by subsection (a) shall be effective as of January 1, 1989.

SEC. 10. STUDY OF LOAN GUARANTEE NEEDS.

The Secretary of Transportation, in consultation with the Administrator of the Federal Railroad Administration, shall study and survey the present and potential need and demand among class II and class III railroads for Federal guarantees of obligations as provided for by section 511 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 831). Such study and survey shall examine the present and potential need and demand for such guarantees to fund rehabilitation and improvement facilities or equipment, acquisition of new railroad facilities, and refinancing of existing debt. The Secretary of Transportation shall report to Congress no later than 90 days following the date of the enactment of this Act the results of such study and survey. Such report shall include an analysis of the present and potential need and demand for Federal guarantees of class II and class III railroad debt, the amount of guarantee authority required to meet that need, and a projection of demand for such Federal guarantees through fiscal year 1995. And the Senate agree to the same.

From the Committee on Energy and Commerce:

JOHN D. DINGELL,
THOMAS A. LUKEN,
DENNIS E. ECKART,
JIM SLATTERY,
RICK BOUCHER,
NORMAN F. LENT,
BOB WHITTAKER,
THOMAS J. TAUKE

(except for section 4 of the House bill and section 4 of the Senate amendment),

TOM BILEY

(solely for section 4 of the House bill and section 4 of the Senate amendment),

Additional conferees from the Committee on the Judiciary (solely for section 4 of the House bill and section 4 of the Senate amendment):

JACK BROOKS,
R.L. MAZZOLI,
DON EDWARDS,
HAMILTON FISH, JR.,
CARLOS J. MOORHEAD,

Managers on the Part of the House.

FRITZ HOLLINGS,
JAMES J. EXON,
RICHARD H. BRYAN,
CHARLES S. ROBB,
LARRY PRESSLER,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2364) to amend the Rail Passenger Service Act to authorize appropriations for the National Railroad Passenger Corporation, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a substitute text.

The House recedes from its disagreement to the amendment of the Senate with an

amendment which is a substitute for the House bill and the Senate amendment. The differences between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreement reached by the conferees, and minor drafting and clarifying changes.

1. SHORT TITLE

House bill

Designates short title as "Amtrak Reauthorization and Improvement Act of 1989."

Senate amendment

No provision.

Conference agreement

House bill with a technical amendment changing the year cited. Designates short title as "Amtrak Reauthorization and Improvement Act of 1990."

2. AUTHORIZATION OF APPROPRIATIONS

House bill

Authorizes the appropriation of \$630,000,000 in fiscal year (FY) 1989, \$656,000,000 in FY 1990, \$684,000,000 in FY 1991, and \$712,000,000 in FY 1992.

Senate amendment

Identical provision.

Conference agreement

House bill. Both provisions are identical.

The conferees are aware of the ongoing efforts by the Coalition of Northeastern Governors (CONEG), Amtrak and the Federal Railroad Administration to explore ways of improving service and travel times on the northern portion of the Northeast Corridor. The conferees support these efforts, and look forward to continued progress in this area.

One of the elements of improving service on the Northeast Corridor may involve the procurement of additional dual-propulsion locomotives that can operate on both the electrified and non-electrified portions of the Northeast Corridor and Northeast Corridor feeder lines. This may be an important part of the overall Northeast Corridor Improvement Project (NECIP) effort, and the conferees urge that Amtrak consider the procurement of dual-propulsion locomotives, to the extent permitted under the NECIP authorization and to the extent that additional funds are made available for this purpose under that program.

3. INCENTIVES FOR PASSENGER SERVICE AGREEMENTS

House bill

Provides that liability for compensatory and punitive damages for accidents or incidents occurring in the District of Columbia against Amtrak, the Virginia publicly-funded commuter transportation authority, or a railroad over whose tracks such operations were conducted at the time of the accident or incident is limited to the liability coverage maintained by the Virginia publicly-funded commuter authority. Requires the Virginia commuter authority to maintain an aggregate limit of liability coverage of at least \$200,000,000.

Senate amendment

Identical provision, except that the Senate provision requires that Amtrak or another railroad seeking coverage under the limitation of liability, in order to receive such coverage, must have entered into an operating agreement with the Virginia commuter authority to provide access for revenue service to its property in connection

with the operations of the Virginia commuter authority.

Conference agreement

Senate amendment. The House bill and the Senate amendment would both amend the Rail Passenger Service Act to limit liability over approximately three miles of railroad track in the District of Columbia and northern Virginia to enable the Northern Virginia Transportation Commission to operate service between Virginia and Washington, D.C.

4. AUTHORIZATION TO USE FUNDS FOR SIMILAR PURPOSES

House bill

Provides that the proceeds from the sale of all or part of a railroad line for which acquisition and rehabilitation funds were provided under section 511 of the Rail Safety and Service Improvement Act of 1982 may be used for similar purposes with respect to any railroad line connecting with such line, in order to continue rail service on the line.

Senate bill

No provision.

Conference agreement

House bill.

5. COOPERATION WITH STUDY

House bill

Requires that Amtrak cooperate with the Washington State Department of Transportation on a study of the feasibility of reestablishing service between Seattle and Vancouver, British Columbia.

Senate bill

No provision.

Conference agreement

House bill.

6. ROUTING FEASIBILITY STUDY

House bill

Requires Amtrak to study the consequences of rerouting the California Zephyr through northern Illinois and central Iowa over the tracks of the Chicago and North Western Railroad, and submit a report on the finding to Congress within six months after enactment.

Senate amendment

Requires Amtrak to study routing trains on the Chicago and North Western Railroad through northern Illinois and central Iowa while preserving existing service in Illinois and Iowa. Requires that the study include an analysis of the short-term and long-term consequences on passenger revenue and operating costs of delays of trains interconnecting with the California Zephyr. Provides for a report to Congress within six months after enactment.

Conference agreement

Senate amendment with an amendment. The conference agreement adopts the Senate provision requiring Amtrak to conduct a study on the feasibility of providing two separate routes between Chicago and Omaha. With two routes, service could potentially also be provided to Wyoming. The conferees note that there has been a pattern of delays of trains going from Salt Lake City to Chicago because three different trains originating on the West Coast must arrive and be consolidated before continuing East. The present train is operating near its capacity. The provision does not prevent Amtrak from conducting another study on the feasibility of rerouting Amtrak service between Chicago and Omaha.

7. RESIDENCE OF EMPLOYEES

House bill

Provides that no rail employee shall be subject to income tax laws of any State or subdivision of that State other than that of the employee's residence. Provides that the employing rail carrier file income tax returns and reports only with the State and subdivision of residence of the employee.

Senate amendment

Similar provision, except that the Senate amendment also provides that no compensation paid by a motor carrier providing transportation subject to certain jurisdiction of the Interstate Commerce Commission (ICC) or by a private motor carrier to an employee who performs duties in two or more States shall be subject to the income tax laws of any State or subdivision of that State, other than that of the employee's residence. The Senate amendment uses the definition of the term "employee" provided in the Motor Carrier Safety Act of 1984.

*Conference agreement**Senate amendment.*

8. JURISDICTION OF THE INTERSTATE COMMERCE COMMISSION OVER ACQUISITION OF CONTROL OF CERTAIN RAIL CARRIERS

House bill

Provides the ICC with explicit jurisdiction to approve proposals for the acquisition of control of a class I rail carrier by a person that is not a carrier and, through direct or indirect ownership, does not control, and is not controlled by a carrier. The ICC is to commence a proceeding to authorize and approve such a proposal upon application. Procedures are established for the following: notice of the proceeding in the Federal Register, the time period for submitting written comments, the conduct and completion of evidentiary proceedings, and the rendering of a final decision on an expedited basis. The ICC's examination would review whether a particular proposed transaction, with such conditions as may be necessary, would be consistent with the public interest if it were to be consummated. In conducting its review, the ICC is required to consider the following: (1) the effect of the proposed transaction on the adequacy of transportation to the public; (2) the total fixed charges that would result from the proposed transaction; and (3) interest of the carrier's employees affected by the proposed transaction. Multiple proposals could be approved and authorized, leaving the final decision on which proposal would be implemented to the shareholders of the carrier to be acquired.

*Senate amendment**No provision.**Conference agreement*

House bill with an amendment reflecting similar legislation, S. 1005, reported by the Senate Committee on Commerce, Science, and Transportation. The amendment: (1) clarifies jurisdiction over the acquisition of direct or indirect control of a class I rail carrier by a person that is not a carrier; (2) clarifies that the ICC review of the guarantee or assumption of payment of dividends of fixed charges focuses on a guarantee or assumption by a carrier; (3) authorizes 15 days, rather than 10 days as in the House bill, for publication of a notice in the Federal Register, consistent with general Federal printing schedules; (4) ensures that these provisions do not apply to the creation of a voting trust in a proceeding subject to section 11343 of title 49 U.S.C.; and (5) provides

for the issuance of interim regulations within 30 days after the date of enactment, which shall take effect upon issuance, and final implementing regulations to be issued and in force not later than 180 days after enactment.

The inclusion of this provision in the final conference agreement is intended to close a loophole that exists in current ICC authority over rail acquisitions. It addresses the anomaly under current law which subjects to ICC review, under 49 U.S.C. section 10901, a proposal by a non-carrier to acquire any segment of a rail line, but which enables a non-carrier to escape public interest review by the ICC if the non-carrier seeks to acquire control of an entire carrier.

The conferees believe that the purchase of a class I carrier is a transaction of significance to the public. Because only 16 class I rail carriers are currently in operation, if the financial resources of the entity that is acquiring control of any one of these carriers are insufficient or if there is an inadequate commitment to maintenance of the line being acquired, the stability of the Nation's rail network could be severely affected.

Similarly, since Amtrak does not own the tracks over which it operates, except in the Northeast Corridor, consummation of the purchase of a class I carrier, in the absence of sufficient financial resources or adequate commitments to maintenance, could result in a serious diminution in the quality of, and ability of Amtrak to provide, passenger service. The inclusion of this provision in the conference agreement will enable the ICC to consider the effect of the proposed transaction on the adequacy of freight and passenger transportation to the public. (A copy of a letter from the President of Amtrak addressing the need for a provision of this nature is contained in the House report accompanying this measure.)

9. RUIA AMENDMENT

*House bill**No provision.**Senate amendment*

Provides that Amtrak be treated as a publicly funded rail carrier under the Railroad Unemployment Insurance Act in 1989 and 1990.

*Conference agreement**Senate amendment.*

10. STUDY OF LOAN GUARANTEE NEEDS

*House bill**No provision.**Senate amendment*

Requires that the Secretary of Transportation (Secretary) study the potential need and demand among class II and class III railroads for Federal guarantees of obligations under section 511 of the Railroad Revitalization and Regulatory Reform Act of 1976. The guarantees would include funding for rehabilitation and improvement of facilities or equipment, acquisition of new railroad facilities, or refinancing of existing debt. Provides for a report to Congress within 120 days after enactment on the results of the study. Requires an analysis of the present need and demand for Federal guarantees of railroad debt, the amount needed, and projected demand through FY 1995.

Conference agreement

Senate amendment with technical amendments. The conference agreement requires that the Secretary issue a report on the present and potential need and demand

among class II and class III railroads for Federal guarantees of obligations under section 511 of the Railroad Revitalization and Regulatory Reform Act of 1976 no later than 90 days after enactment.

From the Committee on Energy and Commerce:

JOHN D. DINGELL,
THOMAS A. LUKEN,
DENNIS E. ECKART,
JIM SLATTERY,
RICK BOUCHER,
NORMAN F. LENT,
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LARRY PRESSLER,
Managers on the Part of the Senate.

OXYGENATED FUELS AND REFORMULATED GASOLINE

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

Mr. ALEXANDER. Mr. Speaker, the House is expected to take up H.R. 3030, the Clean Air Act amendments, before the end of this month.

One of the most important issues to be debated, both in terms of air quality and in terms of opportunities for alternative fuels, is the reformulated gasoline issue.

While the clean air bill contains important provisions dealing with automotive technology and tailpipe emissions standards, never before has there been an attempt—except in the case of lead—to deal with air pollution by cleaning up the fuel that goes into the cars.

Some background: Previous legislation required the phaseout of lead in gasoline. Lead was used as an octane booster. To replace the lost octane, the major oil refiners put into gasoline a higher percentage of what are called the aromatic compounds.

Aromatic conjures up images of fresh air. But in terms of gasoline, it means poison air.

The aromatics are benzene, toluene, and xylene. They are all very photochemically reactive—that is, they have a high propensity to react with sunlight in the atmosphere and form ground level ozone, which is better known as smog.

Benzene, toluene, and xylene are also highly toxic. Benzene is a particularly dangerous carcinogen. In fact, some people say that if OSHA regulated service stations as workplaces, not a service station in the country would remain open; they would all exceed the OSHA limits for benzene exposure.

As major oil companies have engaged in octane wars, trying to attract consumers by advertising higher and higher octane ratings for their premium gasolines, they have made gasoline dirtier than ever before.

The Senate clean air bill calls for reformulated gasoline to be the only gasoline sold in the nine worst ozone pollution areas, beginning in 1995. The bill calls for reformulated gasoline to contain no more than 25 percent aromatics. Currently, most gasoline contains 35 to 40 percent aromatics.

However, the Senate bill also realizes that not all of the consumer demand for higher octane was manufactured by oil company advertising. People do want to make sure their engines don't knock. To put back some of the lost octane, the Senate bill requires reformulated gasoline to contain at least 2.7 percent oxygen, by weight.

Where do you get oxygen? From either alcohol fuels, such as ethanol made from American grain, or alcohol-based ethers, like MTBE—derived from methanol—or ETBE—derived from ethanol.

The Senate bill could create enough ethanol demand, by some estimates, to increase farmgate income by between half a billion and \$2 billion a year.

The House bill, as reported by the Energy and Commerce Committee, is not as specific. It merely requires that EPA set standards for reformulated gasoline. Ethanol and clean air advocates fear that without congressional direction, the standards will not turn out to be as strong as they should be.

Amendments are anticipated on this subject. In committee, Mr. RICHARDSON offered an amendment that lost by just one vote that would have set standards similar to those in the Senate bill in more than 40 of the most polluted cities. Some members may offer amendments to strengthen the provisions even more.

The beauty of reformulated gasoline is that it can dramatically reduce tailpipe emissions in cars already on the road while using fuel components like ethanol and ethers that reduce our dependence on foreign oil.

If you're from the city and want cleaner air, you should support the

strongest possible reformulated gasoline provisions in the clean air bill. If you're from the countryside and want to provide a new market for farmers, you should do likewise.

LOUISIANA LOSING VAST AMOUNTS OF WETLANDS

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

Mr. TAUZIN. Mr. Speaker, today I have introduced, along with most of my colleagues in the Louisiana delegation, H.R. 4703, the National Wetlands Conservation and Restoration Act. The act is designed to do some very important serious things in regard to this complex issue in America. It is designed for the first time to give us a chance legislatively to address the issue of what is and what is not a wetland to be protected in America. As you know, there is a great controversy brewing in this country over the definition of the term wetland. Farmers and other users of land only recently discovered under a new memorandum of agreement and new delineation maps prepared by the Corps of Engineers, many millions of acres of farm land and other lands under which we live and work are to be reclassified as wetlands.

Additionally, as we look at the problem of the loss of wetlands in America, we come to the conclusion that the 404 permit system by which the Corps of Engineers is supposed to protect our wetland base is simply not working. In Louisiana alone we lose 50 square miles of wetlands every year along our coast, and the 404 program has turned out to be not a help, but a hindrance to that process. Environmentalists complain that permits and applications for projects to conserve the wetlands that are being lost are hung up in the 404 process for over 2 years without relief. Landowners complain that the process is so cumbersome that their own efforts to protect and conserve their lands go to naught, and in fact are never realized.

As a result, the 404 permit process has left us with no relief.

The bill we have filed today does two important things. First, it sets up a process by which we can debate and define the term wetlands, to say where we can live, where we can develop, where we can farm, and to say where we cannot, where wetlands will be protected and what wetlands they are.

Second, the bill sets up for the first time in wetlands protection history a system for private financing of the conservation efforts that must be undertaken to save the losing battle in our wetlands in America.

In Louisiana alone, the 50 square miles that this Nation loses in wetlands is an irreparable loss. Louisiana

has about 40 percent of the Nation's wetlands. We produce 28 percent of the Nation's landing in fish and fish products, and yet that land, that wetland estuary is eroding at enormous rates.

Landowners have no incentive today to do anything about it. The bill we have filed today, along with my colleagues from Louisiana, BOB LIVINGSTON, JIM MCCRERY, JERRY HUCKABY, JIMMY HAYES, CLYDE HOLLOWAY, and RICHARD BAKER, goes a long distance in providing an incentive for landowners to do just that, to invest in conservation projects and to have those investments returned to them in the form of conservation credits which can be used then in mitigation efforts. It provides a system to encourage the donation of wetlands to refuge and wildlife habitat. It is a good effort, I believe, in addressing the problem both of saving the real wetlands and making sure we define what is and what is not real wetlands in America.

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

Mr. TAUZIN. I am happy to yield to my friend, the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Speaker, I thank my friend for yielding to me, and I congratulate him for his work in this area. I wholeheartedly and enthusiastically cosponsor this legislation, because I think for the first time in the many, many years that we have been dealing with this terrible problem of erosion of our wetlands, we finally see in this legislation the opportunity to provide landowners, private landowners the incentive to set aside wetlands. We have never had that in any bill that has been proposed before, and I applaud the gentleman for his initiative.

Mr. TAUZIN. Mr. Speaker, I thank the gentleman for his cosponsorship.

Let me point out to the other Members of the House, this is not a Louisiana bill. This is a national wetlands policy bill designed to give every State the chance to make sure that we protect the real wetlands, that we define what is not real wetlands and then we set up a system by which private landowners can go about getting expedited permits to save the wetlands that are being lost, and, in fact, to recoup their investments through mitigation or conservation credits.

It is a good approach for America's wetlands. It is a good approach for all those who are concerned about this controversy in delineating what is and what is not wetlands, and it is a good approach for the first time in insuring that America's base of wetlands is not continuously lost and eroded without some real action.

It finally provides a trust fund so that Federal and State joint action can occur, that we can conduct major

projects in saving our coastal wetlands which are particularly threatened across America, to insure that those coastal wetlands remain productive.

I invite my colleagues to join us in cosponsorship of this major legislation.

Mr. Speaker, a great tragedy is occurring in Louisiana as we meet here today. Our great State of Louisiana, in which is located some 40 percent of the Nations wetlands, is losing vast amounts of wetlands each year to the Gulf of Mexico. The causes of our wetlands losses are complex and the roots of this problem lie in the great flood control projects which began in the 1920's. Most of the southern part of our State is either at or very near sea level. This has exposed our people to the constant threat of flooding from heavy rains or from great storms. The Army Corps of Engineers has constructed hundreds of miles of levees which have both protected us from harm and have begun now to expose us to harm.

Prior to the construction of these levees, the Mississippi River each spring spread across our delta vast amounts of silt which resulted in the building up of our lands. Since the construction of the levee system along the river, this process has not continued and as a result of this and other assaults on our coastal marshes, we now find that we are seeing our beautiful marsh lands disappearing. Salt water encroaches into the fresh and brackish water marshes causing the loss of vegetation and the enlargement of small lakes, become large arms of the sea.

In addition, in our desire to support the energy needs of our country, we have allowed mineral development along our coast. Part and parcel of that development has been the necessity of allowing channels through which drilling equipment could pass and pipelines by which oil and gas flowed through Louisiana and on to the northeast for use as fuel to heat homes and run vehicles. Louisiana has reaped the harvest of that mineral production but has also paid a very high price in lost wetlands.

In addition, the hurricanes and other violent storms that annually hit our coast, take their toll on our barrier islands. These same islands are our last protection for the 2 million inhabitants of our coastal plains. Without our barrier islands, the next hurricane will bring with it death and destruction on an enormous scale and billions of dollars in property damage.

I have been following the President's announced policy of "no net loss of wetlands" with both support and concern. While I support the goal and the reasons behind the goal, I know and the people of my State know, that it is impossible for Louisiana to meet the "no net loss" goal even if we do not allow one additional inch of development to proceed in our State. The reason for this is simple.

Louisiana is losing over 50 square miles of wetlands to the Gulf of Mexico each year. Under the new Federal manual for delineating wetlands executed by the Corps of Engineers, the EPA, the Soil Conservation Service and the U.S. Fish and Wildlife Service, it has been estimated that 53 percent of our total land mass is now wetlands. The Soil Conservation Service has estimated that our State has 11,988,000 acres of wetlands of which

4,810,000 acres are in agricultural production. With this enormous annual loss of coastal marshes and with most of our State already classified as wetlands, no one has been able to explain to me where the additional land will come from for us to achieve the no net loss of wetlands goal in Louisiana. It is simply impossible in our State.

I believe that our fight in Louisiana is to stop the erosion of our coastal marshes.

Our wetlands provide many benefits to our State including incredibly rich wildlife habitat and refuges, productive fisheries propagation, preservation of estuaries which serve many purposes, maintenance of water quality for surrounding areas, barriers to wave damage and erosion barriers, protection of large population areas from the ravages of storms, floods, and hurricanes; and commercial and recreational fishing. We want to continue to enjoy the many and diverse rewards our wetlands provide to us.

Most importantly, over half our population lives along our coastal marshes. The cultural and ethnic heritage of our great State has its roots, its spirit and its soul in the coastal wetlands of Louisiana. Our people are the fishermen, hunters and trappers who have harvested the bounty of south Louisiana's coast for over 200 years. They are also the rough necks who spend weeks at a time on drilling rigs in the Gulf of Mexico. We have Indian tribes whose ancestors have lived and fished in these coastal areas for generations. For most of these people, coastal Louisiana is not just a place to live, but a way of life. There are those who believe that the residents of south Louisiana should be relocated and that the Gulf of Mexico should be allowed to take our land. Those people simply do not understand the great loss that would be not only for our State but for the cultural heritage of this country. It simply cannot be allowed to happen.

Our State has made great strides in addressing our coastal wetlands losses by establishing a wetlands conservation and restoration fund in our Constitution. We presently have \$26,000,000 in the trust fund and have announced an aggressive program to begin funding projects to stop the loss of our coastal marshes. These projects will include freshwater diversion, marsh management, hurricane and surge protection levees, the planting of vegetation, and other such expensive projects some of which are still unproven.

However, the funds available from our State will not be sufficient to stop the tremendous loss of land. We need additional funds to stop this disaster. We have accepted our responsibility to provide inexpensive and dependable fuel for our entire country. It is the responsibility of the country, to insure that our State does not wash away.

I am sure that many of you in the House of Representatives have heard from your constituents and particularly your farmers about the problem of extending the term "wetland" to millions of acres of land which we ordinarily think of as dry land. The term "wetlands" as used by the Corps of Engineers in the section 404 permitting program, has evolved over the years. When Congress originally enacted section 404, the authority of the Corps of Engineers was over "navigable waters of the United States." The corps thereafter began to

expand that term to include wetlands and in February 1989 the corps and three other Federal agencies agreed to a method of determining wetlands which has had far reaching implications. This new Federal Manual for Delineating and Determining Wetlands has been interpreted in such a manner as to extend the Corps of Engineers section 404 permitting jurisdiction over many millions of additional acres of land which were not previously thought of as wetlands.

