of California saying that they may very well refer this matter to the Justice Department. So I have offered an amendment that makes it explicitly clear that States will not be penalized, cannot be penalized, under the IDEA amendments that passed earlier this year for failing, or for deciding to provide special education to 18- to 21-year-old individuals in adult prisons.

That is the reason that I am proceeding with this amendment. It was part of our negotiations on this floor last week with the minority party. I was told on that occasion that my amendment would be accepted, and if that understanding, that agreement with the minority party survives to this moment, then I do not intend to pursue a recorded vote on my amendment.

I just want to stipulate again that my amendment does not break the agreement, the unique, some said historic, bipartisan, bicameral agreement that enabled us to move this legislation expeditiously through the Congress earlier this year after the last several Congresses had been unable to pass revisions and amendments to the Federal special education statute. Indeed, it is very consistent with that legislation.

My amendment again, Mr. Chairman, prevents the Department of Education from using any funding under this act to force States, specifically California, to provide special education services to adult prisoners in a manner inconsistent with the IDEA amendments enacted into law last June. Again, I want to stress to my colleagues that we did under those amendments make it easier and less costly for States to serve that portion of the IDEA-eligible population. My amendment is not about children with disabilities. It only applies to the way in which the Department of Education requires special education services for adult prison inmates ages 18 to 21 in adult prisons. Many of these individuals are obviously serving long-term sentences for violent crimes.

The CHAIRMAN pro tempore. The time of the gentleman from California [MR. RIGGS] has expired.

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

Mr. RIGGS. It is my view, Mr. Chairman, and it is the intent of my amendment, that States should not be forced to spend their very precious and limited Federal and State special education money on education services, special education services, for adult prisoners if the States so elect. If a State does not serve these felons, it is and was the intent of our amendments earlier this year that the U.S. Department of Education should only withhold a pro rata share of the State's total Federal funding for special education.

I hope Members will look at my amendment, I hope that they will vote for my amendment and help protect children with disabilities.

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

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

Mr. MARTINEZ. Mr. Chairman, regretfully I rise in opposition to the amendment offered by the gentleman. Regretfully, I say, because we all had a deal, we shook hands, tantamount to shaking hands. There were many Members who were in disagreement with certain portions of the bill on both sides, but all decided, in order for unanimous support of this bill and a bipartisan effort, to forgo their own personal feelings.

This particular issue we had a great discussion on, a great deal of decision on before it was signed. I think we all understood what it was at the time. To say that these are adults is carrying it to an extreme in many cases. In many States the laws actually try as adults children as young as 13 or 14 years old, and many of these young people we are talking about in these adult lockups are actually still children.

As the Members know, this amendment would limit the enforcement ability of the Department when States violate the Individuals With Disabilities Education Act with respect to children with disabilities incarcerated in adult correctional facilities.

Mr. Chairman, only 3 months ago on June 4, President Clinton signed the IDEA amendment into law. It was done so after one of the most bipartisan showings of support for a piece of legislation which has passed out of this Congress this session. With this overwhelming show of support, both Republicans and Democrats embraced this legislation as a truly bipartisan compromise aimed at addressing the needs of children with disabilities. Key to this agreement was an understanding that the core group, the many people I just spoke of, of Members who supported this legislation would not offer or support changes to IDEA.

I must respectfully point out to the chairman of the subcommittee that this amendment now would be inconsistent with that agreement. Under the recently enacted IDEA amendments, States are allowed to makes modifications to the plan and individualized program provisions required by the act, but they are still required to provide services to children with disabilities in adult correctional facilities. In fact, at a hearing the chairman heard from two witnesses, one his own, one ours, that said it would be the dumbest thing in the world not to educate these young people in institutions. If a State does not serve this population, they would be deemed in violation of the act, and the Department would be required to take enforcement action against such a State.

This amendment would undercut this core assurance, thereby negating the Department's ability to enforce the act nationwide. It severely weakens the tools which the Department has under the act to enforce the requirement that all children with disabilities receive a free and appropriate public education. In addition, this will deny a population of children who, upon being released from a correctional facility, will not have the education to give them any chance of becoming a contributing member of society. Instead these individuals will be left again at the whims of a society which has not yet learned to deal with its problems. Without the vital education services which children with disabilities desperately need, these children will result in future additional burdens to our society.

Why do we need to increase the burden of our criminal justice and social welfare system when we can give these children the ability to reclaim their lives? Why not deal with the problem now instead of allowing it to balloon into an unmanageable social disaster? These policy questions cannot be ignored.

In closing I would like to stress that I am confused by the gentleman's purpose in offering this amendment. Less than 2 months ago, we both watched the President sign the IDEA amendments of 1997. We both signed off on the legislation even though both of us fully realized that we did not absolutely have everything each of us wanted. Both of us compromised on issues with a goal of coming to an agreement that we could both support. This agreement is embodied in the bipartisan legislation that was signed into law by the President.