In addition, these same four Federal agencies recently entered into a memorandum of agreement in which they set forth the procedures for processing the 404 permits in order to meet the "no net loss" goal and what mitigation might be required in order to obtain a 404 permit. Under the new MOA, if the permit applicant can't construct his project without damaging wetlands and can't find an alternative site, he might be required to create a new wetland in some other area.

What has this meant for my constituents? It has meant that in most of my district any construction activities now require a 404 permit before any dirt can be moved. What does that do to the economy of my district? It means that every construction project, whether it be a home or a shopping center or a church, will have added costs associated with the 404 permit process. It may also mean that under the new memorandum of agreement an additional cost of a project may be the cost of a mitigation project such as purchasing land and setting it aside as a new wetland.

Another impact on my district is the devaluation of land after the land has been determined to be a wetland. As a result of the devaluation of land, our tax assessments will be reduced and as a result of the reduction in our tax assessments, there will be considerably less funds available for our schools and as a result of reduced funding of schools, our children will be less educated and will not be able to find good jobs as adults, thereby causing increased poverty and with poverty, increased dependence on federally funded poverty programs.

Another impact on my district is that land which has been used as security for loans and other indebtedness may be devalued. Our banks and savings and loan industries have already seen enormous losses as a result of the downturn on our economy. They have been left with large holdings of real estate, the value of which has been depressed because of general economic conditions. The redesignation of real estate as wetlands will mean that the financial institutions in my district will have enormous losses due to the loss of the value of their security interests.

Another impact on my district is that our farmers will have severe limits on how their land can be used. They may continue their normal agricultural practices on their farm lands, but they cannot use their lands for any other purposes without a corps of engineers 404 permit. A farmer in my district cannot give his son or daughter a portion of his lands for the purpose of building a home, unless a 404 permit is obtained. The land cannot be developed without a permit.

The result of all of this is that the Corps of Engineers will have an enormous impact on

economic development in my district and in our State. This change in the definition and in the procedures for issuing permits was done without authorizing legislation from Congress and without going through the formal rule making procedures of the Administration Procedures Act. The corps did not hold the first public hearing to find out what impact these new rules would have on the lives of my constituents or on the lives of your constituents. This simply is not what a democracy is all about.

There are those who believe that the 404 permit program is the answer to the wetlands problems of this country. However, I believe that the 404 program has not been successful in preventing the loss of wetlands primarily because there has been no clear legislative mandate to the corps for wetlands protection. The 404 program has been a "can't do" program rather than a "can do" program which is what we now need in Louisiana. We need a program with the clear purpose of protecting wetlands and with a mandate to undertake projects to protect, restore, and conserve wetlands. We also need a program that recognizes that much of our wetlands are privately owned and provide incentives to landowners to protect and conserve our wetlands.

Each State has unique wetlands problems. In some States the primary threat to wetlands and wildlife habitats comes from development. Each State should play a key role in setting up a program to protect its wetlands with the Congress setting the minimum standards for protection.

Today I am introducing the Wetlands Restoration and Conservation Act which is designed to address these problems. Here is how it works:

First, it requires the Corps of Engineers to define the term wetlands through rulemaking pursuant to the Administrative Procedures Act, including the holding of four public input hearings and it specifically excludes habitable lands and prior converted agricultural lands from that definition.

Second, it designates lands as either protected wetlands or habitable lands, which are fastlands, within levees, uplands and ridges, and requires States with a delegated program to provide a system of permits for protected wetlands.

Third, it allows States to establish their own programs for conserving and protecting wetlands, as long as they meet the requirements of the act.

Fourth, it requires expedited permitting of conservation projects to create, save, restore, protect, or enhance coastal wetlands so that we can begin to stop the loss of wetlands without unnecessary delays.

Fifth, it provides a system of conservation credits to be earned by landowners for conducting such conservation projects. This is an important incentive to private property owners to help us in the effort to save wetlands while still recognizing their property interests. These conservation credits may be sold or mortgaged and then used as mitigation thus providing the private money to save real wetlands.

Sixth, it establishes a wetlands protection trust fund, to fund conservation projects with an 85/15 Federal-State match. The fund is to

be financed with 5 percent of the Federal mineral revenues from Outer Continental Shelf oil and gas activities.

The unique nature of this legislation is that for the first time it creates a system by which the States and the Federal Government can aggressively fight to prevent wetlands loss with the active frontal assistance of the wetland landowners through the earned conservation credits system. And it properly provides a system for making the critical choice of what is and what is not a real wetland to be protected.

**COMMENDING THE HONORABLE
JOHN O. MARSH, JR., FOR
DEDICATED PUBLIC SERVICE
AS SECRETARY OF THE ARMY**

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

Mr. MONTGOMERY. Mr. Speaker, John Marsh has departed as Secretary of the Army and returned to private life. John Marsh has had a long and distinguished career of public service. This includes active Army service, Army Reserve, Army National Guard, four terms as the Representative from the Seventh Congressional District from Virginia, Assistant Secretary of Defense for Legislative Affairs, National Security Adviser to Vice President Ford, counselor to President Ford and as Secretary of the Army for over 8 years. His tenure as Secretary of the Army made him the longest serving Secretary of any of the Armed Services in history.

While serving as Secretary of the Army, John Marsh brought the Army from one of the low points in its history, referred to as the "hollow Army," to an Army that is the most ready, best trained, and with the highest quality personnel in its history. He has emphasized the qualities that make a great Army through the use of themes. He began this annual theme program with "Yorktown, Spirit of Victory," and continued with physical fitness, excellence, the family, leadership, values, the Constitution, training, and ending in 1989 with the noncommissioned officer. These themes promoted and enhanced the esprit and spirit of the Army and turned the corner to bringing the Army back from the condition that existed following Vietnam with low morale, low readiness, and poor training.

After leaving as Secretary of the Army, John Marsh has continued his public service by serving as a special legislative council to Secretary of Defense Cheney and currently as the Chairman of the Reserve Forces Policy Board.

The Army and the country owe John Marsh our deepest gratitude for his many years of distinguished and unrivaled service to the Nation. This body especially will miss his counsel, his friendship, and his leadership. I ask my colleagues to join me in commending John Marsh in recognition of his years of dedicated public service.

**ANNUNZIO ASSAILS BANKERS'
COMMENTS ON CREDIT UNIONS**

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

Mr. ANNUNZIO. Mr. Speaker, I am shocked and appalled to hear and read recent comments by a representative of the American Bankers Association who told a conference in New Orleans that credit unions are taking a Socialist-Communist message to other countries, especially those in Eastern Europe. An ABA tax lobbyist, Linda Rearick, said banks have obviously made the choice to be corporate-solution financial institutions. Credit unions, she said, are member-owned and member-operated and those kinds of things, which suggests that actually, since corporate formation and capitalism is really the American way, credit unions are sort of taking the Socialist-Communist message to Third World countries.

Here, in 1990, in the twilight of communism, the ABA is throwing McCarthyite charges at credit unions. These are the same tactics that the bankers used in the 1950's against credit unions.

I would like to point out that Dennis Sharpe, president and chief executive officer of the EdCo Credit Union in Des Moines and development educator for the World Council of Credit Unions, responded that the credit union movement has been the only organization hailed by the State Department, the United Nations, and others for bringing democracy to the developing nations of the world.

Mr. Speaker, I would like to tell a little story about communism and credit unions. One of the first things that the Solidarity union movement sought was the development of financial institutions to serve these Polish people. And what kind of financial institution did the non-Communist Solidarity Party want?

Did Solidarity want banks? No. They had a bank in Poland. It was the large, impersonal, unresponsive, anticonsumer, not-to-be-trusted State bank. And to make it more acceptable to the Polish people, the Government reformed it. The Government broke the one large, impersonal, unresponsive, anticonsumer, not-to-be-trusted state bank into eight large, impersonal, unresponsive, anticonsumer, not-to-be-trusted state banks.

Solidarity did not want banks. It wanted to establish credit unions. It wants to establish them at the Gdansk shipyards and the Nova Huta steel mills and other places around the country. Does Solidarity want credit unions because they are communistic, as the ABA would try to convince the world? Solidarity wants credit unions because they are democratic. Solidarity wants credit unions because they are owned and controlled by their members.

As chairman of the House Banking Subcommittee on Financial Institutions, I have strongly supported the movement toward credit unions in Eastern Europe. I was a primary sponsor of an amendment that became part of the Support for Eastern European Democracy Act which requires the Agency for International Development to consider providing funding to the World Council Credit

Unions, as well as the National Credit Union Administration, to provide technical assistance to establish Eastern European credit unions. As a matter of fact, during oversight hearings on the savings and loan reform law last month, I welcomed and met with a group of Polish visitors who were in the United States to study credit unions.

The ABA's Ms. Rearick used another tactic aimed at the credit union movement in her remarks in New Orleans. She tried to divide and conquer by saying that credit unions are beginning to disagree on a tax issue—that smaller credit unions are in favor of taxing larger credit unions. That comment is, in a word, hogwash. And it came through loud and clear at the meeting.

According to the Credit Union Times, there was little doubt about the unity of the credit union movement. The estimated 500 credit union executives cheered wildly when their representative on the conference panel, Bucky Sebastian of GTE Federal in Tampa, FL, accused the bankers of lying to Congress. He pointed out that the common bond of the first credit union in 1909 was to serve everyone in the community of Manchester, NH. Nothing has changed since then, he said.

Mr. Speaker, there is a common bond among credit unions, despite the rhetoric of the banks. The various bankers' newsletters have been filled with supposedly horrible examples of how credit unions actually allow people to become members of credit unions. Imagine, credit unions allow spouses to join the same credit unions. And, would you believe, children can join, too.

After listening to the bankers, you would think that people were forced to join credit unions. Bankers don't like to mention that membership in a credit union is voluntary.

I am a strong supporter of credit unions. It is my hope that the banks will cease and desist in their efforts to thwart the goals of credit unions, namely the providing of services for their members.

TRIBUTE TO THE LATE HON. J. KENNETH ROBINSON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia [Mr. SLAUGHTER] is recognized for 60 minutes.

GENERAL LEAVE

Mr. SLAUGHTER of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of my special order tonight.

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

There was no objection.

Mr. SLAUGHTER of Virginia. Mr. Speaker, it is with great sadness that I rise today to speak about a friend, counselor, and teacher, J. Kenneth Robinson.

Kenneth Robinson died on Sunday, April 8, 1990. He was 73. He died the way he lived, with courage and conviction. In his heart he carried God, his

family, and his country. I thought it would be appropriate and fitting to take some time here to talk about our friend, this fine great man, and what he left behind.

First, Kenneth Robinson was a faithful and devout family man. His wife of 43 years, the former Katheryn Rankin, survives him. Kit, as she is much more widely and affectionately known, is one of the finest and most graceful ladies that I have ever known.

Kenneth is also survived by six of his seven children: Patrick, Keveney, Jim, Kelly, Ray, and Sallie. J. Kenneth Robinson, Jr., is deceased.

Keveney and Steven, plus their two children, Kate and Taylor, I believe are to be here, and Jim and Lynn and Sallie and Kelly are here with us this evening to hear our tribute.

Also, I quickly want to mention that there are a couple former Congressmen who are here with us this evening, Jack Edwards and Dick Ichord.

On behalf of myself and all of my colleagues who have asked to participate in this special order, I want to say to Kit and the family, please know that we share the loss you feel and we extend our deepest sympathy. All of us stand ready to help in whatever manner we might.

□ 1810

And, Kit, your kindness and your companionship have been known for many years. I hope now you and your family will be able to call upon us if you should so desire.

Kenneth graduated from Virginia Tech in Blacksburg, VA, with a bachelor of science degree in horticulture. He was deeply attached to the rural and agrarian world in which he was raised, and in this respect, he greatly reflected the true Jeffersonian tradition that he so often admired.

Kenneth was a successful orchardist and farmer, and despite his many endeavors and callings, he never left the family's orchard and fruit-picking businesses.

While Kenneth held numerous posts in a wide variety of civic, fraternal, and community organizations including local and State chambers of commerce, probably none of his extracurricular activities made him happier than his service on the Board of Visitors for the Air Force Academy in Colorado Springs, CO. He loved being on the board as much as he loved the fact that Kit served on the board at Virginia Tech.

I cannot leave this subject of his extracurricular activities without noting how appropriate it is that we are honoring Kenneth the week of the famous Apple Blossom Festival in Winchester, VA. The festival which is well known throughout the Nation was dear to Kenneth who was a past president of it.

Mr. Speaker, at this point I want to ask that some of those present give a few remarks in Mr. Robinson's memory, our friend, Kenneth. I yield to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Speaker, it has been my privilege to serve with many fine and effective Members of Congress. Ken Robinson was certainly one of them. We worked together. Ken began service on the Defense Appropriations Subcommittee from 1975 until he left the House at the end of the 98th Congress. We also served together on the Agriculture Subcommittee during that time. We were close friends.

Ken was elected to the House at the beginning of the 92d Congress and to the Committee on Appropriations on October 26, 1971. He was initially assigned to the Labor-HEW and Foreign Operations Subcommittees by Frank Bow who was the ranking Republican member of the committee.

Truly Ken Robinson was a strong person, and an able and successful Member of Congress, who contributed greatly to the people of his district, State, and Nation.

Ken and his family contributed greatly to our service and life in Washington. To his wife and family we express our sorrow at Ken's untimely passing.

Mr. SLAUGHTER of Virginia. Mr. Speaker, I now yield to the gentleman from Virginia [Mr. PARRIS].

Mr. PARRIS. Mr. Speaker, Ken Robinson was my friend, first and foremost. As a colleague in the Congress, Ken Robinson was a man of honor, talent, and a tenacious will to fight the tough battles we so often face in Congress. Ken and I not only served in the Congress together, but were colleagues in the Virginia General Assembly as well beginning many years ago.

Ken was a man who knew his priorities. His loyalties were not determined so much by the typical partisan divisions that occur on Capitol Hill. Rather he determined his loyalties by the desires and aspirations of his own constituents. His was a quiet but resolute strength which he drew from his deep faith in the founding principles of our Nation.

An example of Ken Robinson's dedication to service was his fierce commitment to America's defense. My colleagues know very well his distinguished service on the Permanent Select Committee on Intelligence. He was extremely knowledgeable about America's most guarded secrets and intelligence operations and effectively used his position to responsibly strengthen America's ability to know what was happening throughout the world. Additionally, many of his efforts on the House Appropriations

Committee were based on his belief in "peace through strength," and I think it is fair to say that his foresight in leading efforts to restore American military strength played a role in the 1989 revolution of democracy, where the Communist bloc, knowing it could never defeat the United States militarily, finally focused inwardly and collapsed upon the realization that their economic policies had failed to serve their own people.

Like other great Americans remembered in the long history of great Virginians, Ken Robinson believed that America is, in the words of his most famous constituent Thomas Jefferson, the "last best hope for man." He was a patriot whose loyalty was based on his insight into the character, inherent decency and fighting spirit of the people he grew up with and represented so ably in the Congress. It was a deeply rooted faith in the average American that inspired Ken Robinson to fight for those causes necessary to strengthen freedom and give birth to democracy around the world.

All of us hope that as a result of our life we can leave some tracks: that it makes a difference in some even small way that we passed by this way even for such a brief period; that in some positive way we contributed to the benefit of our family and friends and colleagues; that we contributed to understanding between peoples and nations and that we repaid the world in some perhaps small but significant way for our gift of life. I am sure Ken Robinson did all of that.

When Henry David Thoreau was dying, a friend asked him if he had made his peace with God. Thoreau replied, "We have never quarreled."

With Ken's life of honesty, vigilance and courage, I am sure that as he met his creator, he indeed was welcome. I, along with all of my colleagues will miss J. Kenneth Robinson and the wisdom and knowledge he shared with us.

Mr. SLAUGHTER of Virginia. Mr. Speaker, I yield to the gentlewoman from Maryland [Mrs. BYRON].

Mrs. BYRON. Mr. Speaker, I thank the gentleman very much for yielding.

Mr. Speaker, let me thank the gentleman for taking this special order. I think any time those of us who come before this body on a special order sort of go back to our memory bank and recall one occasion or another.

I have to start with an evening in April 1970 in Annapolis, MD, which was the last night of the Maryland General Assembly, and up in the gallery was a young couple who had just finished up a 60-day session in Richmond. I was sitting there waiting for my husband to finish at that time, and I got into a conversation.

It seems that this young man had made the decision and the commitment no longer to go back to Rich-

mond, but to throw his hat into the ring and to go off to Washington. We had a delightful evening and ended up talking to them at dinner.

Little did I realize at that time, or any of the four of us realize at that time, that when January 3, 1971, came, and the 92d Congress convened, Kit and Ken Robinson would be standing in this body, and BEVERLY and Goodloe BYRON would be standing in that same body.

Kit and Ken lived as close as one possibly could get to Capitol Hill, out the back garage door of the Longworth Building. Ken walked back and forth on a regular basis, and Kit held forth with that Virginia charm and that Virginia ambience.

We now have nine Members left of that class that came those 20 years ago, the gentleman from Texas [Mr. ARCHER], the gentleman from Minnesota [Mr. FRENZEL], the gentleman from New York [Mr. LENT], the gentleman from South Carolina [Mr. SPENCE], and the gentleman from Florida [Mr. YOUNG] on Ken's side of the aisle; the gentleman from Wisconsin [Mr. ASPIN], the gentleman from California [Mr. DELLUMS], the gentleman from Kentucky [Mr. MAZZOLI], and the gentleman from New York [Mr. RANGEL] over on our side. BILL FRENZEL has decided this year, after 20 years, that is enough, and he is going to go back to Minnesota. Those who are left will carry on the tradition that started 20 years ago, and that is serving their country in this body.

Ken made the decision in 1984 to go back to his beloved Virginia, and he and Kit sat on their mountain and watched their orchards in Winchester grow as they have done. But I think those of us who had an opportunity to know both of them and those of us who had an opportunity to serve with Ken, as I did for 4 years, will always cherish those memories as, in my case, started on an April evening in Annapolis in 1970.

Mr. SLAUGHTER of Virginia. Mr. Speaker, I yield to the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Speaker, I thank the distinguished gentleman from Virginia for taking this special order and permitting those of us an opportunity who have known Kenny Robinson for so many years to say some appropriate remarks.

I cannot help but recall the outstanding work that he did while we were both members of the Committee on Appropriations and the Permanent Select Committee on Intelligence and, of course, on that latter committee, he served as our ranking Republican member for the time allocated under the rules. These, I guess, are two of the most prestigious committees that this institution has to offer our Members for committee assignments.

The fact that Ken filled them with distinction is a sign of the high esteem with which he was held by his colleagues.

Last week, I had the pleasure of being visited by our former colleague and former Republican leader, John Rhodes.

□ 1820

I was reminded today that John once referred to Ken Robinson as a Rock of Gibraltar, a colleague upon whom he could count to stand for principle, in any case and all cases.

With that phrase in mind, I would like to remind our colleagues of the importance of having had someone like Ken as a leader in the fight for strong national security. These days we just take it for granted that it was inevitable that the United States would win the cold war. But when Ken Robinson came to us in 1971, our country was beginning a near disastrous slide in national security preparedness. It took some tough fights during the late 1970's and then the early 1980's to bring our Nation back to a point where we could exert pressure for peace and freedom because we had a credible deterrent, and Kenny Robinson was right there leading that fight, as you all know.

I know our colleagues on both sides of the aisle will have words of praise for Ken's many other accomplishments, but I think it is only fitting we remember if it were not for leaders like Kenny Robinson, we would not have a peace dividend to be talking about today. He did his best to keep our nation strong when it was not all that popular to do so.

We have not won that battle for democracy, but because of leaders like Ken Robinson, we are at a point where democracy has a good chance of triumphing in many parts of the world, where it had been kept in chains. And for that and for so much else, we do salute the memory of our former colleague whose devotion to duty did so much for this great institution and for our country. To Kit and the family, Corinne joins me in offering our sympathy and condolences to them. We will always have those fond, fond memories of Kenny's stewardship in this body. He was certainly one of the best, again I would have to say one of those persons with whom the gentleman from Illinois might never have met, had it not been for our community of interest in this institution and having the privilege of serving together.

Mr. SLAUGHTER of Virginia. I yield such time as he may consume to the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Mr. Speaker, it was with deep sadness that I learned of the death on April 8, of our retired col-

league from Virginia, J. Kenneth Robinson, and I join and my wife Caroline joins today with my colleagues as we remember Kenneth and pay tribute to his many years of dedicated public service.

In fact, before I ran for Congress, one of the first people that I went to talk to about the possibility of running was Kenneth Robinson. I had not been very active in the party, and just having the opportunity to come and sit with him to ask him, and I was even impressed that he allowed me to come and meet with him. But he was one of the people that encouraged me at the time to run.

I had the honor of serving with Kenneth in the Virginia delegation in the 97th and the 98th Congress, prior to his retirement from the House in 1984.

I very humbly will say I was very proud to have succeeded him as Virginia's Representative in the Committee on Appropriations. But while I may have taken the slot that Kenneth vacated on that committee when he retired, there is no way that I could ever fill the large shoes that Kenneth left.

In his 14 years of service in the House and especially his membership on the Defense Appropriations Subcommittee and the Select Intelligence Committee, he left a legacy of leadership on national security issues which has made the difference today in the security that our Nation enjoys.

I can remember a couple of times here late at night when we were debating, and I do not want to get into any controversy with this, but debating the support for aid to the Contras. Kenneth was on the Intelligence Committee and also on the Defense Appropriations Committee and was very active, and I could almost see Kenneth and Bill Whitehurst together working on that issue. Really I guess one would almost say the victory that Violeta Chamorro had down in Nicaragua was partly responsible and partly due to the support that Kenneth gave to the Contras and to that effort down there in Nicaragua.

I remember those nights in 1983 and 1984, it seemed like the bad guys were winning and the good guys were losing. Because of the steadfastness of Kenneth and people like him, I think the outcome came that we saw democracy and freedom win in Nicaragua, and I think that much of what Kenneth's work did, as our Republican leader pointed out in Eastern Europe, really helped bring that about.

When Kenneth retired from the House I recall the same comment that our leader Bob Michel said and that former minority leader John Rhodes said, where he once called Kenneth the Rock of Gibraltar.

I saw Gibraltar. It is the biggest rock and the most steadfast, solid thing that you will ever, ever see. What a fit-

ting description that was of Kenneth. Always steady, always there, always available to lend a wise and helping hand.

I recall, too, another tribute of Kenneth's that only a few Members ever achieve, and that is universal respect. Every colleague from both sides of the aisle, both sides, Republicans and Democrats, conservatives and liberals, held him in the highest regard. He was a Virginia gentleman in the finest tradition of service to his fellow man.

He was a man of honesty, a man who if he gave you his word, it was so dependable and so reliable. He was a man of integrity, a man of the highest ethical standards. He worked with skill and energy and enthusiasm in a bipartisan and I would say an unselfish devotion to public service, and was without a doubt one of our Nation's most able legislators.

Kenneth was also a devoted family man to his wife Kit and to their six children. I and my wife Caroline would want to offer her deepest condolences and to say to them that J. Kenneth Robinson was among the finest gentleman to have ever served in this House, and this Nation is better, the State of Virginia is better, and this House is a better place because he graced our presence.

Mr. SLAUGHTER of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia [Mr. SISISKY].

Mr. SISISKY. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to a distinguished former Member of this body, J. Kenneth Robinson.

Kenneth was truly a statesman in the tradition of our former President and Father of our Constitution, James Madison, who, incidentally, resided in what has become Virginia's Seventh Congressional District, which Kenneth served.

In fact, one can draw many parallels between James Madison and J. Kenneth Robinson. They were both farmers. They were both highly respected Members of this great body. He, like Madison, was considered by many in this body to be a man of keen judgment, one who would be sought out for his extensive knowledge of the issues under his jurisdiction. He, like Madison, believed in a strong national defense.

Prior to his retirement in 1985, I had the privilege to serve with Kenneth during my first term in Congress. During this period, I recall a conversation we had in this Chamber that, for me, demonstrates the kind of public servant he truly was.

After a vote on an intelligence related bill, Kenneth came over to me to personally thank me for my vote. His deep concern over this legislation was not due to its potential effect on his district. He thanked me for my vote

because, he said, he loved his country, and his beliefs convinced him that it was best for the citizens of this country as a whole.

I believe it was this love of country and strength of conviction that inspired his unselfish service. In this sense, Kenneth exemplified a degree of leadership that has been matched by few.

In a small way, I share the sense of pride that must overwhelm Kit and her family to have had the opportunity to know this great man and to have spent a part of their lives with him. J. Kenneth Robinson will long be remembered, along with Madison and Jefferson, as a great statesman from Virginia.

Mr. SLAUGHTER of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia [Mr. BATEMAN].

□ 1830

Mr. BATEMAN. Mr. Speaker, I thank my colleague for having taken out this special order and for affording us an opportunity to pay our respects to our former and now departed colleague, J. Kenneth Robinson.

Nearly 6 years ago, I rose in this Chamber to pay tribute to J. Kenneth Robinson on the occasion of his then-pending retirement from the House of Representatives, and I have missed him as a colleague all the days since. That was a sad occasion for all of us who took part, but this special order is a more sad occasion.

The death of J. Kenneth Robinson was a loss to Virginia and the Nation, and a personal loss for all of us who served with him and came to rely on his knowledge, integrity, and sound judgment.

Kenneth served for 6 years in the Virginia State Senate, and during the last 2 years of that period, I was his colleague. And in 1983, when I began my service in this body, Kenneth was already a senior Member with 12 years of service. It was during that period that I most fully came to appreciate his wisdom and steadfastness. No Member of the House was more helpful to me as I worked to learn the ways of the Congress. Other Members, too, have told me what a fine mentor he was to them when they began their service.

Here in the House, Kenneth made his mark as a distinguished member of the Appropriations Committee, with special expertise in the areas of defense and agriculture. He also willingly undertook the significant but usually thankless task of serving on the Select Committee on Intelligence, where he was the ranking minority member when he retired. In all of his assignments, he gave a full measure of effort and became an authoritative source of knowledge.

In a quarter century of service to his community, State, and Nation, Kenneth left a proud legacy for all of us. We are all the richer for having known him.

To Kenneth's lovely wife, Kit, and all the Robinson family, I join my colleagues in extending heartfelt sympathy.

Goodbye, Kenneth, and thank you for everything.

Mr. SLAUGHTER of Virginia. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. FRENZEL].

Mr. FRENZEL. Mr. Speaker, I thank the gentleman for yielding this time and for bringing us together so that we can honor the memory of our departed colleague, Ken Robinson.

Ken and I came into the Congress together so long ago that I do not even like to remember it at this time. We were close from the very beginning. We stumbled around together, made mistakes together. He was fresh from his experience in the Virginia Assembly as I was from my local legislature.

Kit Robinson and Ken and Ruthie and I saw a fair amount of each other, and we will certainly always be grateful for the kindness and friendliness that they showed to us, he and their entire family.

As I listen to this tribute to Ken Robinson I am struck by the fact that we are all using the same kinds of words to express our feelings about Ken and about the kind of virtues we believe he represents. I had written a note here that I should refer to him as a solid son of the Old Dominion, because he was one who clung to the traditional values of patriotism, family, home, and church, and they were good enough for him all through his life, and he never wavered in them. For those of us who came to him for counsel, he served as a great example, because whatever he told us, and he was not a preachy type, one had to ask him to be told, was the way he acted and the way he conducted his own affairs.

Mr. Speaker, there are not enough Ken Robinsons in this Congress, and there will never be enough. Would that all of us could have conducted ourselves the way that he did. There was no fancy footwork, no clever rhetoric, no flaming oratory, no dazzle or sizzle, just the same virtues that every Member who has risen today has described, solid, straight-ahead work, every day, based on those virtues and values that he followed all of his life.

Knowing Ken Robinson helped me to be a better Congressman. I think he has enriched the lives of all of the people here that come to pay him tribute.

Ruthie and I offer our deepest sympathies to Kit and the family. I can only say in conclusion that we were proud to know Ken Robinson and delighted that there are Americans who

are willing to serve in this body of the stature and abilities of Ken Robinson.

Mr. SLAUGHTER of Virginia. Mr. Speaker, I yield to the gentleman from Virginia [Mr. OLIN].

Mr. OLIN. Mr. Speaker, I thank the gentleman for yielding and particularly for organizing this special order in honor of J. Kenneth Robinson. I appreciate the opportunity to say a few words about him tonight.

Mr. Speaker, I had the unusual experience of succeeding Ken Robinson in representing Rockingham County in the western part of Virginia, because in the 1980 census that county was shifted from the Seventh District into the Sixth. Ken had represented that county I think for as long as most people who live there could remember, and as I came in to run for that office 8 years ago, they all wondered why I was there, because they knew that Ken was their Congressman.

I can say that I got to know Ken quite well through that experience. He was the type of Congressman that they wanted. He had all of the qualities that others have been describing here tonight. As I think back, as I learned about him, he was down to Earth, he was the type of man that was a friend to his constituents. Obviously they trusted him and respected him. He truly represented what they believed.

After I got elected to Congress and came and joined him in the 98th Congress, I got to know him better personally. The people in Rockingham County still called on him even after I was elected in his place for that county, and he always let me know that he was coming into the county. He came and they wanted him, and I welcomed him and I learned from him. It was a humbling experience, but also an extremely valuable experience.

I found, as everyone has found, that Ken Robinson had those solid values in his life that we all aspire to have. There are very few of us who attain those values in the way that Ken did. We are talking about integrity and steadfastness, determination, solidness, everything of this nature, love of family and care for others. He had all of these qualities, and he was a very, very fine man. Those who knew him grieve at his passing.

But I can say this, and I say this to Kit and his family, and I know they know it, that it is a sad time, but at the same time Ken Robinson's life is certainly one that everyone who knows him can celebrate, because he had a fine, fine life. He was a great man.

Mr. SLAUGHTER of Virginia. Mr. Speaker, I yield to the gentleman from Alabama [Mr. DICKINSON].

Mr. DICKINSON. Mr. Speaker, I thank the gentleman for yielding. I, too, would like to add my voice to those who have spoken before in

thanking the gentleman in the well for making this moment possible to give us the opportunity to pay our respects to a good friend and a great American.

I might say parenthetically that though he cannot be here today because he is no longer in the Congress, I am sure that everything I say would be echoed and added to by Jack Edwards if he were still in the Congress, because he was one of Ken's closest friends, and they worked side by side on the Defense Appropriations Subcommittee.

Mr. Speaker, on April 8, Palm Sunday, of this year, I lost a friend. J. Kenneth Robinson, who for 14 years served his State and his country and the Republican Party in this House of Representatives, died of cancer in his Winchester, VA, home.

My wife, Barbara, and I have spent many hours and traveled many miles with Ken and Kit. There were never two better companions.

To Kit, and to Ken's six surviving children, I offer my condolences. The passing of a good man is hardest on family.

Ken always knew the real importance of family, even rejecting an offer to run for Lieutenant Governor of Virginia in order to be with his son who was fatally ill with leukemia.

Of all Ken's qualities, one stands out in mind. He was solid and dependable. You knew where he stood and if he gave you his word you could take it to the bank.

I know Ken earned the respect and confidence of the men and women, Republican and Democrat, with whom he served in Congress on both the Committee on Appropriations, and the Select Intelligence Committee. Listen to their words about Ken and you can get some measure of the man:

"Uncompromising integrity, unsurpassed industry."

"Quiet, thoughtful, religious."

"Brought stability and tough thinking in a time of ambiguity and the quick fix."

"Only spoke when * * * there was something of value to be said."

"Brings reason to issues * * * buried in controversy and ill feelings."

"Came here to serve and served his people well."

"A man of strength and uncommon skill as a legislator."

"True to his conservative beliefs."

"An outstanding leader and valued friend."

Ken Robinson made his mark because he focused on vitally important national issues. He believed in a balanced budget, strong national defense, and in an effective national intelligence gathering capability. Ken spent immeasurable energy achieving results in those areas and our country was

better off because of that commitment.

I know that Ken left Congress with some frustration, but no regrets. He was never a man to look back.

As you might have expected, he continued to make a difference in his political party, his State and community.

He was selfless and without a crippling ego. He thought of others before he thought of himself. He put the good of others and this Nation before his own.

Ken Robinson was a special man. I am a better person for knowing him. This country is a better place for his having lived.

I've searched for words to sum up what I feel for Ken, and the best I've found are those written by Alexander Pope:

Statesman, yet friend to truth! of soul sincere,

In action faithful, and in honor clear;
Who broke no promise, served no private end,

Who gained no title, and who lost no friend.
—Moral Essays, 1720.

Ken, we will miss you.

I think Ken demonstrated a typical farmer's pride in his daily life, and in every appearance he was rightfully proud of his small part in providing all of America the most abundant food supply, the best quality, the safest at the cheapest price of any other country in the world. I think he was rightfully proud of that.

Kenneth's district, the Seventh District of Virginia, and my 17th District of Texas are similar in that the people are fiscally conservative and they expect their Representatives to be also.

Ken served his constituency extremely well in his 14 years.

With my colleagues here today, my wife, Cindy, and I extend our sincere condolences to the Robinson family on the passing of Kenneth. We hope that they will take great pride in knowing that Kenneth served his State and his country exceptionally well.

□ 1840

Mr. SLAUGHTER of Virginia. Mr. Speaker, I yield to the gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. I thank the gentleman for yielding.

Mr. Speaker, I rise today also to pay tribute to J. Kenneth Robinson. Kenneth served in this body for 14 years. I had the privilege of serving with him for 6 of those years. During his time in Congress, Ken compiled a conservative, commonsense voting record and was especially supportive of an assertive foreign policy in Central America.

Ken was also known for being a southern gentleman in every sense of the word.

Kenneth and I had many things in common, including a deep and personal interest in agriculture. Ken, an or-

chardist and fruit packer from northern Virginia, I a cotton farmer from west Texas.

We pray God's comfort and blessings on his widow, Kit, and the entire family.

Mr. SLAUGHTER of Virginia. Mr. Speaker, I yield to the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. I thank the gentleman for yielding.

Mr. Speaker, Ken Robinson was a shining example of what service in the House of Representatives should be.

As a fellow colleague on Appropriations I had the special privilege of serving with Ken and watching the strong leadership he brought to his service on the committee. He was a role model for many of us.

Ken was always first a true patriot, always a steady influence, always dedicated to what was best for the country he loved, always effective in his quiet way and always the epitome of what our Founding Fathers envisioned in a representative of the people.

The life of each of us has been enriched by serving with Ken and by the joy of our friendship with Ken and Kit.

Mary and I can only express our gratitude to Kit and to Ken's family for sharing the burdens that allowed Ken to serve our Nation so well with both his heart and his head.

Mr. SLAUGHTER of Virginia. Mr. Speaker, I yield to the gentleman from Virginia [Mr. PAYNE].

Mr. PAYNE of Virginia. I thank the gentleman very much for taking out this special order and for giving us an opportunity to remember Kenneth Robinson.

Mr. Speaker, my recollections of Kenneth Robinson are different from those of others who join in remembering him today. Ken was not my colleague in this body, for I have only been here 2 years, but he was my Congressman.

From the time I moved to Nelson County in 1973, until it was redistricted into the Fifth District in 1982, it was a matter of real pride for me that Kenneth Robinson represented me in this body. Let there be no question in anybody's mind, he represented all of us very, very well.

Then I knew Ken in another role, again not one traditionally known in this body. I knew him as the father of one of my employees, for his daughter, Keveney worked with us at Wintergreen. Through Keveney's eyes I saw a loving father and mother in Ken and Kit.

At the primary level of public service that is constituent-to-Congressman, there was never any question in anybody's mind but that we mattered to Ken.

Our concerns were his concerns and our interests were his interests.

But Ken's service went beyond just his district. He was, as you have heard here today, highly respected within this body and outside as well, for his interest and work in national security. Through his committee work and the work on the floor of the House, he worked tirelessly and successfully for the national interest.

Kenneth Robinson was a product of Thomas Jefferson's country. By his beliefs and quality of life, he is a worthy successor to Thomas Jefferson's legacy and his commitment to public service.

So I thank the gentleman very much, the gentleman from Virginia [Mr. SLAUGHTER], for providing all of us with an opportunity to pay homage to one of the best this body has ever known, J. Kenneth Robinson.

Mr. SLAUGHTER of Virginia. Mr. Speaker, I yield to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Speaker, I too want to commend my friend and colleague from Virginia [Mr. SLAUGHTER] for taking this special order. I, too, had the great privilege of serving in the House of Representatives with Kenneth Robinson. He was a member of the Subcommittee on Defense Appropriations, and we served together for three terms. I found Ken to be one of the really hard-working and effective members of this particular subcommittee. He was knowledgeable, he did his homework, he cared deeply about the issues of defense and national security.

He was also respected by all of us because of his work on the Permanent Select Committee on Intelligence as well, and brought that expertise back to our subcommittee.

I can tell you that there were many issues during those 6 years where Ken Robinson and I were shoulder to shoulder trying to make certain that this country had a strong and adequate defense policy and the equipment and materials necessary to have that kind of effective policy.

□ 1850

We are all saddened by the loss of Ken. All Members who had a chance to know he and Kit had a great deal of fondness and affection for them. We can certainly understand the serious loss this is to his family.

However, I think his example for all Members who serve in Congress will remain there as a shining and bright one. Rarely have I seen any Member who cared more about the kind of public service than Ken Robinson. He was a friend. He gave me lots of good advice, and I think he served his district and his State well. But most importantly, he served our country.

It is people like Ken Robinson who for 40 years kept a bipartisan defense policy in this country which last year, I think, finally bore the victory that

we all wanted to see. That is, that the values and the belief we all have in democracy and our way of government, of seeing the decline of the Warsaw Pact, seeing the changes even within the Soviet Union as people opted for democracy and our economic system. Ken Robinson was part of that long, bipartisan tradition of a strong defense, a credible defense, and a strong commitment to our American values.

I am pleased to be here this evening to be a part of this special order. Ken Robinson was a friend and a valued colleague. We all will miss him. However, we will honor him tonight for his great service in this institution and his great service for this country.

Mr. SLAUGHTER of Virginia. Mr. Speaker, I yield to the gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Speaker, the fact that ours is such a rapidly changing world underscores the need we have as Americans to know what these changes will mean to the United States.

Our former colleague, Ken Robinson, knew this truth well.

As a member of the Select Committee on Intelligence, Ken was diligent, insightful and, above all, determined that the United States should have the best intelligence capability.

It was a pleasure for me to serve with Ken on the Intelligence Committee. He achieved the kind of respect and admiration reserved for very few Members from both sides of the aisle. I know he was no less esteemed by his fellow members of the Appropriations Committee, and the Virginia constituents he served so well from 1970 to 1984.

Mr. Speaker, when Ken Robinson died on April 8, 1990, he left his family, his State, and our Nation with the legacy of a fine Representative. His absence will be deeply felt, and I extend my most sincere sympathies to Ken's wife, Kit, and the other members of the Robinson family.

Mr. SLAUGHTER of Virginia. Mr. Speaker, I appreciate the remarks of the gentleman from California.

Now, I would like to read into the RECORD remarks prepared by the distinguished senior Senator from Virginia, Senator WARNER. It is a tribute to the Honorable J. Kenneth Robinson, and reads as follows:

Mr. Speaker, I rise today to pay tribute to my long-time friend, the Former Congressman from Virginia's Seventh District J. Kenneth Robinson who died on April 8. Today Kenneth's wife and other members of his family are visiting the House Chamber so I am very pleased to join my House colleagues in a special order to honor this great Virginian.

Many others will join today in citing the lengthy and distinguished accomplishments which this Virginian achieved in his lifetime. My participation goes to three areas Robinson's life which were very meaningful to me.

First, Ken was born into an apple-growing family in Winchester, the heart of Virginia's apple and peach country. He graduated from Virginia Polytechnic Institute and State University with a degree in horticulture and returned home to run the family orchard business. He truly loved the land, what it provides, and the people who work so hard in agribusiness.

After a distinguished career in the General Assembly of Virginia, as a Senator, Kenneth was elected to the U.S. House of Representatives in 1971 where he served until 1985. During this time, he was my Congressman as I lived in the seventh district. He was my close friend; he was a big brother as I started my legislative duties.

He was a member of the House Appropriations Committee where he served on the Subcommittee on Agriculture, Rural Development and Related Agencies. Following my election to the United States Senate in 1978, I consulted with Ken Robinson on all issues of importance to Virginia's agricultural community, for he and I were two of the few in the Virginia delegation who lived on working farms.

Together we secured Federal assistance to start a veterinary school at his alma mater of VPI. This was of great significance to the equine interests of Virginia.

When a California wine-grape grower's association asked that their growing area be designated as the "Shenandoah Valley Viticultural Area" Ken Robinson led the opposition. The Virginia delegation prevailed and the Federal Government gave Virginia interests the paramount right to use the name "Shenandoah Valley" in the context of our wine-producing industry.

Ken served in the United States Army with distinction during World War II and attained the rank of Major. He was deeply committed to a strong national defense and served on the Defense Appropriations Committee and the House Intelligence Committee. As a member of the Senate Intelligence Committee and the Armed Services Committee, I worked closely with him in these areas. As we witness the transformation of communist regimes around the world today, we should thank President Reagan, President Bush and members of Congress such as Ken Robinson who dedicated their careers to the defense of this country and the nurturing of democracy and freedom abroad.

Lastly, in the finest Virginia tradition Kenneth Robinson was a strong patriot of the highest integrity. He dedicated his life to the service of the Commonwealth and the nation which he loved so dearly. He was a family man who cherished his wife of 43 years, Kathryn Rankin Robinson, and their six children and seven grandchildren.

He was a Virginia statesman in the tradition of George Washington, Thomas Jefferson, and Patrick Henry. As the Richmond Times Dispatch stated in an editorial when he died, "Rep. Robinson gained his popularity the old-fashioned way through indefatigable constituent service . . . and through strict adherence to principle."

"God grant that men of principle shall always be our principal men." This quote attributed to Thomas Jefferson is so appropriate for Kenneth Robinson.

Today in the Senate I introduced, along with Senator Robb, legislation identical to that introduced in the House of Representatives by Representative Slaughter, to name the Federal building in Winchester, Virginia the "J. Kenneth Robinson Postal Building".

I extend my deepest sympathies today to Kit Robinson and to the other members of

the Robinson family as well as my gratitude to them for sharing Kenneth's talents and time so generously with our great Commonwealth and nation.

Mr. Speaker, I yield to the gentleman from Kentucky [Mr. MAZZOLI].

Mr. MAZZOLI. Mr. Speaker, I thank the gentleman for yielding. I am very pleased and gratified that my friend took this special order for our late colleague and late friend, Ken Robinson.

Earlier tonight I was watching in my office, and I could not help but be struck by what the gentlewoman from Maryland [Mrs. BYRON] said in which she numbered or named the individuals who came to Congress with Ken. It happens that I was in that class 20 years ago. It seems like a very long time, and yet in some respects it seems like only yesterday. However, I do recall in that very speech, 20 years ago, I stood with our then little daughter, who is now 26 years old, but stood with our little daughter to take the oath of office from Carl Albert.

On the other side of the aisle was my friend, Ken Robinson. We did not serve together on the Committee on Appropriations, but it was my pleasure to serve with Ken on the Permanent Select Committee on Intelligence.

For many years, Ken and I served together as colleagues, and eventually as the gentleman from Virginia has said, he became the ranking Republican member of that important committee, working closely with our colleague, Ed Boland, who has retired and left the Congress. I was always struck by Ken's devotion to this Nation. It permeated his very being. He loved America. He loved his Commonwealth of Virginia, but he loved the idea of public service.

While we might have had some disagreements on some of the issues, and we might have perhaps a different voting record, it was a great privilege and honor for me to serve with Ken. When the gentleman from Virginia [Mr. SLAUGHTER] shared with Members the bad news and sad news of Ken's death, all Members in the class of the 92d Congress, and all Members who have ever served with Ken, certainly were deeply grieved by that news.

□ 1900

Mr. Speaker, I again want to thank the gentleman from Virginia [Mr. SLAUGHTER] for having taken this special order. I salute Ken and his memory. I extend condolences to the family members who have joined us in the Chamber tonight and express to them the view that they certainly have a wonderful legacy in what Ken did in the halls at Richmond and in the Halls here in Washington.

Again, Mr. Speaker, I thank the gentleman from Virginia [Mr. SLAUGHTER] and I appreciate his taking this special order.

Mr. Speaker, I submit for printing in the CONGRESSIONAL RECORD my extension of remarks on this subject which appeared in the RECORD on April 30, 1990, as follows:

REMEMBERING A FORMER COLLEAGUE:
J. KENNETH ROBINSON

Mr. MAZZOLI. Mr. Speaker, I rise today to honor former Virginia Congressman, J. Kenneth Robinson, who passed away on April 8.

I entered the House with Ken in 1971, and I always considered him a friend as well as a colleague, I had the fortune to serve with Ken on the House Permanent Select Committee on Intelligence for several years.

After a distinguished career in the Army during World War II, Ken served in the Virginia State Senate until he was elected to Congress in 1970. Ken also served with distinction on the House Appropriations Committee, becoming the fifth ranking Republican before his retirement in 1985.

He was raised in Frederick County, VA, and his district included the northern suburbs of Richmond, to the Shenandoah Mountains and Winchester.

Ken also distinguished himself in the field of agriculture. He graduated from Virginia Polytechnic Institute with a degree in horticulture. He helped run his family orchard business and also was past president of the Virginia Horticulture Society and the Frederick County Fruit Growers. While on the Appropriations Committee, Ken worked hard on agricultural issues to best serve his district's needs.

I extend my sympathies to his wife, Kathryn and his children and family. He will be deeply missed by all of us here in the House.

Mr. SLAUGHTER of Virginia. Mr. Speaker, I thank the gentleman for his remarks.

Mr. Speaker, as we all know, J. Kenneth Robinson left a legacy of service and accomplishment to this Nation that few men in longer lifetimes have been able to approach. His 4 years as an infantry man in World War II, his 6 years as a senator in the Virginia General Assembly, in addition to his 14 years as a U.S. Representative serving the Seventh Congressional District of Virginia, amount to nearly 25 years of service to Virginia and to our country.

Kenneth Robinson touched many lives. Newspapers throughout the Seventh Congressional District, and beyond, carried lengthy reports about Kenneth's death. They did precisely because so many people, all over Virginia, were touched by the news. Roughly 15 different publications carried stories that more closely resembled eulogies. Many of those papers carried more than one article about Kenneth and some honored him by dedicating valuable space and commentary on their editorial pages.

Another indication of Kenneth's enduring memory is Virginia Senate Resolution 37. Last Friday, I received a letter from State Senator Bill Truban. Senator Truban informed me that the Virginia Senate has honored Kenneth in Resolution 37 which passed during the special session on April 18, 1990. I

think it is a true tribute to Kenneth that 20 years after his service in the Virginia Senate he is still fondly remembered and was accordingly honored with this legislation. At this juncture I would like to quote a small section from the resolution:

Resolved by the Senate, That this body mourns the passing of a former esteemed colleague, J. Kenneth Robinson, whose selfless public service and lifetime community involvement will long be remembered in the Commonwealth.

Also, Mr. Speaker, I enter in the RECORD Virginia Senate Resolution 37, as follows:

SENATE RESOLUTION NO. 37

Whereas, J. Kenneth Robinson, who represented Virginia's 7th District in the House of Representatives from 1971 to 1985, died April 8, 1990, at his home in Winchester; and

Whereas, Kenneth Robinson, a Winchester native born into an apple-growing family, graduated from the Virginia Polytechnic Institute with a degree in horticulture in 1937 and shortly thereafter joined the family orchard business; and

Whereas, during World War II, Kenneth Robinson served his country honorably, attaining the rank of major in the United States Army; and

Whereas, in 1965 Kenneth Robinson began his political career, winning election to the Virginia Senate seat vacated by Harry F. Byrd, Jr.; and

Whereas, after resigning his Senate seat in 1970, Kenneth Robinson won election to the House of Representatives, where he served Virginia's rural interests as the ranking Republican on the House Permanent Select Committee on Intelligence and on its subcommittees on agriculture, rural development and related agencies and defense; and

Whereas, Kenneth Robinson, whose name became synonymous with fiscal responsibility and a strong defense, served on the House Defense Appropriations Committee's budget authorization subcommittee and became the fifth-ranking Republican and the only Virginia member on the House Appropriations Committee; and

Whereas, during his fourteen years of service in Congress, Kenneth Robinson was held in high bipartisan esteem and was most remembered by his colleagues for his commitment to a balanced budget, a smaller federal bureaucracy, and a stronger national defense; and

Whereas, in 1983 Kenneth Robinson, a supporter of covert aid to anti-communist guerrillas, played a key role in the defeat of a proposed cutoff of covert aid to Nicaraguan guerrillas fighting the Sandinista government; and

Whereas, throughout his political career, Kenneth Robinson enjoyed popular support from his constituents who elected him the seven times he ran for national office, six of those times by sixty percent or more of the total vote; and

Whereas, Kenneth Robinson, a leader deeply concerned with the welfare of others, was the instrumental force in obtaining federal financing for the state's first housing project for the deaf in Charlottesville; and

Whereas, in addition, Kenneth Robinson fought hard to give Virginia interests the paramount right to use the name Shenandoah Valley in the context of a wine-produc-

ing region after a California wine-grape growers' association asked the federal government to designate their growing area as the Shenandoah Valley Viticultural Area; and

Whereas, after leaving politics in 1985 because of health problems, Kenneth Robinson devoted the rest of his life to family business interests in the Winchester area; and

Whereas, Kenneth Robinson, an active member of his community, served as president of the Virginia Horticultural Society, the Eastern Fruit Growers Cooperative, the Winchester Apple Blossom Festival, and the Winchester Rotary Club; vice-chairman of the Potomac River Basin Committee; a member of the Society of Friends in Winchester as well as a member of the Dulles International Airport Development Commission in the 1960's and early 1970's: Now, therefore, be it

Resolved by the Senate, That this body mourns the passing of a former esteemed colleague, J. Kenneth Robinson, whose selfless public service and lifetime community involvement will long be remembered in the Commonwealth; and, be it

Resolved further, That the Clerk of the Senate prepare a copy of this resolution for presentation to Mrs. Kathryn Rankin Robinson as a token of the Senate's admiration and appreciation of the legacy of service and accomplishments left by J. Kenneth Robinson to this nation.

Mr. Speaker, I thought it would be appropriate here, this afternoon, to continue my remarks with reference to what Members of the House of Representatives had to say on the occasion of Ken's retirement back in 1984. I have always thought that some of the most valuable and honest reflections are those rendered by one's peers. Your peers know you and your work far better than most observers or critics. They know your weaknesses and your strengths. The overwhelming tribute paid to Kenneth Robinson by men he served with in this House of Representatives for 14 years is testament to what kind of man Kenneth was.

I want to take a minute here to reflect on what a few of these men and women said. On the occasion of his retirement, nearly 40 Members of the House, representing States from Florida to California, from New York to Nevada, from Illinois to Louisiana, rose to speak about Kenneth and what his presence meant to the House.

Kenneth Robinson was known as "the rock" or "the Rock of Gibraltar." A former, distinguished House minority leader, Representative John Rhodes, gave Kenneth this nickname because "his deep seated beliefs in the traditions and values of this great Nation were always at the forefront of his service to the House. Thus, he was dependable 'like the Rock of Gibraltar.'" These were words Congressman LIVINGSTON delivered on the floor of the House as recorded in the CONGRESSIONAL RECORD on October 9, 1984. Congressman LIVINGSTON went on to say:

[Kenneth] never hesitated to back programs or policies which put the interest of his country first—before any other priorities; and he likewise supported the policy of standing by our friends—no matter what the odds.

Kenneth Robinson was a man of immense character who never stuck his finger to the wind. He followed his heart and his head. His values and principles were as much a part of him as his vast intellect. Former Congressman Bill Whitehurst, who at the time of Kenneth's retirement was the dean of the Virginia congressional delegation said:

Although I never served in the Virginia General Assembly, I knew of Ken Robinson's reputation when he was a member of that body. He was known then as a person of uncompromising integrity and unsurpassed industry. These virtues he brought with him to this body, and it was because of them that he was recognized early on as a particularly unique and valuable colleague.

Congressman Whitehurst went on to say:

It is [Ken's] counsel that is sought when there is uncertainty with respect to an amendment or vote. . . . I cannot recall in the past (16 years) any colleagues of mine whose opinion in my delegation was so highly valued.

Kenneth Robinson, however, enjoyed the respect of Republicans and Democrats alike. The Richmond News Leader wrote that "few congressmen ever have enjoyed such bipartisan esteem."

Kenneth was respected because he was no grandstander. Defending our Nation and keeping the economy strong were his only legislative priorities and the intensity of that commitment combined with his unmatched endurance and capacity for work left people respecting rather than questioning him. Kenneth Robinson was above partisan political gamesmanship.

The respect Kenneth commanded was also evidenced by the critically important committee assignments he held. Kenneth was the only member of the Virginia congressional delegation to have a seat on the Appropriations Committee where he also served as the second ranking member of the Defense Subcommittee and as an influential member of the Agriculture, Rural Development and Related Agencies Subcommittee. Ken was also ranking minority member of the House Permanent Select Committee on Intelligence.

Perhaps the most remarkable words of respect ever delivered about Kenneth were delivered by a man who, on a number of issues, could not have been more philosophically opposed to many things Kenneth stood for. The chairman of the Permanent Select Committee on Intelligence, Massachusetts Democrat Edward Boland, stated the following:

Too few appreciate what Ken Robinson has done for the security of this country through his service on the committee. Too few appreciate the improvements that he has helped to ensure in our intelligence capabilities. Too few will ever realize the enormous and debilitating workload that Ken has assumed in his service on the Intelligence Committee. Mr. Speaker, there is no member of the committee who has worked harder. There is no member—including the chairman—who can claim as thorough a knowledge and as a sound a judgment in reviewing and overseeing intelligence matters. I have said so often but to too few that Ken Robinson is the rock on which the intelligence committee has endured. . . . His dedication to fiscally sound, fair, bipartisan solutions has made the task of reaching agreement on many complex issues so much more achievable than it otherwise would have been. . . . I know of no other Member of this body whom I could extend these accolades. . . . First and last, he is and will always be a gentleman of the highest order.

Clearly, Kenneth Robinson enjoyed great respect and admiration. But like everything else in his life he earned the respect, the admiration, the love, and the devotion so many people felt for him. He earned it by giving so much of himself in every aspect of his life. Kenneth lived life to the fullest because he lived it with honest intensity.

Before I begin to close, I want to bring to everyone's attention a piece of legislation that I introduced earlier today in concert with the entire Virginia delegation. This morning we introduced as a final, and appropriately lasting, tribute the designation of the Winchester Post Office as the "J. Kenneth Robinson Postal Building." Senators WARNER and ROBB have introduced identical legislation on the Senate side.

Mr. Speaker, I wish to acknowledge the fact that former Congressmen John O. Marsh, Jr., and Al Cederberg are with us. Also, both of the distinguished Senators from Virginia are here: Senator JOHN WARNER and Senator CHARLES ROBB. It is good to see you both.

Mr. Speaker, I have a number of letters and communications that I believe all who have participated in this ceremony will value greatly, and I want to point out several, including a number of newspaper articles, with their comments.

Mr. Speaker, I include here editorials from the Richmond Times-Dispatch and the Winchester Star as follows:

[From the Richmond Times-Dispatch, Apr. 12, 1990]

J. KENNETH ROBINSON

He was one of the best.

J. Kenneth Robinson, a native of Winchester who grew up working in his family's apple-growing business, was elected to Congress in 1970 on a promise to work for fiscal restraint, limited government and strong national defense. In representing the people of the rural-oriented 7th District, he never

strayed from those bedrock principles before retiring in 1985.

With good reason, many critics of Congress lament how it has become next to impossible to oust an entrenched incumbent, given the elaborate system of protective benefits congressmen have constructed for themselves. But Ken Robinson was one who earned his return ticket to office. He did so seven times, and only once—in 1974—did his share of the vote fall below 60 percent. And that was at the height of the Watergate scandal when the sins of the Nixon administration were being visited upon some Republicans like Mr. Robinson, even though in his case there was never the faintest whiff of impropriety.

Representative Robinson gained his popularity the old-fashioned way: through indefatigable constituent service to a district that sprawls from Fredericksburg to the east and Hanover County to the south and that covers much of the Shenandoah Valley in the north and west. And through strict adherence to principle.

As the ranking Republican on the House Permanent Select Committee on Intelligence, he became one of the leading advocates in the House of covert aid for the anti-communist rebels fighting the Sandinista regime in Nicaragua. The recent triumph of democracy in that country is due in no small part to the steadfastness of people like J. Kenneth Robinson. As a member of the House Appropriations Committee, he was also a voice, albeit often a lonely one, for fiscal sanity.

Former Second District Representative G. William Whitehurst once said of Mr. Robinson: "It is his counsel that is sought when there is uncertainty with respect to an amendment or vote on a particular piece of legislation. I cannot recall in the past any colleague of mine whose opinion was so highly valued."

Mr. Robinson, who died this week at his Frederick County home at the age of 73, leaves a legacy of public service that will be remembered and that should be emulated.

[From the Winchester Star, Apr. 10, 1990]

J. KENNETH ROBINSON: A GREAT LOSS

While putting together successful careers in two fields—as politician and as an orchardist—J. Kenneth Robinson earned a reputation as that rarest of politicians, a man able to work with members of the opposition party as well as his own. He also earned a reputation as a man deserving respect.

Mr. Robinson, who died this past weekend at the age of 73, was a native of Frederick County and a graduate of Handley High School who represented this area in the Virginia Senate and the U.S. House of Representatives. He retired from politics in 1985 after serving seven terms in the House.

Mr. Robinson, who held a bachelor's degree in horticulture from Virginia Polytechnic Institute, also served in the U.S. Army during World War II, rising to the rank of major.

John O. Marsh Jr., former Congressman from the Seventh District and former Secretary of the Army, called Mr. Robinson's death "a great loss, not only to the community, but to the State and the Nation."

Harry F. Byrd Jr., whose appointment to the U.S. Senate in 1965 led to Mr. Robinson's appointment to the Virginia Senate, called Mr. Robinson "an outstanding public official . . . He gave dedicated and unselfish service to his constituency . . ."

Representative D. French Slaughter Jr., who won election to Congress after Mr. Robinson's retirement, said his predecessor "served our country with uncommon distinction."

Mr. Robinson's death is, indeed, a great loss. Rare is the politician who can overcome partisanship in order to do his duty. Rarer still is the politician who follows the path envisioned by the Founding Fathers—a man who serves his constituents well and then leaves the political arena of his own volition, a true citizen-legislator. In fact, former Representative William Wampler once called Mr. Robinson "the kind of person our forefathers had in mind" to run the Nation's Government.

That's high praise, but praise J. Kenneth Robinson richly deserved.

Mr. Speaker, I also have a tribute and letter from Mr. Edward Boland, a former Member of Congress who served as the chairman of the Intelligence Committee with Kenneth. Their association and service together on that committee lasted several years.

That material is as follows:

STATEMENT OF FORMER CONGRESSMAN EDWARD P. BOLAND, AS SUBMITTED BY CONGRESSMAN RICHARD E. NEAL OF MASSACHUSETTS.

Mr. Speaker, it is my honor, as a former Member of this House, to take part today in this tribute for our late colleague, J. Kenneth Robinson of Virginia. For 14 years the people of the Winchester area were fortunate to be represented in this great body by J. Kenneth Robinson.

I was fortunate to work closely with Ken on a number of occasions over the years we served together. We served together, first on the Appropriations Committee and then on the House Permanent Select Committee on Intelligence. For a time we had offices across the hall from each other in the Rayburn Building. Running into Ken in the hall as we went to vote on the Floor gave me a great opportunity to get to know him and appreciate his personality. Ken was a very friendly person, easy to know and a joy to be around. Although we sometimes disagreed on policy, there was never a moment when that disagreement affected our personal relationship. I'm sure that any member who served with Ken would agree. He had wit, intelligence, and know-how to be a success on Capitol Hill. I always felt that Ken was one of the finest spokesmen the Republicans had on complex appropriations matters and sensitive national security issues.

On the Appropriations Committee, Ken Robinson could be counted on to study each funding request closely and make an informed decision on how to best spend our federal dollars. Ken kept an eye on the fiscal bottom line, but had a real feel for our country's needs. I believe he was one of the finest members that vital committee has ever had. I noticed the loss of his expertise immediately in the 99th Congress after he had retired.

I cannot say enough about Ken Robinson's work on the House Intelligence Committee. The sensitive mission of this important committee was clear to him from the moment of its creation. Service on the House Intelligence Committee is a responsibility that cannot be taken lightly. Ken had a keen understanding of the complex issues that came before this committee in the difficult days of this country's involvement in several unsettled regions of the world. As

the ranking Republican, his counsel and cooperation were invaluable to me. Ken Robinson never lost sight of the long-range foreign policy goals of America, nor of the necessity for effective intelligence collection and analysis as essential means of furthering those goals. He was acutely aware as well of the need for the discretion and secrecy that is necessarily a part of service on the Intelligence Committee.

Mr. Speaker, it was with great sadness that I learned that J. Kenneth Robinson had passed away. It is regrettable that he did not get the opportunity to enjoy a longer retirement. I am sorry that I cannot be on Capitol Hill personally to take part in this tribute organized by Ken's able successor, D. French Slaughter, Jr. I wish to express to Ken's widow Kit and his children present, Jim, Sally, and Patrick the great affection and respect I had for Ken. He was a good and decent man, who made many significant contributions to his Nation, and he will be greatly missed.

Mr. Speaker, there is a statement here from the Secretary of the Interior, Manuel Lujan, Jr., that I wish to include. Mr. Lujan has left a message here that is very valuable and very much in the same vein of those that we have submitted before.

Mr. Speaker, that message of tribute reads as follows:

MESSAGE OF TRIBUTE IN HONOR OF HON. J. KENNETH ROBINSON FROM SECRETARY MANUEL LUJAN, JR.

Although we are all saddened by the passing of Ken Robinson, we are grateful for the memories that remain of a true friend and loyal colleague.

I had the privilege of serving with Congressman Robinson during his 14-year tenure in the U.S. House of Representatives, from 1971, until his retirement in 1985. He was a true leader in the Congress—not because he rose to speak on every matter before the House, but because when he did speak his words were seriously considered. Agriculture and national defense issues were certainly among his top concerns, but Congressman Robinson also had an ability to make the problem of each of his Virginia constituents of vital import.

Congressman Robinson was a devoted Republican, who was loyal to the Presidents of his party whenever he could agree with their position in good conscience. But, he was first and foremost a quiet patriot, who put the best interests of his beloved Country above all else.

I also remember Ken Robinson as a friend. He enjoyed gathering with others in the Capitol Hill Club grill, to grab a bite, have a drink, and converse about a wide range of topics. Ken Robinson was indeed a true Virginia gentleman.

Although it has been a number of years since Ken Robinson walked off the floor of the House for his last time, his memory will always be an inspiration for those who serve our Country.

[From the Richmond News Leader, Apr. 10, 1990]

J. KENNETH ROBINSON

Republican and Democrat alike agreed that J. Kenneth Robinson was a rock of courage and integrity. When Robinson, a Republican, retired as Seventh District Congressman in 1984, former GOP minority leader John Rhodes called him the Rock of Gibraltar. Massachusetts Democrat Edward

Boland joined in the tribute, identifying him as "the rock on which the Intelligence Committee has endured." On Sunday, death claimed Robinson at age 73.

Robinson epitomized moderation. He won election to the House in 1970 on a platform dedicated to fiscal restraint and military preparedness. During his seven terms, he never voted to spend the taxpayers' money unwisely, never voted to make the nation less secure, never voted to weaken its front line of defense.

He worked quietly and without regard for personal glory, shunning vain theatrics—the mindless posturing that wins headlines and 15 seconds on the nightly news—for solid accomplishment. In a Washington world where a friendly slap on the shoulder often precedes a stab in the back, Robinson's word was his bond. His was the example to which all politicians ought to aspire.

When he left Congress, Robinson returned to Winchester, to the apple orchards at Stony Acres that he loved to tend. Virginia has lost a mighty defender and a cherished friend. Although his passing brings sorrow, it also inspires comfort—joy for the good life he led, and gratitude for his rock-like commitment to the Nation and state he served so well.

Mr. Speaker, I want to say that it is really to our benefit that we were able to have this ceremony. It has been a wonderful and inspiring tribute.

Mr. Speaker, I want to thank everyone who has made the time to be here this evening. I also want to thank those who have generously contributed written remarks to remember and honor J. Kenneth Robinson. He was a distinguished statesman and a great man. We will all miss him. To the family and close friends, I am very happy that you could all be here this evening.

Mr. QUILLEN. Mr. Speaker, I would like to commend the gentleman from Virginia [Mr. SLAUGHTER] for requesting this time today to honor our former colleague, J. Kenneth Robinson of Virginia.

Ken's district in central Virginia was not too far from my own district in east Tennessee, and on a number of occasions we worked together to find solutions to regional problems.

I was fortunate to serve with Ken during the entire 14 years of his tenure in this House. He was always a gentleman, soft-spoken, yet firm in his convictions. He was trusted and respected by his colleagues. This trust was demonstrated when Ken was designated to serve for his last 6 years in the House as the ranking Republican member of the Permanent Select Committee on Intelligence. In this position he was entrusted with the Nation's most sensitive secrets, and had the responsibility to oversee our Nation's intelligence gathering agencies. He did the job and he did it well.

He also played a key role as a member of the Committee on Appropriations. As a member of the Subcommittee on Defense he worked to ensure that this Nation's defenses remained strong. As a member of the Subcommittee on Agriculture, he was able to do much to improve the lives of family farmers in his district and across the Nation.

His quiet strength was a great asset to the Nation when he was a Member of this body.

On a more personal level, I valued his friendship highly, and I will miss him.

Mr. GREEN. Mr. Speaker, I rise today in honor a former colleague, J. Kenneth Robinson, who passed away on April 8, 1990.

As a fellow member of the Appropriations Committee, I always respected Kenneth's views and judged him to be a caring and qualified legislator. He was certainly the kind of congressman every constituent would be proud to have represent him. J. Kenneth Robinson will be missed by all those Members of Congress who were privileged to serve their Nation with him. At this difficult time, I should like to give Kenneth's family my warmest regards.

Mr. HUTTO. Mr. Speaker. I greatly appreciate our colleague Congressman FRENCH SLAUGHTER for making the arrangements for this special order to honor our former colleague Ken Robinson who passed away on April 8. Although I did not know Ken Robinson as well as some of my other colleagues, I did have the greatest respect and admiration for him. In my limited contact with Congressman Robinson I got the distinct impression that he was an individual of high integrity who was serving his district in a dedicated manner.

As a member of the House Armed Services Committee I had the opportunity from time to time to interface with Ken on matters relating to our national defense. I always found him to be very courteous, attentive, and helpful in our discussions. He was much admired by members of both parties and did indeed have many friends in this Body.

Ken Robinson's work in this Body will long be remembered. He is missed by not only his wife of 43 years, Kit, and other members of this family, but by his many friends.

I wish to extend my deepest sympathy to Ken Robinson's family. It is most fitting that we honor this former colleague by recognizing his outstanding contributions to our Nation.

Mr. HORTON. Mr. Speaker, I rise today to pay tribute to a former House colleague and good friend, J. Kenneth Robinson. In looking back over my long career in this body, Kenneth stands out as a leader who served his Virginia district with great distinction.

In 1965, J. Kenneth Robinson assumed the Virginia State Senate seat held by Harry Floyd Byrd, Jr. He was subsequently reelected to this same seat in 1967. After serving in the Virginia State Legislature from 1965 to 1970, Kenneth was elected to the U.S. House of Representatives from the Seventh Congressional District of Virginia.

J. Kenneth Robinson was appointed as a charter member of the House Select Committee on Intelligence and rose in seniority to become the ranking Republican of this important committee.

Kenneth's contribution to the debate on national security issues was invaluable during sometimes difficult episodes in American history.

Kenneth also played a significant role in his position as a member of the House Appropriations Committee. Before he stepped down in January 1985, Kenneth had become the fifth ranking Republican on Appropriations after 14 years of dedicated service.

Finally, I would like to commend my colleague from Virginia—Representative FRENCH

SLAUGHTER—for holding this special order to honor J. Kenneth Robinson. My wife, Nancy, and I would like to send our heartfelt condolences to Kenneth's wife, Kathryn, and his entire family.

Mr. SOLOMON. Mr. Speaker, may I first of all thank the gentleman from Virginia for calling this special order in honor of our late colleague, J. Kenneth Robinson. I know I speak for every Member who served with Ken when I say that we learned of his death with great sadness.

When I came to the House in 1979 as a freshman Member, Ken Robinson was one of the first senior Members whom I came to know and admire. Ken had an unpretentious dignity about him, and he was a man who always thought before he spoke. For new Members of Congress, he was an outstanding role model.

But the most important thing I remember about Ken is that he always put the national interest first—I mean first and I mean always. He was a true patriot. Ken represented the Seventh District in Virginia, a district which gave the Nation three of our greatest Presidents—Jefferson, Madison, and Monroe. Ken was proud to represent a district so rich in history. And the responsibility of being true to such a legacy was reflected in Ken's unswerving commitment to the national interest.

Our former minority leader, John Rhodes, used to call Ken the "Rock of Gibraltar." I cannot think of a more appropriate metaphor to describe Ken's principled conservatism, his loyalty, his dignity, and his patriotism. He was, indeed, a tower of strength.

But I have to be candid, Mr. Speaker, and say that there was one important subject on which Ken and I had a sharp difference of opinion: namely, apples. You see, Ken was involved in his family's orchard business before he began devoting full time to public service. And it just so happens that I represent the apple-growing region in upstate New York.

Ken and I had a friendly argument for years about which State grows better apples. I know we have Members who will argue on behalf of Washington and Michigan, but Ken and I knew it all comes down to a choice between New York and Virginia. We never settled the argument, needless to say.

But I have greatly missed Ken since his retirement from Congress 5 years ago. Whatever suffering his last illness may have imposed, he must surely have had the consolation of knowing that his life was a life well spent.

And so again I thank the gentleman from Virginia for giving us this opportunity to pay tribute to Ken Robinson, our friend and colleague. To Ken's family, who is with us today, may I wish Godspeed. Your great loss is ours as well.

Mr. CRANE. Mr. Speaker, his colleagues here in the House of Representatives, and the Nation, lost a friend last month when Ken Robinson passed away.

He was a pleasant person who always seemed to wear a smile when greeting a friend. Ken was a hard worker and as a Member of the House of Representatives he performed an outstanding job for 14 years for his constituents in the Seventh District of Virginia and for the citizens of his country. He

had served his country before he entered Congress. During World War II he was an infantryman for 4 years, rising to the rank of major.

He began his legislative career in the Virginia State Senate, where he served from 1965 until he resigned following his election to Congress in 1970.

Ken left an indelible mark before he stepped down, forced to retire by poor health and not run for what would have been certain reelection in 1984.

When he moved into retirement in January 1985, Ken was fifth-ranking Republican on the House Appropriations Committee. Over the years he had concentrated on the House Appropriations Committee. Over the years he had concentrated on budgetary matters in the fields of agriculture, defense, and intelligence. He was known as a fiscal conservative who fought for a strong defense. He was an authority on the Nation's intelligence matters and when he left the House he was ranking Republican on the Permanent Select Committee on Intelligence.

May all of us serve our country as well in this House of Representatives as our friend and colleague J. Kenneth Robinson so ably did.

Mr. DE LA GARZA. Mr. Speaker, along with fellow colleagues I was saddened to learn of the recent death of our dear friend and former colleague J. Kenneth Robinson, and it is with sadness that I rise to speak.

It is not easy to condense 14 years of service into a few brief moments, and I know that all of us will remember Kenneth Robinson in different ways, but I want to take this moment to say that the man I met several years after my first coming to these esteemed halls was someone who worked hard for his district and for the State of Virginia. He is also a man who because of his committee responsibilities cut a broader figure with national international responsibility.

Kenneth Robinson is a man who earned our respect and friendship, and I am honored to have known him. I will always remember him as a friend and I will miss him.

Mr. McDADE. Mr. Speaker, I would like to thank Congressman SLAUGHTER for his efforts to organize this tribute to a very special American—J. Kenneth Robinson. I was proud to serve with Ken during his seven terms in the U.S. House of Representatives and to work with him on the Appropriations Committee and Defense Subcommittee.

J. Kenneth Robinson represented the very best of this institution. He was a rock of integrity, a man who truly took this job to heart and a Virginia gentleman in the finest sense of the term. I am honored to have been able to count him as my friend. My deepest sympathies go to his wife, Kit, and their children.

The Nation lost a great American and outstanding public servant with Ken's passing. As a member of the Defense Appropriations Subcommittee and the House Permanent Select Committee on Intelligence, Ken wrestled with some of the most difficult problems the country faced. He put the best interests of this country first, and played a large role in the strengthening of our national security and U.S. intelligence activities.

Ken was also tireless in his efforts on behalf of the best interests of his constituents. He represented a congressional district that was the home of Thomas Jefferson, James Madison, and James Monroe. He had a strong sense of history and a dedication to public service in the best tradition of his region of the country.

Whether he was arguing an issue on the House floor, pursuing Virginia interests in a committee room, meeting with rebels in Afghanistan, or going to bat for his own constituents, Ken always carried out his duties with conviction, dedication, and effectiveness. His voice was one that was always influential and respected.

I have missed having him in the Congress for the past 5 years, and I join with my colleagues today in mourning his death and celebrating his life.

Mr. DICKS. Mr. Speaker, I want to join my colleagues today in remembering a fine public servant, J. Kenneth Robinson. My sympathies go out to his wife Kit and his children on their loss. We will all miss him as a friend.

I had the good fortune to serve 6 years with Ken Robinson on the Defense Appropriations Subcommittee. On that panel, Ken epitomized the bipartisan, cooperative approach that has long been its trademark. While we on occasion disagreed on specific issues, we both shared the desire to provide America with the defense forces needed to meet the challenges of the world. And as much as any Member Ken also recognized his responsibilities to the taxpayers to make certain that we provided those capabilities in a cost-effective manner. There was no greater champion at ferreting out waste and inefficiencies in the Pentagon than Ken Robinson.

I am sure that Ken shared the satisfaction that we all have in seeing world developments confirm the fundamental soundness of free societies, and he can rest in the satisfaction that he played no small role in making this possible. But I also expect that he would share my concern that we not assume that the world is suddenly free from danger.

The legacy of Ken Robinson lives on with all of us who knew him not just as a legislator, but as a honest and decent man who always did his best to represent the interests of his Virginia constituents and the Nation as a whole.

Mr. ROGERS. Mr. Speaker, the shadow of Congressman Ken Robinson of Virginia, the "Rock of Gibraltar" of this House for so many years, lies long over this Congress and this Nation, as we remember his years of service and mourn his death.

Many Members of Congress will stand today and speak the praises of Ken Robinson, and I am honored to be among them. We will speak of how he held his convictions steadfast. His gentlemanly ways. His distinguished service on the Appropriations Committee, and on the Select Committee on Intelligence.

I wonder today, though, what, or who, we would hear on this floor if the speakers were not limited only to the Members of the House of Representatives.

I believe we would hear the voices of a great many people. His colleagues in the orchard business. His friends from the Virginia State Senate. His constituents. Members of

the American intelligence community, all over the world. Perhaps even from among the newly free people all over the world, from Central America to Eastern Europe, we might hear people giving thanks for Ken Robinson, who was their "Rock of Gibraltar" for the cause of their freedom.

I wish most, however, that we could hear the words of Ken's adoring and lovely wife Kit, his bride of 43 years.

We, her beloved husband's colleagues in Congress, might hear from her a tale from the campaign trail. From all those long days and nights, driving mile after mile on the rolling Virginia highways, in that old VW bus she called "Kit's Caboodle."

Then again, Kit might not talk about her husband the Congressman at all. She might prefer a story about what a loving father Ken was to their seven children—Patrick, James, and John; Keveney, Helen, and Sallie; and Kenneth, junior, who passed from this Earth before his father.

I had the honor of serving in the House Appropriations Committee with Ken. His tenure on the committee was drawing to a close, while mine was beginning.

He will always be remembered as one of the finest men ever to serve on the committee, and in this House. He loved his country, and he loved the people of the Blue Ridge and Shenandoah Valley. Every conviction he ever held, every decision he ever made, every vote he ever cast, was based on what was right for this Nation, and the people who were privileged to have him in their service.

Congressman J. Kenneth Robinson, the gentleman from Virginia, was an outstanding Member of this House of Representatives.

My sympathies go out to Kit today, to the Robinson children and grandchildren, and to the extended Robinson family all across the Nation. While we, the Members of this House, mourn the passing of a colleague—you mourn for a fine husband, father, grandfather, and brother.

May the fruits of his life continue to bear seed, and yield a bountiful harvest for the generations to come.

Mr. SCHULZE. Mr. Speaker, I rise today to join my colleagues in tribute to the late J. Kenneth Robinson, a distinguished public servant and friend who served this House from 1970 to 1984. He died April 8, at the age of 73.

Ken was born in 1916 in Frederick County, VA, and graduated from Handley High School. He received a bachelor of science degree in horticulture from Virginia Tech in 1937, and entered the family orchard business. Called to serve his country in World War II, he was a major during the war.

In 1965, he became a State senator, until he resigned this position after being elected the U.S. Representative for the Seventh District of Virginia. He earned a reputation as a fiscal conservative and staunch supporter of a strong national defense. When he retired, Ken was ranking Republican on the Permanent Select Committee on Intelligence.

After retiring from Congress, he devoted himself to family business interests.

However, to merely list the events of Kenneth's life is not enough. What made him special was not that he was a Congressman; he

was special because of the type of Congressman that he was. His standard of public service approximates an ideal to which we all should aspire.

Giving testimony to the integrity of his service is what has been said about him: "I can attest that he was one of the ablest and one of the most popular Members of the entire Congress," former Senator Harry Byrd, Jr., said. Said another, "He faithfully reflected the views of his constituents." Still another, "I never heard anyone say that he was voting for Robinson because he was the lesser of two evils." He was called "a modest person—someone who enjoyed an almost unparalleled breadth and depth of support—an opinion that was so highly valued." Unlike many, Ken was "not motivated by ego."

Ken was rare, he was admirable, and in the House of Representatives we have missed his leadership and friendship. The Commonwealth of Virginia and Kenneth Robinson's family will miss him, much, much more.

Mr. MILLER of Ohio. Mr. Speaker, I want to join with my fellow Members of the House of Representatives in this remembrance of J. Kenneth Robinson. Ken passed away on Palm Sunday, April 8, and we are all saddened to learn of his death.

Ken Robinson very ably represented the good people of his congressional district in Virginia for 14 years—from 1970 to 1984. He was clearly devoted to their interests, problems, and concerns. He reflected Virginia's proud heritage and was an able legislator.

When he retired from the House, he was the ranking member of the Select Committee on Intelligence and a senior member of the House Appropriations Committee. I was honored to serve with him on Appropriations. I had the firsthand opportunity to witness his skills as a lawmaker. He carefully studied the important measures before the committee and offered comments about vital issues that were obviously the result of having done his homework. He earned the respect of his colleagues by his deeds both on and off the floor.

I consider it a privilege to join with my colleagues in this tribute to Ken Robinson. He will be greatly missed by those who were fortunate enough to serve in this House—a place he cherished deeply. We've lost a dear friend, a true American patriot. I extend my sincerest sympathy to his lovely wife and his family.

Mr. SPENCE. Mr. Speaker, I want to thank the gentleman for taking this special order to honor the memory of our late colleague, Ken Robinson. While this is a sad day for all of us who were privileged to call him friend and colleague, it is also a day to celebrate the life of a remarkable man.

I came to this body with Ken Robinson. We were freshmen Members of the 92d Congress, and from day one, after taking the oath of office, we became good friends. You couldn't help but be a friend of Ken Robinson. I truly believe that he was a man without guile. He loved people, and his abiding sense of charity and love of others was a hallmark of his entire career.

It has often been pointed out that the State of Virginia and my State of South Carolina are the two most culturally indigenous States in the Union. In fact, the history and develop-

ment of both States is remarkably similar. Ken Robinson loved history. He was justifiably proud of his native State of Virginia and was often referred to as the "Rock of Gibraltar" for his unswerving devotion to the principles of freedom advanced by such Virginians as George Washington, Thomas Jefferson, and Patrick Henry. In my opinion, had he lived during the colonial era there is no question in my mind that he would have stood alongside these famous patriots in their quest to found and build the United States of America.

You know, it is often said that Ken Robinson was a low-key person who rarely regaled his colleagues with speeches on every subject known to man. This is absolutely correct. He was no demagogue, and he made no attempt to impress people with his expertise on every subject. What he was, was one of the most studious and reflective Members ever to serve in this Chamber. Like the John Wayne character in the film "The Quiet Man", Ken Robinson didn't need hyperbole and vociferous phrases to get his point across. He commanded respect by his knowledge, devotion, and courage; courage, by the way, which manifested itself with four years of distinguished service in World War II.

Those of us who spent time with Ken Robinson remember him as a superb storyteller and raconteur. He was a keen observer of life around him, and he had a zest for living unmatched. His life was not without trial and tribulation. The son who took his name, Kenneth Robinson, Jr., died at a young age of leukemia. But, Ken and his dear wife of 43 years, Kit, faced this adversity and tragedy with a kind of quiet courage that served as an inspiration to many others.

Mr. Speaker, I am so very pleased that Kit and other family members are here with us today right up in the gallery. I recall reading somewhere that in one of Ken's campaigns for public office there was a group of supporters, organized by Kit, called "Kit's Kaboodle." I believe the kaboodle was a Volkswagen bus that carried supporters all over his congressional district.

Mr. Speaker, there are so many things to say in praise of Ken Robinson. For instance, long before it became fashionable to talk about campaign finance reform or what to do about excess campaign funds when leaving office, Ken Robinson took the bull by the horns when he left this House and gave the money to charity, civic groups, and institutions of higher learning.

A man like J. Kenneth Robinson doesn't come along every day. He was the epitome of a gentleman—a gentleman of Virginia. All of us can be proud that he served in this body, and those who come after us will do well to emulate his example. To Kit, the children, and grandchildren, I can only say that he enriched my life, and I thank you for sharing him with us.

Mr. PICKETT. Mr. Speaker, I want to thank my distinguished colleague FRENCH SLAUGHTER for requesting this special order so that members would have the opportunity to pay tribute to J. Kenneth Robinson, our widely respected former Member of the House of Representatives, who died on Palm Sunday, April 8, 1990, at the age of 73.

Ken Robinson, represented the Seventh District of Virginia with distinction in this body for 14 years. He will be remembered by all who knew or worked with him as an individual of strong convictions and even temperament. His commitment to fiscal responsibility and individual liberty and initiative was well known, and became a hallmark of his service in this body.

As a member of both the Permanent Select Committee on Intelligence and the Appropriations Committee, Ken used his skills and resources to help mold a lasting framework of security to protect the vital interests of our Nation.

It is gratifying to see that Members from both sides of the aisle and from several States have made a special effort to be present today to participate in this tribute.

My colleague FRENCH SLAUGHTER is to be strongly commended for introducing legislation today to recognize Ken Robinson by designating the postal building in Winchester, VA, as the "J. Kenneth Robinson Postal Building." It will be a tangible reminder of the good work and dedicated service of our friend J. Kenneth Robinson.

Mr. LAGOMARSINO. Mr. Speaker, I rise to pay tribute to the contributions made by Ken Robinson to this body and to our Nation. In committee rooms and on the House floor, he showed a dedication to the principles of freedom and democracy. He knew what his constituents needed and he worked hard to get it.

Few people can boast of the accomplishments that he achieved during his lifetime. His service on the House Permanent Select Committee on Intelligence testifies to his integrity and love of country. America is a free and great country because men like Ken enlist their energies in Government service, and his legacy serves as an example to us all in the ongoing struggle to curtail big government, intrusive government, and excessive regulation.

He was solidly devoted to being a husband of one and a father of six. Perhaps this is the best measure of the man. His personal life, like his public service was rooted in strong principles and values. He always found the time to reach out and to be a mentor.

I know I speak for the American people in expressing my appreciation for Ken Robinson's exceptional contribution and commitment to this great Nation. He will be known as one of our country's finest legislators. He will be greatly missed.

Mr. LIVINGSTON. Mr. Speaker, I thank my colleague from Virginia.

I rise to remember a friend and one of our finest former Members—the Honorable J. Kenneth "Ken" Robinson.

Let me first pay special tribute to his lovely wife Katherine—"Kit"—who came all the way from Winchester to be with us today. And to Ken's six children—Patrick, Ray, Kevney (Keeve-nee), Jim, John, and Sally—as well as his brother, Ray Robinson, Jr.

I first met Ken in 1977, when I was first elected to Congress. For the next 7½ years I served with him, I grew to admire his dedication and envy his expertise. Ken was an able and conscientious legislator whose concern for the well-being of his constituents was exceeded only by his dedication to his family and his country.

Ken will be remembered as an honorable man who carried himself with a quiet dignity. Though he wrestled with problems great and small, as befits a true leader, he always kept his sense of purpose. He led by example, and especially in his final years, Ken's actions spoke volumes about his dedication to freedom and democracy, and the ideals on which this country was founded. He was a pillar of strength on the Intelligence Committee, and I was deeply honored when he gave me his support to succeed him on that committee.

I'm particularly glad Ken saw the world's sudden surge toward democracy in Europe last fall. Like many of us here today, Ken's heart and mind always kept faith with the spirit of those suffering under oppression. The victories of those peoples who threw off the yoke of Communist oppression last year are our victories—and our victories are certainly Ken's victories as well.

Ken Robinson was not flashy, nor was he given to hyperbole. Yet he understood a fundamental principle of leadership—that in the words of England's Lloyd George—no one ever crossed a chasm with two short jumps. And Ken Robinson led his life accordingly.

Ken devoted many of his best years to helping others—be they needy constituents or a freshman Congressman in need of guidance. For many years, he was an important Member here on the Hill—yet he was quiet and unassuming; and only forced his will on those who frustrated his desire to make this a freer world.

Ken's spirit will always be with us, as will his legacies as patriot, leader, devoted husband and caring father.

I know I speak for thousands when I say that I will miss Ken very much.

Mr. GILMAN. Mr. Speaker, it is with a great deal of sadness that I join with our colleagues to pay tribute to a truly outstanding gentleman and a legislator without peer, J. Kenneth Robinson of Virginia's Seventh District.

Ken had already been here for one term when I first came to Congress. But his advice and counsel during my early years in this Chamber were as valuable as was the advice of many Members who were Ken's senior. He had the ability to grasp the issues and to be able to explain them in clear, concise terms.

Ken was a native of the land he loved so much, the rural areas of Frederick County, VA. After graduating from Virginia Technical University with a degree in horticulture in 1937, Ken entered the family orchard business. He proved to be an adept businessperson and a successful apple grower.

Ken's first foray into politics came in 1962, when he lost a close race for Congress against an entrenched incumbent. Three years later, Ken was elected to the Virginia State Senate, filling the seat vacated by Harry F. Byrd, Jr., who was appointed to the U.S. Senate. Ken Robinson was subsequently elected to a full 4-year term in the State senate, but resigned when he was elected to the U.S. House of Representatives in 1970.

During his 14 years of service in this chamber, Ken Robinson distinguished himself as an expert on defense issues and as a leader in budgetary matters affecting agriculture. At the time he left our body, he was ranking minority

member on the Permanent Select Committee on Intelligence.

When Ken retired in 1984, we knew we were losing a valued colleague who was a paragon of integrity and expertise. It must please Ken's widow, Kathryn, his three sons, and three daughters, to know that Kenneth Robinson lived long enough to witness the revolutionary changes in Eastern Europe—changes which came about in great part due to the strong defense posture which Ken always championed in this Chamber.

Mr. Speaker, we have lost a true friend in the passing of J. Kenneth Robinson, the gentleman from Virginia. I join with my colleagues in expressing our sense of shared loss and condolences to his widow, Kathryn, his children, and to the many residents of the Seventh District who knew and loved him.

Mr. CONTE. Mr. Speaker, I would like to thank my friend and colleague, FRENCH SLAUGHTER, for calling this Special Order today. I join him and everyone here in praising the great life of our departed friend, J. Kenneth Robinson.

We have lost a good friend. In his 14 years of service here on Capitol Hill, Ken Robinson proved himself to be a tremendously capable legislator.

As ranking member of the Select Intelligence Committee, a post he assumed in 1979, Ken became, as its Chairman EDDIE BOLAND said, the most thoroughly knowledgeable Member of this House on intelligence matters.

As a fellow member of the Appropriations Committee, I say firsthand depth of his devotion and commitment to hard work. He was a strong advocate on that committee and in this House for improving our Nation's defense.

As those of us here know, however, Ken was more than a good legislator, he was a good man. Our business while serving on the Appropriations Committee often brought us together in travel. Once he was a companion of mine on a trip to Africa. Of such times with Ken, what lives in my memory of him was his great gentle nature. Ken Robinson was a nose-to-the-grindstone Member and big battles of the budget wars digesting a library full of intelligence data, and yet, through it all, Ken was a gentleman's gentleman.

Ken distinguished himself in so many ways. He was a proud graduate of Virginia Tech University. He was a veteran of World War II, who left that conflict with the rank of major. He was a Member of this House, after serving 6 years in the Virginia State Senate and serving as that State's Republican delegation chairman. He was a successful businessman. But more than this, he was a devoted husband to his wonderful wife of 43 years, Kathryn, and a proud parent and grandparent.

There is a great sense of history in this Chamber and in this building. Though we often take our workplace for granted, there are times when we feel the overwhelming presence of those who came before us to serve in this place. The commitment of countless past members to serve this country enriches us every day. I have served in this Chamber for over 31 years. In that time, no greater gentleman has served in this body than J. Kenneth Robinson. Virginia honored itself by sending such a man to this body. This

Nation is honored that it can produce such a man. We are all fortunate to have known him and we shall all miss him.

Mr. BEVILL. Mr. Speaker, I rise today to pay tribute to my good friend, the late Kenneth Robinson of Virginia, who passed away April 8. Although I had not seen Kenneth for awhile, I thought of him often.

I enjoyed serving with Kenneth from 1970 to 1984. He was an outstanding member of the House Appropriations Committee who worked diligently on the Defense and Agriculture Subcommittees. He was very dedicated to serving his constituents, his State and our Nation.

My wife Lou and I certainly enjoyed our friendship with Kenneth and his lovely wife, Kit. Our hearts and prayers go out to her and the family during this time.

Many people come and go in the Congress and a few leave a lasting mark. Kenneth was certainly one of those who will long be remembered for his many achievements. He was respected and admired by all who knew him.

We will miss him, but we will never forget him.

Mr. SHUMWAY. Mr. Speaker, I would like to thank the gentleman from Virginia for arranging this special order so that we might all pay tribute and bid farewell to our friend and former colleague, J. Kenneth Robinson.

When Ken retired from the House in 1984, I commended his leadership, his statesmanship and his reason. I commented that he had served his district, his State and the Nation diligently and well. Most of all, I pointed out that Ken truly qualified to be called the gentleman from Virginia. However, I refrained from describing an incident of friendly rivalry between us which vividly illustrated all those qualities, and which also resulted in some humorous political cartoons in rural Virginia papers.

Virginia has long been known and praised for its beautiful Shenandoah Valley. My own California district shares the name, via the well-known Shenandoah Vineyard. The problem arose over viticultural labeling: a then-relatively-fledgling winery in the Shenandoah Valley wanted to use the appellation on its wines. The California Shenandoah protested; the Virginia Shenandoah rebutted. The end result: two Members of this House from the same side of the aisle with just about everything in common confronted each other at a public forum in Harrisonburg, VA, with a full complement of press and public present. In an effort to emulate Ken's gentlemanliness, I will not reveal the outcome of that confrontation.

During that episode, I gained renewed respect for Ken's many attributes. He never forgot that his primary obligation was to serve his constituents, and he did so with caring and diligence. And, while the situation forced him to treat me as at least a temporary adversary, he did so with friendship and respect.

When a man such as J. Kenneth Robinson seeks and holds public office, the entire nation benefits. He left bold marks through his service, particularly with his Appropriations Committee assignment. However, to me, the fond memories of that personal exchange are more precious. I missed Ken when he retired; now, with his passing, those memories will be

all the more important. My thoughts and prayers are with his wife and family.

Mr. LENT. Mr. Speaker, Representative Kenneth Robinson and I were classmates together in the 92d Congress. We had been elected on the same day in 1970. During our years together in the House, I came to know, respect, and admire Kenneth as an able legislator, dedicated public servant, and friend. Like many of my colleagues who worked alongside Kenneth, I am deeply saddened by his death, but I'm proud to join in this deserved tribute to an outstanding American citizen.

I have often heard Kenneth Robinson described as the "quintessential citizen statesman, the kind of man our forefathers envisioned to lead the country." An apt description, but I'm sure Kenneth, modest and unpretentious, would politely refuse such glowing praise.

Yet his distinguished record of service in the House supports this enthusiastic acclaim. He served as ranking minority member on the House Select Intelligence Committee and as a longstanding, influential member of the powerful Appropriations Committee. A true Virginia gentleman, Kenneth's word was his bond. His credibility and honesty earned him the trust and respect from members on the other side of the aisle, even when their positions on an issue were 180 degrees apart.

Throughout his career, Kenneth never forgot those he served. As Representative for Virginia's Seventh District for 14 years until his retirement in 1985, he was an effective advocate in Congress for his loyal constituents. Prior to his election to the House, he served for many years in the Virginia State Senate. His legacy of nearly 30 years of dedicated service to his community, to Virginia and our country will be our most enduring memory of J. Kenneth Robinson, a lasting tribute to this great American statesman and public servant.

To his wife, Kit, and their children, my wife Barbara and I offer our heartfelt sympathy. He will be sorely missed, and long remembered.

Mr. STOKES. Mr. Speaker, I want to thank my colleague, the distinguished gentleman from Virginia [Mr. SLAUGHTER] for reserving this time for us to pay tribute to our former colleague and friend, J. Kenneth Robinson who passed away on April 8, 1990.

Those of us who served in the Congress with Kenneth Robinson will always remember him for his hard work, dedication and commitment to his constituency. Kenneth was elected to the House of Representatives in 1970, having served in the Virginia State Senate. During his 14-year tenure in Congress, he earned a reputation as a fiscal conservative and was outspoken on budget issues relating to the agricultural, defense, and intelligence fields.

When he retired in 1985, Kenneth was the ranking minority member of the House Permanent Select Committee on Intelligence and a ranking member of the House Appropriations Committee. I had the honor of serving on both the Intelligence and Appropriations Committee with Kenneth. I respected him for his insight, leadership, and legislative skills. He was a hard worker who never forgot those whose interests he represented in Washington.

Mr. Speaker, J. Kenneth Robinson left a legacy of service and accomplishment to this Congress and our Nation. He will always be remembered. We take this opportunity to extend our deepest sympathy to his wife, Kit, and his family.

Mr. NEAL of Massachusetts. Mr. Speaker, I want to join my colleagues in expressing the condolences of the House to the family of J. Kenneth Robinson. My predecessor, Congressman Edward P. Boland enjoyed a long and productive personal and working relationship with Congressman Robinson. That relationship was highly valued by Mr. Boland, and he asked me to make sure that his tribute to Mr. Robinson was made a part of this special order. I am happy to do so, and want to associate myself with the sentiments Mr. Boland expresses in the remarks which follow:

Mr. Speaker, it is my honor, as a former member of this House, to take part today in this tribute for our late colleague, J. Kenneth Robinson of Virginia. For fourteen years the people of the Winchester area were fortunate to be represented in this great body by J. Kenneth Robinson.

I was fortunate to work closely with Ken on a number of occasions over the years we served together. We served together, first on the Appropriations Committee and then on the House Permanent Select Committee on Intelligence. For a time we had offices across the hall from each other in the Rayburn Building. Running into Ken in the hall as we went to vote on the Floor gave me a great opportunity to get to know him and appreciate his personality. Ken was a very friendly person, easy to know and a joy to be around. Although we sometimes disagreed on policy, there was never a moment when that disagreement affected our personal relationship. I'm sure that any member who served with Ken would agree. He had the wit, intelligence and know-how to be a success on Capitol Hill. I always felt that Ken was one of the finest spokesmen the Republicans had on complex appropriations matters and sensitive national security issues.

On the Appropriations Committee, Ken Robinson could be counted on to study each funding request closely and make an informed decision on how to best spend our federal dollars. Ken kept an eye on the fiscal bottom line, but had a real feel for our country's needs. I believe he was one of the finest members that vital committee has ever had. I noticed the loss of his expertise immediately in the 99th Congress after he had retired.

I cannot say enough about Ken Robinson's work on the House Intelligence Committee. The sensitive mission of this important committee was clear to him from the moment of its creation. Service on the House Intelligence Committee is a responsibility that cannot be taken lightly. Ken had a keen understanding of the complex issues that came before this committee in the difficult days of this country's involvement in several unsettled regions of the world. As the ranking Republican, his counsel and cooperation were invaluable to me. Ken Robinson never lost sight of the long-range foreign policy goals of America, nor of the necessity for effective intelligence collection and analysis as essential means of furthering those goals. He was acutely aware as well of the need for the discretion and secrecy that is necessarily a part of service on the Intelligence Committee.

Mr. Speaker, it was with great sadness that I learned that J. Kenneth Robinson has passed away. It is regrettable that he did not get the opportunity to enjoy a longer retirement. I am sorry that I cannot be on Capitol Hill personally to take part in this tribute organized by Ken's able successor, D. French Slaughter, Jr. I wish to express to Ken's widow Kit and his children present, Jim, Sally and Patrick the great affection and respect I had for Ken. He was a good and decent man, who made many significant contributions to his nation, and he will be greatly missed.

Mr. BROOMFIELD. Mr. Speaker, on April 8, 1990, our country lost one of its finest Congressmen and distinguished public servants. J. Kenneth Robinson's consistency, vision, and sense of purpose left a larger-than-life legacy. I was fortunate to have counted Ken as a friend and a respected colleague.

Ken's work in the House advanced a program of prosperity and economic expansion which continues today. When Ken retired from Congress in 1984, he was the ranking Republican on the House Select Committee on Intelligence and a senior Republican on the Appropriations Committee. His committee assignments enabled Ken to shape critical legislation and insure the administration's policies moved ahead on the legislative agenda.

Ken and I shared similar roots in the State legislature before coming to Congress. As leader of the Virginia Republican delegation in the State assembly, Ken built consensus among his Republican colleagues and fashioned compromise with Democratic legislators. This experience permitted Ken to effectively grasp the role of Federal legislators and win the confidence and admiration of his colleagues. I remember the glowing, personal tributes 6 years ago when Ken left the House. The words of praise were genuine and showed the depth of respect he had earned from Members on both sides of the aisle.

Ken was a Congressman committed to his district which returned him six times to the House. The traditional American values; reverence for hard work, family, and above all a sense of fairness were apparent in his words and the legislation he promoted.

He was a man who contributed great things to his country and the institution he served. I valued his friendship and trusted his counsel.

Mr. YATES. Mr. Speaker, I was very sorry to learn that Ken Robinson had died. He was a good friend and colleague. We served together on the Appropriations Committee for many a year and for several years we were next door neighbors in the Rayburn Building. While we held very different political views, I admired him greatly.

Ken was a Virginia gentleman in the very best sense of the word. He worked very effectively for the people of his district and this country, and he did it with grace and true dedication that won him many friends in this body and in all parts of the country. I am proud to say that he was my friend.

A good man has left us and I mourn him. I extend my most sincere sympathy to Kathryn, his wife, and to all the Robinson family.

Mr. GOODLING. Mr. Speaker, it is an honor for me to join my colleagues in paying special tribute to J. Kenneth Robinson, a dedicated

public servant who should serve as an example for all of us.

I had the special privilege of serving with Ken on the Permanent Select Committee on Intelligence, where he was ranking member. As in all of his endeavors, his service in this capacity was exemplary, and his Nation is very much the better for it. Ken's hard work and dedication, his command of the issues, and his abilities as a debater made him a valuable asset to the committee, as did his recognition of the importance of nonpartisanship.

I was saddened to learn of Ken's death, yet at the same time pleased to know that his contributions as a public servant made a difference and will not be forgotten. I would like to express my sympathy to Ken's wife, Kit, and his family, who are with us today, and to share with them the Nation's gratitude for Ken's service to his community, his State, and the Nation.

Mr. BLILEY. Mr. Speaker, on Palm Sunday, April 8, 1990, our friend and former colleague J. Kenneth Robinson passed away at the age of 73. Ken spent 14 years of his distinguished career serving in this body, steadfastly representing the Seventh District of Virginia, where he was born and had lived his entire life. Virginia has a long tradition of service and leadership to this country. Now added to a long list of celebrated Virginians who have served their country proudly, including eight of our Nation's Presidents, will be the name of J. Kenneth Robinson.

It is impossible for me to stand up here and to convey to you just how much Ken's friendship and guidance through the years have meant to me. When I first came to Capitol Hill in 1980, a freshman Congressman straight from Richmond city politics, Ken adopted me as his little brother and showed me the legislative ropes. He was a mentor without peer. His counsel on defense and intelligence issues was invaluable and provided an education and insight that few of us have the opportunity to receive.

I owe much to Ken. It was his boost that readied me for the chairmanship of the Republican Study Committee. Due to Ken's duties with the Intelligence Committee, he stepped down from the executive committee and made sure that I filled his seat. I consider my friendship with Ken Robinson to be one of the highlights of my congressional career. During the 4 years that our tenure in Congress overlapped, whenever I needed help or advice, Ken's door was always open, and let me assure you, I knocked upon it often.

Republicans and Democrats alike have only praise to lavish on the Virginia gentleman who appropriately earned the nickname Rock of Gibraltar. Never one to be a limelight hound, Ken went about his work quietly and diligently. He was dedicated to public service solely because he enjoyed serving his constituency. He didn't seek any of the personal glory that far too often politicians come to Washington in search of. In fact, during his 14 years in the House, he often worked on legislation that he later had his Democratic colleagues introduce, knowing that as members of the majority party, they had a better chance of having them passed. Ken brought balance in a time of ambiguity and the quick fix. America and

the U.S. Congress have been better for his selfless contribution.

Ken left no enemies in his path when he retired from Congress. In fact, shortly before Ken's death, I ran into Edward Boland, the former Member from Massachusetts, who have been the chairman of the House Permanent Select Committee on Intelligence when Ken was the ranking Republican on that committee. Boland first inquired into Ken's health and subsequently launched into lavish praise about his former colleague who had been as far removed as possible from his own political philosophy. Ken's politics were on the right and Boland's were on the left, yet Boland still had tremendous respect for his colleague's positions and his hard work.

That chance meeting in the Halls of the Capitol epitomized Kenneth Robinson's tenure in Congress—he was well known as a man able to work with Members of the opposition party as well as his own. Never brazen and known for doing a superb job, everyone respected Ken for his unwavering devotion to those things he found important and cherished: the Nation, the Commonwealth of Virginia, and his family. Kit Robinson, Ken's wonderful wife of 43 years has joined us today for this special tribute to a great Virginian leader who will be greatly missed.

THE CONSTRUCTION SAFETY, HEALTH, AND EDUCATION IMPROVEMENT ACT OF 1990

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. GAYDOS] is recognized for 60 minutes.

Mr. GAYDOS. Mr. Speaker, last Saturday was American Workers' Memorial Day, and many of us participated in ceremonies memorializing those American men and women who have suffered and died on the job because of unsafe and unhealthy working conditions.

Because of my longstanding concern for the health, safety, and welfare of all American workers, but especially the several million in the construction industry, in honor of those who died on the job and, more importantly, to prevent additional unnecessary deaths and disabilities, last week I introduced the Construction Safety, Health, and Education Improvement Act of 1990.

It is no secret to most of us that construction work is inherently dangerous. I am sure that many of us know someone or of someone who has been killed or injured in a construction accident.

Just over a year ago, Parade Magazine published its listing of the high hazard occupations. Among the 35 blue-collar categories included in the list, construction workers and carpenters' helpers ranked near the middle, No. 14, reporting 33.5 worker deaths per 100,000 workers in the field.

There are those among us who would say that being in the middle of the list, given the expected risks of construction, isn't too bad. But the listing for construction workers and carpenters' helpers isn't the whole story. Even within the construction industry, there are those jobs that carry even higher risk.

Structural metal workers, the guys we see crawling around on the steel girders and

beams, rank third among blue-collar workers with 72 deaths per 100,000 workers.

Bulldozer operators, earth drillers, and craft apprentices, all of whom are involved in different phases of construction rank 8th, 9th, and 10th, respectively, and all have death rates per 100,000 workers, well above the 33.5 level for general construction workers.

The public, however, doesn't really become aware of the dangers until a great tragedy occurs, such as the collapse of the building in Bridgeport, CT, in 1987, which claimed 28 workers' lives, or the collapse of the cooling tower in Willow Spring, WV, in 1978, which killed 51 workers.

And these cases are only the tip of the iceberg. You can pick up a newspaper nearly every day and read about a fatality or an injury to a construction worker, and, unfortunately far too often, many accidents and injuries don't even make the news.

I'd like to tell you about just one tragedy which illustrates the need for an office within OSHA exclusively concerned with construction safety and health issues, including the need for more effective enforcement of OSHA standards.

Last February 9, 27-year-old Rickey Dale Johnson was on top of the world. He had been married 2 months earlier, and that day he moved into a new home with his bride.

On February 10, Rickey went to his construction job in Tallahassee, FL where he was learning how to lay sewer pipes. To do his job, Rickey had to get into the ditch where the sewer pipe was.

Tragically, while Rickey was in the ditch, the dirt wall surrounding him caved in. By the time his fellow construction workers and firefighters uncovered his face, Rickey Johnson was dead.

Existing OSHA regulations require that any ditch 5 feet deep or more, as this ditch was, must be braced, shored, or sloped. This ditch wasn't. Not only that, there wasn't even a ladder in the ditch—another violation of existing regulations. Perhaps if some kind of safety specialist had been present on the site, this tragedy could have been avoided.

Rickey Johnson's wife, who was experiencing great happiness a day earlier, now faced life as a widow.

Stories such as these happen all over the United States each day. Just 2 weeks ago, for example, the third worker in 3 months died during the construction of a Ford auto plant.

We can't wait to act. We need to do whatever we can as soon as we can to stop many of these unnecessary deaths.

Until 1970, the issue of protecting the safety of people at their place of employment was largely ignored. Then, Congress created the Occupational Safety and Health Administration [OSHA] to make worksites safer.

I am proud to say, as we approach OSHA's 20th anniversary, that I was an active participant in the floor action on that bill.

But our work is not done. Many industries remain dangerous to employees and foremost among these is the construction industry.

A 1988 study by the Bureau of Labor Statistics found that almost 15 percent of the 5 million full-time construction workers—some 750,000 men and women—can expect to be

injured on the job each year. The injury rate for all other workers is less than 9 percent.

And, despite the best efforts of many employers and employees, deaths and serious injuries continue to occur on the construction worksite. According to recent statistics by the National Safety Council, an average of six construction workers die every day on job sites. That is nearly 2,500 workers every year.

In contrast, mining, another occupation on the list of the most hazardous, suffers about 130 deaths each year.

Even more alarming is the number of workers who suffer serious injuries on the worksite. Each year, almost 200,000 workers sustain some type of disabling injury in construction accidents.

What bothers me even more is that the number of construction deaths has remained constant since OSHA was formed in 1970.

Some might say that this statistic is misleading because there are more construction workers now than in 1970. That may well be true, but the truth is that the percentage of construction workers in the total workforce has remained fairly constant.

In 1969, the year before OSHA was enacted, construction workers comprised 4 percent of the work force, and accounted for 15 percent of the fatalities.

Today, construction workers constitute 5 percent of the work force, but account for more than a quarter—26 percent—of all workplace fatalities, nearly double the figure of 20 years ago.

The Building and Construction Trades Department of the AFL-CIO estimates that the bill I have introduced could save as many as 1,500 to 2,000 workers' lives each year, significantly decrease the number of disabling injuries, and conservatively, save between \$3 billion and \$7.5 billion a year in lost work day costs and other medical expenses.

When I look at these numbers, it's not hard to realize why Lane Kirkland, the president of the AFL-CIO, and others who truly care about the health and safety of workers support the creation of an Office of Construction Safety, Health, and Education in OSHA.

The present OSHA administration is to be commended for its preliminary steps. The Agency's recently announced plans for the Office of Construction and Engineering is just one small step.

Much more is necessary if we are truly going to concentrate on worker safety and health and my legislation provides for that focus.

First, my bill would require that a Deputy Assistant Secretary, who would report directly to the Administrator of OSHA, would head the Office of Construction Safety, Health, and Education.

This would provide the Office with significant standing and visibility in OSHA itself, thereby giving notice that construction safety and health is more than just of passing concern.

Further, under my bill, every construction worksite would be required to operate under a construction safety and health program which would be monitored by a construction safety specialist. This specialist would be responsible for ensuring that the site is safe and that all

workers on that site are adequately and properly trained to perform construction work.

The construction safety specialist can be either an employee of the contractor or an outside individual hired by the contractor, but a specialist would first have to become certified by taking a 40-hour training class in a wide variety of safety issues so that he or she would be able to recognize job-site hazards as well as training or supervising the training of workers to recognize and avoid unsafe working conditions.

The specialist will also be trained to recognize violations of OSHA regulations in order to take preventative actions to correct hazards before an accident results.

We know that personal liability in the event of an accident might make it difficult for contractors to hire these safety specialists. To address that issue, we say that even though the specialist will monitor overall safety at the site, the contractor still will have full responsibility for safety, and thus, would be liable for any accidents or OSHA violations.

An important factor in this legislation concerns the ability of the specialist to order the contractor to halt work in an affected area until a recognized danger is corrected.

Before the specialist stops work in the area, however, he or she must inform the contractor of the problem and give the contractor an opportunity to correct it.

The specialist, therefore, will serve as the first line of defense. He or she will attempt to identify and correct any hazards as soon as possible to prevent injuries and fatalities.

In a recent article, the Dallas Times reported that in three out of four fatal construction accidents in Texas in the 1980's, a violation of OSHA regulations was determined to be a contributing factor. Therefore, we need to correct and eliminate hazards before an accident can happen.

The safety specialists will be trained at a special construction training academy established under this act to ensure that they receive proper and adequate training necessary to be aware of OSHA regulations and to understand the constant change that occurs at a construction site.

The specialist, however, is not the only one who can stop work at a site. This bill, like the Mine Safety and Health Amendments of 1977, which I managed on the floor of the House, permits a worker who believes an imminent danger exists to stop working in that area of the site until a competent individual determines whether or not there is a danger.

If the danger exists, the worker does not have to start work again in that area until the dangerous condition is corrected. If, on the other hand, there is no danger, then the worker must immediately return to work at the site.

This procedure ensures fairness both to the employer and the employee because while employees can stop working if they have a reasonable fear of impending injury, it does not allow for idle claims of impending danger.

Under current regulations, a contractor must report a fatality or an injury involving the hospitalization of five workers to OSHA within 24 hours after the incident. Unfortunately, this can lead to the destruction or loss of valuable evidence for determining the cause of the ac-

cident. My legislation would eliminate that delay by placing the safety specialist in control of the site immediately after an accident occurs.

The bill also requires each construction worksite to have a construction safety and health program which covers the general contractor as well as any subcontractors and requires that all employees on the worksite receive general training in health and safety on an annual basis.

This yearly training is important. I often receive information from OSHA about construction deaths and the circumstances surrounding them and usually the accidents have been found to have been preventable, occurring as a result of either violations of OSHA regulations or employee error.

Routine safety training on an annual basis, as well as special training geared toward the type of work the employees are performing, will provide extra opportunities to save lives and prevent disabling injuries.

In addition to the training, safety, and health meetings will have to be held with employees at least once a month to review and update this training.

These meetings, to be held during working hours to ensure attendance, will not only remind workers of existing safety requirements, but inform them of any new safety regulations and of any new and hazardous techniques to be used on the job.

The sessions will also help workers recognize those unsafe conditions where there is the potential for an accident so that they can be corrected before injuries and fatalities occur.

This act also will establish a new and better system for OSHA inspections of construction worksites. We all know that OSHA does not have sufficient funds to inspect every one of the millions of construction worksites that exist right now.

OSHA, therefore, will have to focus its efforts, inspecting those sites which pose the greatest danger to workers—either because of the engineering techniques being used or because of the safety record of the contractor.

A report issued by the National Bureau of Economic Research suggested that OSHA inspections can have an enormous impact in reducing injuries.

The report, written by economists Wayne Gray and John Scholz, noted that a 10-percent increase in the number of OSHA inspections each year would reduce annual injuries by 1.6 percent.

More importantly, the effect of that OSHA inspection would be felt for as much as another 2 or 3 years in terms of on-the-job injuries.

It is no secret that those inspections would and should be applicable to construction worksites.

Just think—for each 10 percent increase in OSHA inspections at construction sites, we could perhaps prevent up to 3,200 disabling injuries and 40 deaths each year for 2 to 4 years.

And if OSHA, as required by this legislation, was focusing on the bad actors in the construction industry, we might be able to prevent more fatalities and disabling injuries.

Let me stress that no worksite will or should ever be exempted from inspection, and, in fact, many worksites not specifically targeted for inspection will be randomly inspected.

But by focusing inspections on high risk construction activities and on contractors with poor safety records, we may be able to get more value for the dollars directed toward construction safety and health activities.

How will OSHA be able to compile a list of construction worksites? My bill provides that before any work is started at a site, the safety specialist, rather than the contractor, must file a short report with OSHA which would include the location of the job and its projected length of time, a description of the work and the number of employees involved.

I want to emphasize that the majority of contractors do follow OSHA regulations and are greatly concerned about the welfare of their workers. Still, as I said, too many construction workers are being killed, maimed, and injured on the job.

One reason that it is so difficult to prevent those deaths and injuries is the failure of OSHA to impose significant penalties on violators.

At present, the maximum fine which can be imposed is \$1,000 for each serious violation and \$10,000 for a willful or repeated violation, and often the fines are considerably lower or are reduced during the settlement process.

The travesty of this activity is demonstrated by the Dallas Times' article which I cited earlier. As I said, in three out of every four construction deaths in Texas in the 1980's, the contractor was cited by OSHA for a violation. Incredibly, the average fine was a mere \$350.

We need higher maximum fines so that we don't have the situation where employers can ignore OSHA regulations knowing that any fines will be negligible. This act strengthens these fines.

Under my bill when an employer recklessly or willfully violates an OSHA rule which causes serious injury, a fine of up to \$25,000 per violation can be imposed.

The fine can be up to \$50,000 per violation if the violator is a repeat offender. When a violation leads to a death, a fine of up to \$50,000 per violation is allowable, and up to \$100,000 per violation for repeat violators.

These new penalties do not mean that every OSHA violator will be given the maximum penalty. In fact, most violators will probably get a substantially lower fine.

But in cases where there has been a gross indifference to the law, we need a strong monetary disincentive so that those employers who don't care about worker safety will find it cheaper to follow OSHA regulations than to ignore them.

The bill also contains a provision which will not allow the actual fine to be lower than half of a proposed OSHA fine when a settlement is reached.

Contractors, therefore, will not be able to sidestep their responsibility simply by settling with OSHA.

I don't deny that there may be some additional costs associated with having a safety specialist on each worksite, reporting to OSHA about the site before work is begun, and training employees.

But these extra costs will be more than offset by the benefits obtained from the bill in terms of workers' lives and money saved in lost workdays.

To those who say that OSHA can make these changes administratively, I respectfully disagree. While the present OSHA leadership appears to be dedicated to construction safety, this does not mean that future administrations will be as sympathetic to this issue.

What if the next head of OSHA decides that a specialist is not needed on each worksite? What if it's decided that records no longer need to be kept by contractors?

The only way to permanently ensure that we have these necessary protections for construction workers is through legislation. Legislation will prevent these vital safeguards from ever being taken away from construction workers.

Mr. Speaker, we all know these are times of budget constraints. But can we afford to tell America's workers that their lives aren't important?

As we consider last Saturday, the American Workers' Memorial Day, let us commit ourselves to acting to prevent as many of those deaths as we can.

This legislation is a place to start. It is a logical extension of the Occupational Safety and Health Act of 1970. That act is general and applies to all workplaces.

Given the expected and known hazards of construction work, the bill that I introduced last week will fill an important gap in the effort to make our workplaces safer and healthier so that American workers, both men and women, can enjoy fruitful lives today and tomorrow.

FRANKING REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. MICHEL] is recognized for 20 minutes.

Mr. MICHEL. Mr. Speaker, today I introduced a resolution which attempts to bring our franking use under control.

For the Members' convenience, I have prepared a section-by-section analysis and am also providing the resolution:

SECTION-BY-SECTION ANALYSIS

Section 1. Official mail allowance.

Establishes individual Member accounts for franked mail (House administration will establish criteria and allocation for accounts). Excess money in this account may not be transferred to any other account, but if the official mail account is exhausted, funds from official expense allowance may be used to buy postage in lieu of the frank.

No amount may be transferred from the Official Mail Allowance to any other allowance of a Member of the House.

Prohibits use of official mail allowances to pay for "express mail" (the premium paid for delivery of postal patrons and meeting notices). This provision will forbid Members to send mass mailings by express mail.

Section 2. Limited use of official expenses for postage.

Members are allowed to use funds from Official Expense Allowance to purchase postage (in lieu of the frank) once the mail account has been exhausted.

Section 3. Session limitation on use of public document envelopes by Members of the House.

Franked public document envelopes that are currently made available to Members may be used by the Member only in that session of Congress in which allocated.

Section 4. Limitation on use of gummed and adhesive franked labels.

Gummed and adhesive franked labels may be used only as permitted by regulations prescribed by the Committee on House Administration.

Section 5. Printing of the frank to be performed only through the Government Printing Office.

Section 6. Definitions.

Section 7. Amendments to rule XLVI of the Rules of the House of Representatives.

After December 31, 1990 the respective amount of meeting notices and postal patron mailings permitted to be mailed in a year will be cut to two. This provision is a strict limit on each, therefore, Members could not mail 3 postal patrons and 1 meeting notice.

A Member, before making any mass mailing, must submit a sample or description of the mail matter involved to the House Commission on Congressional Mailing Standards for an advisory opinion as to whether the proposed mailing is in compliance with applicable provisions of law, rule, or regulation. Advisory opinions for direct response mailings of more than 500 pieces will now be required.

The Clerk of the House will be required, semi-annually, to prepare and make available for public inspection the total number of mass mailings made by each Member during the said year and the total number of pieces of mail in each such mailing.

Postal patrons and meeting notices shall contain the following notice: "Prepared, published, and mailed at taxpayer expense".

H. RES. —

Resolved,

SECTION 1. OFFICIAL MAIL ALLOWANCE.

(a) IN GENERAL.—There is established an Official Mail Allowance for mailing under the frank by Members of the House of Representatives. The allowance shall be available to Members—

(1) in such amounts as may be provided in appropriation Acts; and

(2) in accordance with such regulations as may be prescribed by the Committee on House Administration of the House of Representatives, taking into consideration the population of each congressional district, the number of addresses and households in each congressional district, and any other pertinent factor.

(b) LIMITATIONS.—

(1) No amount may be transferred from the Official Mail Allowance to any other allowance of a Member of the House of Representatives.

(2) The Official Mail Allowance shall not be available for payment of any express mail drop shipment fee or postage with respect to a mass mailing.

SEC. 2. LIMITED USE OF OFFICIAL EXPENSES ALLOWANCE FOR POSTAGE.

The Official Expenses Allowance shall be available to a Member of the House of Representatives for the purchase of postage for official business if—

(1) by reason of law or other authority, the frank may not be used for the postage; or

(2) the balance available to the Member under the Official Mail Allowance is insufficient to cover the postage.

SEC. 3. SESSION LIMITATION ON USE OF PUBLIC DOCUMENT ENVELOPES BY MEMBERS OF THE HOUSE OF REPRESENTATIVES.

Franked public document envelopes that, by law or other authority, are made available to a Member of the House of Representatives on a monthly basis may be used by the Member only in the session of Congress in which the month involved occurs.

SEC. 4. LIMITATION ON USE OF GUMMED AND ADHESIVE FRANK LABELS.

Gummed and adhesive frank labels may be used for mailing by Members, officers, and employees of the House of Representatives only as permitted by regulations prescribed by the Committee on House Administration of the House of Representatives.

SEC. 5. PRINTING OF THE FRANK TO BE PERFORMED ONLY THROUGH THE GOVERNMENT PRINTING OFFICE.

Printing of the frank of any Member, officer, or employee of the House of Representatives, on envelopes or otherwise, may be performed only through the Government Printing Office.

SEC. 6. DEFINITION.

As used in this resolution—

(1) the term "mass mailing" has the meaning given that term in section 3210(a)(6)(E) of title 39, United States Code; and

(2) the term "Member of the House of Representatives" means a Representative in, or a Delegate or Resident Commissioner, to, the Congress.

SEC. 7. AMENDMENT TO RULE XLVI OF THE RULES OF THE HOUSE OF REPRESENTATIVES.

(a) POSTAL PATRON MAILINGS.—Clause 2 of rule XLVI of the Rules of the House of Representatives is amended—

(1) by striking "After December 31, 1977," and inserting "(a) After December 31, 1990,";

(2) by striking "six multiplied by" and inserting "two multiplied by";

(3) by striking the second sentence; and

(4) by adding at the end the following new paragraph:

"(b) Any mail matter which relates solely to a notice of appearance or a scheduled itinerary of a Member in the area from which such Member was elected shall not count against the limitation set forth in paragraph (a). However, the total number of pieces of mail (relating solely to any such notice or scheduled itinerary) which may be mailed by a Member during any calendar year as franked mail under section 3210(d) of title 39, United States Code, may not exceed the total number allowable under paragraph (a) (with respect to mail matter subject to such paragraph) during such calendar year."

(b) MASS MAILINGS.—

(1) Clause 3 of rule XLVI of the Rules of the House of Representatives is amended—

(A) by striking "Any" and inserting "(a) Any"; and

(B) by adding at the end the following new paragraph:

"(b) A Member shall, before making any mass mailing (including mailings in direct response to communications from persons to whom the matter is mailed, but excluding mailings subject to paragraph (a)), submit a sample or description of the mail matter involved to the House Commission on Congressional Mailing Standards for an advisory opinion as to whether such proposed mailing is in compliance with applicable provisions of law, rule, or regulation."

(2) Rule XLVI of the Rules of the House of Representatives is amended—

(A) by redesignating clause 7 as clause 9; and

(B) by inserting after clause 6 the following new clauses:

"7. The Clerk of the House of Representatives shall prepare to make available for public inspection, on a semiannual basis, and based solely on data which shall be provided for that purpose by the Committee on House Administration, a report on the number of mass mailings made by each Member during the period covered by each report, and the number of pieces of mail in each of those mass mailings.

"8. A mass mailing by a Member shall contain the following notice in a prominent place on the cover page of the document: 'PREPARED, PUBLISHED, AND MAILED AT TAXPAYER EXPENSE'."

(c) **EFFECTIVE DATE.**—The amendments made by this section shall be effective as of the beginning of the 102nd Congress.

PROPOSED CUT IN COSTS OF FRANKED MAIL

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Minnesota [Mr. **FRENZEL**] is recognized for 60 minutes.

Mr. **FRENZEL**. Mr. Speaker, today I have introduced House Resolution 386 to curb the costs of franked mail in the House.

As estimated by the U.S. Postal Service, the franking deficit for the House will exceed some \$38 million in fiscal year 1990. Based on historical trends for House franked mail, USPS estimated that the House will mail some 532 million pieces of mail. Others have even more alarming estimates of a \$42 million franking deficit.

It is particularly interesting to compare this year's franking volume with that of fiscal year 1988's volume of 548 million pieces. In fiscal year 1988, Members were permitted to mail up to six postal patron mailings, while in fiscal year 1990 Members could only mail up to three. Last year's measures were helpful, but obviously, Members' mailing creativity has further diminished our baby-step efforts. Clearly, franking overdrafts are out of control.

On the other hand, the Senate adopted a number of reforms last year which has since resulted in a \$6 million surplus in the Senate's appropriation. Many of those same reforms, in addition to others, are included in my resolution. The Senate deserves high praise for its courage in reducing mail costs. I hope the House will have the same courage.

A section-by-section summary follows:

SECTION-BY-SECTION ANALYSIS

Section 1. Official Mail Allowance.

Establish an Official Mail Allowance Account: (1) In amounts as may be provided in Appropriation Acts; (2) in accordance with regulations prescribed by Committee on House Administration taking in account—

Population of each Congressional District; Number of addresses and households in each district;

Any other pertinent factor;

Prohibition on transferring funds from Official Mail to any other allowance; and

Prohibition on use of Official Mail for payment of any drop shipment fee or postage with respect to a mass mailing.

(Sets up a 3rd internal House Account—Clerk Hire, Official Allowance and 3rd—Official Mail.)

Section 2. Limited use of official expenses for postage.

Official Expense Allowance shall be available to House Members for postage for official business if: (1) By reason of law or other authority the frank may not be used for postage; or (2) the balance in Official Mail Allowance is insufficient to cover the postage.

(Permits Members to continue responding to their constituents by purchasing postage stamps for official mail out of official allowance for use in lieu of the frank.)

Section 3. Session limitation on use of public document envelopes by Members of the House of Representatives.

Franked public document envelopes that are currently made available to Members of 40,000 envelopes per month may be used by the Member only in the session of Congress in which the month involved occurs.

(Changes envelope accumulation from a Congress to a session.)

Section 4. Limitation on use of gummed and adhesive frank labels.

Gummed and adhesive frank labels may be used only as permitted by regulations prescribed by the Committee on House Administration.

(Permits House Administration Committee to regulate gummed, franked labels if necessary. Labels are not currently limited.)

Section 5. Printing of the frank to be performed only through the Government Printing Office.

Limits the printing of the franks used by the House of Representatives to the Government Printing Office in an effort to control their reproduction.

Section 6. Definitions.

Mass mailing as defined in section 3210(a)(6) of title 39 U.S.C.

Section 7. Postal Patron mailings.

Newsletters: Total newsletter/Postal Patron mailings cannot exceed (1) one times the number of addresses to which Member was elected as determined by the most recent statistics from USPS available prior to such legislative year.

Town meeting notices: Total notices of appearance or town meeting notices cannot exceed (1) one times the number of addresses to which Member was elected as determined by the most recent statistics from USPS available prior to such legislative year for a total of two mailings annually; one newsletter and one town meeting notice.

Prior review required: The definition of "mass mailing" for this section is amended to include mail in direct response to constituents under the requirement of mail over 500 pieces for which a written advisory is required.

Reporting requirement: Requires disclosure in the CONGRESSIONAL RECORD on a semi-annual basis; first reporting through June and the second report through the end of the legislative year. Disclosure showing total mass mailings and total pieces of mail.

Notice of taxpayer financing of mailings: All mass mailings shall contain the following notice in a prominent place on the cover page of the document: Prepared, Published, and Mailed at Taxpayer Expense.

Effective date: Beginning of the 102d Congress.

SENATE ENROLLED JOINT RESOLUTION SIGNED

[Inadvertently omitted from the Congressional Record on May 1, 1990.]

The **SPEAKER** announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 153. Joint resolution designating the third week in May 1990 as "National Tourism Week."

ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

[Inadvertently omitted from the Congressional Record on May 1, 1990.]

Mr. **ANNUNZIO**, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 756. An act for the relief of Shelton Anthony Smith;

H.J. Res. 553. Joint resolution to make technical changes in the Ethics Reform Act of 1989; and

H.J. Res. 546. Joint resolution designating May 13, 1990, as "Infant Mortality Awareness Day."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. **KYL** (at the request of Mr. **MICHEL**), from 3:30 p.m. today and tomorrow, May 3, on account of attending a funeral.

Mr. **LIGHTFOOT** (at the request of Mr. **MICHEL**), for today, on account of personal reasons.

Mr. **SMITH** of Florida (at the request of Mr. **GEPHARDT**), on May 2 and May 3, on account of illness in family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders herefore entered, was granted to:

(The following Members (at the request of Mr. **WOLF**) to revise and extend their remarks and include extraneous material:)

Mr. **IRELAND**, for 60 minutes, on May 8.

Mr. **MICHEL**, for 20 minutes, today.

Mr. **McEWEN**, for 5 minutes, today.

Mrs. **BENTLEY**, for 5 minutes, today.

(The following Members (at the request of Mr. **McNULTY**) to revise and extend their remarks and include extraneous material:)

Mr. **ALEXANDER**, for 5 minutes, today.

Mr. **AUCOIN**, for 5 minutes, today.

Mr. **TAUZIN**, for 5 minutes, today.

Mr. **MONTGOMERY**, for 5 minutes, today.

Mr. **ANNUNZIO**, for 5 minutes, today.

Mr. **MFUME**, for 60 minutes, on May 3.

Mr. MONTGOMERY, for 60 minutes, on May 10.

(The following Member (at the request of Mr. McEWEN) to revise and extend their remarks and include extraneous material:)

Mr. FRENZEL, for 60 minutes, today. (The following Member (at the request of Mr. ALEXANDER) to revise and extend their remarks and include extraneous material:)

Mr. ESPY, for 60 minutes, on May 16.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. WOLF) and to include extraneous matter:)

Mr. FIELDS.
Mr. CAMPBELL of California in two instances.

Mr. CRANE.
Mr. GEKAS.
Mr. BROOMFIELD in two instances.
Ms. ROS-LEHTINEN in three instances.

Mr. SOLOMON.
Mr. GILMAN.
Mr. BROOMFIELD in two instances.
Mr. MYERS of Indiana.
Mr. GALLO.
Mr. BURTON of Indiana.
Mrs. MORELLA.
Mr. STUMP.
Mr. SCHULZE.
Mr. WALKER.

(The following Members (at the request of Mr. McNULTY) and to include extraneous matter:)

Mr. THOMAS A. LUKEN.
Mr. SMITH of Florida.
Mr. HAMILTON.
Mr. TORRICELLI.
Mr. DYMALLY.
Mr. NELSON of Florida.
Mr. YATRON in two instances.
Mr. ORTIZ.
Mr. LEVINE of California.
Mr. KILDEE.
Mr. CLAY.
Mr. FEIGHAN.
Mr. MOODY.
Mr. LANTOS.
Mr. SCHUMER.
Mr. ACKERMAN.
Mr. WEISS.
Mr. TRAFICANT in three instances.
Mr. PANETTA.
Mr. SANGMEISTER.
Mr. KENNEDY.
Mr. ROYBAL.
Mr. LIPINSKI.
Mr. FORD of Michigan.
Ms. PELOS.
Mr. PALLONE in two instances.
Mr. NEAL of Massachusetts.
Mr. GAYDOS.
Mrs. LOWEY of New York in two instances.
Mr. ENGEL in two instances.
Mr. WOLPE.
Mr. TORRES in two instances.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 294. Joint resolution to designate May 4, 1990, as "Department of Education Day;" to the Committee on Post Office and Civil Service.

SENATE ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to enrolled bills and joint resolutions of the Senate of the following title:

S. 1485. An act to grant the consent of Congress to the Quad Cities Interstate Metropolitan Authority Compact entered into between the States of Illinois and Iowa;

S. 2533. An act to amend the Federal Aviation Act of 1958, to extend the civil penalty assessment demonstration program, and for other purposes;

S.J. Res. 224. Joint resolution to designate the month of May 1990, as "National Trauma Awareness Month;"

S.J. Res. 230. Joint resolution to designate the period commencing on May 6, 1990, and ending on May 12, 1990, as "National Drinking Water Week;"

S.J. Res. 236. Joint resolution designating May 6 through 12, 1990, as "Be Kind to Animals and National Pet Week;" and

S.J. Res. 241. Joint resolution to designate the week of May 6, 1990 through May 13, 1990, as "Jewish Heritage Week."

ADJOURNMENT

Mr. MAZZOLI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 5 minutes p.m.), the House adjourned until tomorrow, Thursday, May 3, 1990, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3108. A letter from the President, Oversight Board; Executive Director, Resolution Trust Corporation, transmitting a joint report on the activities of the Board and the Corporation covering the period October 1, 1989, through March 31, 1990; to the Committee on Banking, Finance and Urban Affairs.

3109. A letter from the Executive Director, District of Columbia Retirement Board, transmitting financial disclosure statements of Board members for calendar year 1989, pursuant to D.C. Code Section 1-732, 1-734(a)(1)(A); to the Committee on the District of Columbia.

3110. A letter from the Secretary of Education, transmitting a draft of proposed legislation to revise and extend the authority to award endowment grants to Howard University, and for other purposes; to the Committee on Education and Labor.

3111. A letter from the Director, Bureau of Land Management, transmitting a copy of a report entitled, "Draft Environmental

Assessment, Proposed North Las Vegas Land Transfer," pursuant to 43 U.S.C. 1713(c); to the Committee on Interior and Insular Affairs.

3112. A letter from the Department of the Interior, transmitting a draft of proposed legislation to amend the High Plains States Groundwater Demonstration Program Act of 1983 (98 Stat. 1675) to authorize additional appropriations, and for other purposes; to the Committee on Interior and Insular Affairs.

3113. A letter from the Secretary, the Foundation of the Federal Bar Association, transmitting a copy of the association's audit report for the fiscal year ending September 30, 1989, pursuant to 36 U.S.C. 1101(22), 1103; to the Committee on the Judiciary.

3114. A letter from the Assistant Secretary of the Treasury (Tax Policy), transmitting a draft of proposed legislation to amend the Omnibus Budget Reconciliation Act of 1987, Public Law 100-203, to extend the existing user fees on each request for a letter ruling, determination letter, opinion letter, or other similar ruling or determination from the Internal Revenue Service; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DINGELL: Committee of conference. Conference report on H.R. 2364 (Rept. 101-471). Ordered to be printed.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. FASCELL: Committee on Foreign Affairs. H.R. 4610. A bill to authorize assistance for fiscal year 1991 for emerging democracies in Eastern Europe and Central America, to enact foreign assistance authorization legislation, to authorize appropriations for the Peace Corps, the Department of State, and the U.S. Information Agency, and for other purposes; referred to the Committees on Agriculture and Merchant Marine and Fisheries for a period ending not later than May 7, 1990, for consideration of such provisions of the bill as fall within the jurisdiction of those committees pursuant to clause 1 (a) and (n), rule X, respectively (Rept. No. 101-472, Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. TAUZIN (for himself, Mr. LIVINGSTON, Mr. BAKER, Mr. McCRERY, Mr. HUCKABY, Mr. HAYES of Louisiana, and Mr. HOLLOWAY):

H.R. 4703. A bill to restore and conserve wetlands of the United States; jointly, to

the Committees on Public Works and Transportation and Ways and Means.

By Mr. BROWN of Colorado:

H.R. 4704. A bill to direct the Secretary of the Army to transfer the Pinon Canyon Maneuver Site remnant lands to the Secretary of Agriculture for the purpose of protecting the paleontological, archeological, and natural resources on those lands; jointly, to the Committees on Armed Services and Agriculture.

By Mr. CAMPBELL of California:

H.R. 4705. A bill to amend title 32, United States Code, to require States to allow space at National Guard facilities to be used to provide overnight shelter for homeless individuals when that space is not actively being used for National Guard purposes; to the Committee on Armed Services.

H.R. 4706. A bill to prohibit Federal assistance for housing program administrative costs to States and local governments that do not limit liability relating to food donations for homeless individuals; to the Committee on Banking, Finance and Urban Affairs.

By Mr. CAMPBELL of California (for himself, Mr. RITTER, Mr. HYDE, Mr. BOEHLERT, Mr. BUECHNER, Mr. INHOPE, Mr. PURSELL, and Mr. HILER):

H.R. 4707. A bill to amend the Internal Revenue Code of 1986 to discourage highly leveraged corporate takeovers by allowing a deduction for dividends paid by domestic corporations; to the Committee on Ways and Means.

By Mr. CAMPBELL of California (for himself, Mr. RITTER, Mr. PURSELL, Mr. HYDE, Mr. BOEHLERT, Mr. BUECHNER, Mr. INHOPE, and Mr. HILER):

H.R. 4708. A bill to amend the Internal Revenue Code of 1986 to allow a charitable deduction for corporate contributions of employee services to educational organizations; to the Committee on Ways and Means.

H.R. 4709. A bill to amend the Internal Revenue Code of 1986 to provide a 50-percent capital gains exclusion for certain business stock held for more than 2 years; to the Committee on Ways and Means.

By Mr. CAMPBELL of California (for himself, Mr. ECKART, Mr. BRUCE, Mr. PURSELL, Mr. HYDE, Mr. BOEHLERT, Mr. BUECHNER, Mr. INHOPE, Mr. HILER, Mr. RITTER, Mr. CHAPMAN, and Mr. HUCKABY):

H.R. 4710. A bill to exclude during the course of any unfair import trade practice investigation involving an infringement of a patent, copyright, trademark, or mask work the entry into the United States of the articles concerned upon a prima facie of such infringement; to the Committee on Ways and Means.

By Mr. CONTE (for himself, Mr. UDALL, and Mr. McMILLEN of Maryland):

H.R. 4711. A bill to provide for youth sport programs at public housing projects that have substantial drug problems; to the Committee on Banking, Finance and Urban Affairs.

By Mr. DANNEMEYER:

H.R. 4712. A bill to amend title 28, United States Code, to establish a new judicial district in California to be comprised of Orange, Riverside, and San Bernardino Counties; to the Committee on the Judiciary.

By Mr. DE LA GARZA:

H.R. 4713. A bill entitled, "Agricultural Resources Conservation Act of 1990"; to the Committee on Agriculture.

By Mr. KOSTMAYER:

H.R. 4714. A bill to provide for the establishment of farmland resource conservation programs, and for other purposes; to the Committee on Agriculture.

By Mr. LEVINE of California (for himself, Mr. RITTER, Mr. VALENTINE, Mr. BROWN of California, Mr. FAZIO, Mr. MINETA, Ms. SCHNEIDER, Mr. FAZIO, Mr. BRUCE, Mr. NAGLE, Mr. SCHEUER, Mr. WOLF, Mr. JOHNSTON of Florida, and Mrs. BENTLEY):

H.R. 4715. A bill to provide for the formation of an industry-run, Government-chartered, nonprofit corporation for research, development, and manufacturing activities in the strategic high-technology sector, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. MYERS of Indiana (by request):

H.R. 4716. A bill to reform the Federal pay system, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. OLIN:

H.R. 4717. A bill to suspend temporarily the duty on textile winding or reeling machines; to the Committee on Ways and Means.

By Mr. SAXTON (for himself, Ms. SCHNEIDER, Mr. HUGHES, Mr. PALLONE, Mr. ROE, Mr. GALLO, Mr. COURTER, Mr. DWYER of New Jersey, and Mr. CARPER):

H.R. 4718. A bill to place a moratorium on the fishing of Atlantic striped bass within waters under the jurisdiction of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. SCHULZE:

H.R. 4719. A bill to temporarily waive certain tax provisions which, because of their uncertain applicability, discourage tax-exempt organizations from providing assistance to emerging democratic groups in Eastern Europe; to the Committee on Ways and Means.

By Mr. SCHUMER (for himself and Mr. MOODY):

H.R. 4720. A bill to amend the Internal Revenue Code of 1986 to encourage savings by allowing an advance deduction for amounts to be contributed to individual retirement plans, and for other purposes; to the Committee on Ways and Means.

By Mr. SLAUGHTER of Virginia (for himself, Mr. BATEMAN, Mr. BLILEY, Mr. BOUCHER, Mr. OLIN, Mr. PARRIS, Mr. PAYNE of Virginia, Mr. PICKETT, Mr. SISISKY, and Mr. WOLF):

H.R. 4721. A bill to designate the Federal building located at 340 North Pleasant Valley Road in Winchester, VA, as the "J. Kenneth Robinson Postal Building"; to the Committee on Post Office and Civil Service.

By Mr. TAUKE (for himself, Mr. GRANDY, Mr. LEACH of Iowa, Mr. LIGHTFOOT, and Mr. SMITH of Iowa):

H.R. 4722. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received under any State in-home care program by an individual for care of a member of such individual's family; to the Committee on Ways and Means.

By Mr. TORRICELLI (for himself and Mr. RINALDO):

H.R. 4723. A bill to amend the Federal Food, Drug, and Cosmetic Act to define light butter; to the Committee on Energy and Commerce.

By Mr. COLEMAN of Missouri:

H.J. Res. 560. Joint resolution proposing an amendment to the Constitution of the

United States to prohibit the Supreme Court or any inferior court of the United States from ordering the laying or increasing of taxes; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.J. Res. 561. Joint resolution designating October 1 through October 7, 1990, as "National Federal Bar Association Recognition Week"; to the Committee on Post Office and Civil Service.

By Mrs. BENTLEY (for herself, Ms. ROS-LEHTINEN, Mr. PENNY, Mr. GALLEGLY, Mr. KYI, Mr. LENT, Mr. SMITH of Florida, Mr. HORTON, Mr. DORNAN of California, Mr. COX, Mr. SIKORSKI, Mr. TRAFICANT, Mr. RINALDO, Mr. LAGOMARSINO, Mr. DOUGLAS, Mr. TAUKE, Mrs. VUCANOVICH, Mr. BILLIRAKIS, Mr. STUMP, Mr. CONDIT, Mrs. MARTIN of Illinois, Mr. LIPINSKI, Mr. HEFLEY, and Mr. CRAIG):

H. Con. Res. 319. Concurrent resolution to condemn the role of Cuba in international drug trafficking; to the Committee on Foreign Affairs.

By Mr. FRENZEL (for himself and Mr. THOMAS of California):

H. Res. 386. Resolution establishing an allowance for official mail, reducing from 3 to 1 the factor used in limiting the amount of postal patron mail allowable in any year, and otherwise providing for controls on the cost of mailing by Members of the House of Representatives; jointly, to the Committees on House Administration and Rules.

By Mr. MICHEL (for himself and Mr. FRENZEL):

H. Res. 387. Resolution establishing an allowance for official mail, reducing from 3 to 2 the factor used in limiting the amount of postal patron mail allowable in any year, and otherwise providing for controls on the cost of mailing by Members of the House of Representatives; jointly, to the Committees on House Administration and Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

379. By the SPEAKER: Memorial of the Assembly of the State of California, relative to Lithuania; to the Committee on Foreign Affairs.

380. Also, memorial of the State Senate of Minnesota, relative to the Civilian Conservation Corps; to the Committee on Interior and Insular Affairs.

381. Also, memorial of the Assembly of the State of California relative to oil spills; jointly, to the Committees on Merchant Marine and Fisheries and Public Works and Transportation.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 29: Mr. EDWARDS of California.
 H.R. 41: Mr. JACOBS and Mr. ENGEL.
 H.R. 60: Mr. LEWIS of California, Ms. ROS-LEHTINEN, Mr. VOLKMER, Mr. HARRIS, Mr. WOLF, Mr. NAGLE, and Mr. ROSE.
 H.R. 200: Mrs. MARTIN of Illinois.
 H.R. 448: Mr. SMITH of Vermont, Mr. GALLO, Mr. HALL of Ohio, and Mr. RINALDO.
 H.R. 655: Mr. SERRANO.
 H.R. 844: Mr. HANCOCK.

H.R. 1068: Mr. IRELAND, Mr. LaFALCE, Mr. MOAKLEY, Mr. RAVENEL, Mr. HAMILTON, Mr. HOCHBRUECKNER, Mr. CARR, and Mr. STAGGERS.

H.R. 1141: Mr. INHOFE.

H.R. 2316: Mr. GINGRICH.

H.R. 2353: Mr. OLIN.

H.R. 2373: Mr. THOMAS A. LUKE, Mr. ATKINS, Mr. ESPY, and Mr. ENGEL.

H.R. 2380: Mr. ROYBAL, Mr. ANNUNZIO, Mr. SAVAGE, Mr. DICKINSON, Mr. DANNEMEYER, Mr. KLECZKA, Mr. PORTER, and Mr. COX.

H.R. 2437: Mr. CRAIG and Mr. LAUGHLIN.

H.R. 2460: Mr. FLIPPO and Mr. COOPER.

H.R. 2881: Mr. OWENS of New York.

H.R. 2951: Mr. BATES and Mr. DYSON.

H.R. 2952: Mr. BATES and Mr. DYSON.

H.R. 3119: Mr. GINGRICH and Mr. SMITH of New Hampshire.

H.R. 3158: Mr. FLIPPO, Mr. TRAFICANT, Mr. HASTERT, Mr. STANGELAND, Mr. LEACH of Iowa, Mr. GEJDENSON, and Mr. GOODLING.

H.R. 3251: Mrs. MARTIN of Illinois.

H.R. 3321: Mr. BONIOR.

H.R. 3423: Mr. ENGEL.

H.R. 3489: Mr. EMERSON, Mr. FROST, Mr. LEWIS of Florida, Mr. MACHTELY, Mr. McEWEN, Mr. PAXON, Mr. POSHARD, and Mr. SKEEN.

H.R. 3500: Mr. FEIGHAN.

H.R. 3603: Mr. McDERMOTT, Mr. BROWN of Colorado, Mr. MANTON, Mr. BRUCE, Mr. HALL of Texas, Mr. PERKINS, Mr. TAUZIN, Mr. SCHEUER, Mr. ROBINSON, Mr. SHAW, Mr. DERRICK, Mr. HAYES of Louisiana, Mr. SCHIFF, Mr. STEARNS, Mr. DOUGLAS, Mr. McCREERY, Mr. CRAIG, Mr. RITTER, Mr. FLAKE, Mr. WEISS, Mr. HOLLOWAY, Mr. CONTE, Mr. SAXTON, Mr. ROE, Mr. RINALDO, Mr. MARLENEE, Mr. CAMPBELL of Colorado, Mr. NELSON of Florida, and Mr. JACOBS.

H.R. 3717: Mr. WASHINGTON, Mr. RAHALL, Mr. PAYNE of New Jersey, Mr. AuCOIN, Mrs. LOWEY of New York, Mr. OWENS of New York, Mr. MARTINEZ, Mr. VISLOSKEY, Mr. WYDEN, Mrs. UNSOELD, Mr. MILLER of California, Mr. POSHARD, Mr. DeFAZIO, Mr. HAYES of Illinois, and Mr. KILDEE.

H.R. 3745: Mr. HAWKINS, Mr. LEWIS of Georgia, and Mr. JACOBS.

H.R. 3768: Mr. MOLLOHAN.

H.R. 3800: Mr. CHANDLER, Mr. FISH, Mr. DERRICK, Mr. BURTON of Indiana, Mr. COSTELLO, Mr. HANCOCK, Mr. HILER, Mr. JAMES, Mr. KOLBE, Mr. SLAUGHTER of Virginia, Mr. SLATTERY, Mr. LAGOMARSINO, Mr. HALL of Texas, Mr. JENKINS, Mr. GRANDY, and Mrs. SAIKI.

H.R. 3802: Mr. LEWIS of Georgia, Mr. BENNETT, Mr. SCHUMER, Mr. KILDEE, Mr. HOCHBRUECKNER, Mr. TORRICELLI, Mr. MANTON, Mr. ASPIN, Mr. QUILLEN, Mr. LEWIS of California, Mr. CRANE, Mr. LIPINSKI, Mr. SAXTON, Mr. CROCKETT, Mr. YATES, Mr. SHAW, Mr. SAVAGE, Mr. BEVILL, Mr. TRAFICANT, Mr. MOORHEAD, Mr. HAWKINS, Mrs. MARTIN of Illinois, Mr. ANDERSON, Mr. SWIFT, Mr. OBERSTAR, Mr. MRZEK, Mr. HAMMERSCHMIDT, Mr. PICKLE, Mr. GONZALEZ, Mr. GUARINI, Mr. GUNDERSON, Mr. KASICH, Mr. PARRIS, Ms. SNOWE, Mr. VANDER JAGT, Mr. SAWYER, Mr. BARNARD, Mr. BATEMAN, Mr. BEILSON, Mr. BILBRAY, Mr. BLILEY, Mr. BROWN of Colorado, Mr. CARR, Mr. CLINGER, Mr. CONDIT, Mr. CONTE, Mr. COUGHLIN, Mr. DELAY, Mr. ESPY, Mr. GAYDOS, Mr. GEKAS, Mr. HANSEN, Mrs. LLOYD, Mrs. LOWEY of New York, Mr. MADIGAN, Mr. MORRISON of Washington, Mr. SERRANO, Mr. STANGELAND, Mr. STARK, Mr. VALENTINE, Mr. WELDON, Mr. HOYER, Mr. DORNAN of California, Mr. LEACH of Iowa, Mr. THOMAS of California, Mr. SHUMWAY, Mr. SISISKY, Mr. FRENZEL, Mr.

ALEXANDER, Mr. BOUCHER, Mr. CARDIN, Mr. CHAPMAN, Mr. HEFNER, Mr. COURTER, Mr. JACOBS, Mr. RINALDO, Mr. WOLPE, Mr. YOUNG of Alaska, Mr. WASHINGTON, Mrs. VUCANOVICH, Mr. STUDDS, Mr. SARPALIUS, Mr. RICHARDSON, Mr. PARKER, Mr. PALLONE, Mr. ORTIZ, Mr. MFTUME, Mr. JONTZ, Mr. HUBBARD, Mr. GEJDENSON, Mr. FORD of Michigan, Mr. DURBIN, Mr. COSTELLO, Mr. CLEMENT, Mr. CHANDLER, Mr. BRYANT, Mr. MICHEL, Mr. APFLEGATE, Mr. BRUCE, Mrs. BOGGS, Mr. COX, Mr. DREIER of California, Mr. PACKARD, Mr. ROBINSON, Mr. STEARNS, Mr. BARTLETT, Mr. ROBERT F. SMITH, Mr. PICKETT, and Mr. TORRES.

H.R. 3864: Mrs. MARTIN of Illinois.

H.R. 3903: Mr. ROE.

H.R. 3914: Mr. LAGOMARSINO.

H.R. 3934: Mr. RAHALL and Mr. SHAYS.

H.R. 3958: Ms. KAPTUR, Mr. LENT, Mr. JACOBS, Mr. CLEMENT, Mr. VANDER JAGT, Mr. SUNDUQUIST, Mr. BLAZ, Mr. DOUGLAS, Mr. WISE, Mr. DURBIN, Mr. MAVROULES, Mr. ROHRBACHER, Mr. RHODES, Mr. SMITH of New Hampshire, Mr. INHOFE, Mr. RICHARDSON, Mr. RAY, Mr. OXLEY, and Mr. WALSH.

H.R. 3980: Mr. SUNDUQUIST.

H.R. 4120: Mr. ESPY, Mr. DELLUMS, and Mr. LIPINSKI.

H.R. 4205: Mr. MANTON.

H.R. 4231: Mr. FAUNTROY, Mr. FORD of Tennessee, Mrs. COLLINS, Mrs. MEYERS of Kansas, Mr. SCHIFF, Mr. ESPY, Mr. POSHARD, and Mr. DELLUMS.

H.R. 4239: Mr. VENTO and Mr. TORRES.

H.R. 4254: Mr. ROWLAND of Georgia.

H.R. 4274: Mr. OWENS of Utah.

H.R. 4334: Mr. POSHARD.

H.R. 4336: Mr. LANCASTER, Mr. FIELDS, Mr. BARTON of Texas, Mr. NELSON of Florida, Mr. HORTON, and Mr. BARTLETT.

H.R. 4421: Mr. WALGREN and Mr. RANGEL.

H.R. 4460: Mr. SHARP, Mr. COYNE, and Mr. SIKORSKI.

H.R. 4479: Mr. HAWKINS.

H.R. 4492: Mr. BERMAN and Mr. HAYES of Illinois.

H.R. 4495: Mr. CLARKE, Mr. GALLEGLY, Mr. JOHNSON of South Dakota, and Mr. SHUMWAY.

H.R. 4498: Mr. HOCHBRUECKNER, Mr. GILMAN, Mr. JOHNSON of South Dakota, Mr. MRZEK, Mr. ROSE, Mr. LANTOS, Mr. GRANT, Mr. ANDREWS, Mr. SMITH of Florida, Mr. OLIN, Mr. LEVINE of California, Mr. MOODY, Mr. POSHARD, Mr. KANJORSKI, Ms. OAKAR, Mr. CADIN, Mr. SHAYS, and Mr. ROYBAL.

H.R. 4499: Mr. SMITH of Texas and Mr. HUNTER.

H.R. 4574: Ms. PELOSI and Mr. GRAY.

H.R. 4597: Mr. SCHEUER.

H.R. 4650: Mr. AuCOIN, Mr. FASCELL, Mr. GILLMOR, Mr. GILMAN, Mr. KOLTER, Mr. LAGOMARSINO, Mr. MATSUI, Ms. PELOSI, Mr. ROYBAL, Mr. SABO, and Mr. YOUNG of Florida.

H.J. Res. 226: Mr. DeFAZIO, Mr. SHAW, Mr. GILMOR, and Mr. WYDEN.

H.J. Res. 459: Mr. ESPY, Mr. DICKS, and Mr. TAUKE.

H.J. Res. 486: Mr. DeWINE, Mr. HAWKINS, Mr. SPENCE, Mr. FIELDS, Mr. SAWYER, Mr. ROBERTS, Mr. FUSTER, Mr. LENT, Mr. MAVROULES, Mr. SAXTON, Mr. LaFALCE, Mr. DOUGLAS, Mr. ROYBAL, Mr. CALLAHAN, Mr. LOWERY of California, Mr. DOWNEY, Mr. MAZZOLI, Mr. STUMP, Mr. MOLLOHAN, Mr. MONTGOMERY, Mr. SMITH of New Hampshire, and Mr. ROBINSON.

H.J. Res. 488: Mr. EVANS, Mr. QUILLEN, Mr. SAVAGE, Mr. SPENCE, Mr. FORD of Tennessee, Mr. SUNDUQUIST, Mr. HAWKINS, Mr. PANETTA, Mr. NELSON of Florida, Mr. GING-

RICH, Mr. HARRIS, Mr. HAYES of Louisiana, Mr. HUBBARD, Mr. LIPINSKI, Mr. HYDE, Mr. GORDON, Mr. SPRATT, Mr. KOLTER, Mr. KASICH, Mr. LEHMAN of Florida, Mr. DARDEN, Mr. DUNCAN, and Mr. OLIN.

H.J. Res. 502: Mr. OWENS of Utah, Mr. FAUNTROY, Mr. BLAZ, Mr. MONTGOMERY, Mr. SCHUETTE, Mr. CLARKE, Mr. BILIRAKIS, Mr. WOLF, Mr. SCHEUER, Mr. SKEEN, Mr. FUSTER, Mr. McCLOSKEY, Mr. RAHALL, Mr. ROE, Mr. McGRATH, Mr. HARRIS, Mr. DORNAN of California, Mr. PALLONE, Mr. RANGEL, Mr. WALSH, Mr. LAGOMARSINO, Mr. INHOFE, Mr. BLILEY, Mr. ROBINSON, Mr. DWYER of New Jersey, Mr. PURSELL, Ms. KAPTUR, Mr. ATKINS, Mr. MILLER of Washington, Mr. HORTON, Mrs. MEYERS of Kansas, Mr. HUGHES, Mr. JONTZ, Mr. EVANS, Mr. NIELSON of Utah, Mr. TORRICELLI, Mrs. COLLINS, Mr. JOHNSON of South Dakota, Mr. BEVILL, and Mr. FAZIO.

H.J. Res. 514: Mr. RANGEL, Mr. FAZIO, Mr. WISE, Mr. SUNDUQUIST, Mr. SAXTON, Mr. HORTON, Mr. GUNDERSON, Mr. MARTIN of New York, Mr. HERTEL, Mr. TOWNS, Mr. CRAIG, Mr. CALLAHAN, Mr. MACHTELY, Mr. CARDIN, Mr. WALSH, Mr. WALGREN, Mr. DENNY SMITH, Mr. INHOFE, Mr. McDERMOTT, Mr. HUGHES, Mr. YATRON, Mr. COSTELLO, Mr. CLAY, Mr. SCHEUER, Mr. SCHUETTE, Mr. BORSKI, Mr. CARPER, Mr. BENNETT, Mr. WOLPE, Mr. ANDERSON, Mrs. VUCANOVICH, Mr. CONTE, Mr. CONYERS, Mr. JONES of North Carolina, Mr. KASICH, Mr. JONTZ, Mr. KOSTMAYER, Mr. LAGOMARSINO, Mr. LANCASTER, Mr. LENT, Mr. LEWIS of Georgia, Mr. KANJORSKI, Mr. LIPINSKI, Mr. LIVINGSTON, Mr. FORD of Michigan, Ms. OAKAR, Mr. McCLOSKEY, Mr. DeLUIGO, Mr. DINGELL, Mr. DICKS, Mr. ESPY, Mr. FAWELL, Mr. HAYES of Illinois, Mr. HUBBARD, Mr. PASHAYAN, Mr. PERKINS, Mr. QUILLEN, Mr. RHODES, Mr. RAY, Mr. ROBERTS, Mr. ROBINSON, Mr. SABO, Mr. McNULTY, Mr. ROBERT F. SMITH, and Mr. TAUZIN.

H.J. Res. 519: Mr. BOSCO, Mr. CLARKE, Mr. COBLE, and Mr. COURTER.

H.J. Res. 522: Mr. TOWNS, Mr. SCHIFF, Mr. MARTINEZ, Mr. MINETA, Mr. SPENCE, and Mr. STUDDS.

H.J. Res. 523: Mr. SMITH of Florida.

H.J. Res. 531: Mr. FORD of Michigan and Mr. STOKES.

H.J. Res. 534: Mr. DELLUMS.

H.J. Res. 540: Mrs. BOXER, Mr. MORRISON of Washington, Mr. LANCASTER, Mr. GUARINI, Mr. BENNETT, and Mr. BARNARD.

H. Con. Res. 69: Mr. GOSS.

H. Con. Res. 151: Mr. BERMAN.

H. Con. Res. 172: Mr. BATES and Mr. DYSON.

H. Con. Res. 259: Mrs. PATTERSON, Mr. FRANK, Mr. POSHARD, Mr. AuCOIN, Mr. BEILSON, Mr. PEASE, Mrs. BOXER, Mr. BOSCO, Mr. LEVIN of Michigan, Mr. BATES, Mr. OWENS of New York, Mr. SHAYS, Mr. KOSTMAYER, Mr. McCLOSKEY, Mr. RUSSO, Mr. TALLON, Mr. BOUCHER, Mr. RICHARDSON, Mr. CROCKETT, Mr. FORD of Michigan, Mr. LEWIS of Georgia, Mr. BONIOR, Mr. OWENS of Utah, Mr. CHANDLER, Mrs. KENNELLY, and Mrs. SAIKI.

H. Con. Res. 316: Mr. WOLPE, Mr. TORRICELLI, Ms. LONG, Mrs. BYRON, Mr. TAUKE, Mr. BONIOR, Mr. UDALL, Mrs. JOHNSON of Connecticut, Mr. COLEMAN of Texas, Ms. SLAUGHTER of New York, Mr. CLEMENT, Mr. DONNELLY, Mr. LAUGHLIN, Mr. BROOKS, Ms. KAPTUR, Mr. SCHIFF, Mr. CONDIT, Mr. CONTE, Ms. PELOSI, Mr. COYNE, Mr. STUDDS, Mr. CARR, Mr. WHEAT, Mr. CHAPMAN, Mrs. UNSOELD, Mr. KENNEDY, Mr. LIPINSKI, Mr. BORSKI, Mr. ROE, and Mr. FAUNTROY.