Now we are going back on this agreement and proposing changes which would affect the IDEA statute. How can I in good faith expect the gentleman not to have a change of heart on other items upon which we have reached a consensus? These are important questions which Members will have whenever we try to mold any bipartisan agreement in the future.

Mr. PORTER. Mr. Chairman, if the gentleman will yield, we accept the amendment.

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

Mr. Chairman, I would say on this side of the aisle that I reluctantly accept the amendment as well. I understand that this issue was subject to extensive negotiations during the reauthorization of the Individuals With Disabilities Act. I would point out that that reauthorization took 2 years. I think that this amendment is not consistent with that. However, I am willing to accept the amendment in the interest of comity and time. I anticipate we will discuss this issue extensively in conference on the bill to reach a solution that is more satisfactory to everyone.

I will accept very reluctantly the amendment at this time, and I would ask Members to recognize that we have a 5 p.m. deadline today, and if we are to finish this bill, we need to finish the bill.

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

Mr. Chairman, although this amendment has been accepted by representatives from the Committee on Appropriations on both sides, I rise to speak very briefly against the amendment. I oppose the amendment for two reasons. One, it is bad public policy. The people in prison will get out, and we know that education will make a difference in their ability to survive and be productive citizens outside. This amendment reduces the education available for prisoners and, therefore, is bad public policy.

In addition, Mr. Chairman, I would like to read a statement from Secretary Riley dated July 30, 1997 in which he says:

I understand that an amendment will be offered to the Labor/HHS/Education appropriations bill that would undermine the very important bipartisan and bicameral agreement on the IDEA that President Clinton signed into law less than 2 months ago. The IDEA legislation is the product of a painstaking process that reflected thoughtful compromises on behalf of all parties and that will bring about improved services and results for children with disabilities.

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It took at least 2 years to get a balanced agreement and now, before it is even given a chance to work, efforts are being made to upset it.

The Secretary goes on to say,

As a full participant in this agreement, I strongly oppose any effort to undermine its enforcement. I am committed to honoring the principle that all children 3 to 21 have access to a free appropriate public education. Congress reaffirmed this principle in passing the IDEA amendments last month, which included new provisions allowing reasonable resolution to issues regarding educational services in adult prisons, particularly concerning violent offenders.

Mr. Chairman, I include the letter from Secretary Riley for the RECORD.

U.S. DEPARTMENT OF EDUCATION,
OFFICE OF THE SECRETARY
Washington, DC, July 30, 1997.

STATEMENT BY SECRETARY RICHARD W. RILEY

I understand that an amendment will be offered to the Labor/HHS/Education Appropriations bill that would undermine the very important bipartisan and bicameral agreement on the IDEA that President Clinton signed into law less than two months ago.

The IDEA legislation is the product of a painstaking process that reflected thoughtful compromises on behalf of all parties and that will bring about improved services and results for children with disabilities. It took at least two years to get a balanced agreement and now, before it is even given a chance to work, efforts are being made to upset it.

As a full participant in this agreement, I strongly oppose any effort to undermine its enforcement. I am committed to honoring the principle that all children ages 3-21 have access to a free appropriate public education. Congress reaffirmed this principle in passing the IDEA amendments last month, which included new provisions allowing reasonable resolution to issues regarding educational services in adult prisons, particularly concerning violent offenders.

Mr. Chairman, I therefore would prefer that my colleagues reject the amendment, although I know it is going to be adopted on a voice vote, because it dishonors the historic, bipartisan legislation signed last month, and because it represents bad public policy.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I too oppose this amendment, although I know it is moving forward. Simply to say if we are really sincere about ending recidivism and breaking the cycle of crime, we know that the best way to do that is to provide education for those inmates who will be out in our society. What better investment to ensure people do not return to a life of crime?

The amendment is misdirected and misguided and does not steer us in the direction of rehabilitation and ensuring that these young men and women can come and be viable citizens.

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

Mr. Chairman, I want to commend the chairman of the subcommittee for his steadfast efforts over the last week to try to improve the targeted dollars going to IDEA. We had a bill that everybody agreed to in this Congress, and moved it through to try to get more money to these children.

The gentleman has a perfecting amendment here. I am pleased it has been accepted, and we are trying to move the debate forward. But I think it is a very targeted thing, to try to keep these funds directly on the kids affected, and not be wasted away in a lot of places where people in fact may not be coming out of the prison system.

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

Mr. SOUDER. I yield to the gentleman from California.

Mr. RIGGS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, the gentleman worked very hard on this legislation, as did the gentleman from Virginia [Mr. SCOTT] and the gentleman from California [Mr. MARTINEZ], my good friend, and the distinguished ranking member of the Subcommittee on Early Childhood, Youth and Families.

I just want to make sure again, I do not know if this will allay concerns for those who believe we should be serving this population, but I want to point out one of the compromises we made on a bipartisan basis was to give States greater flexibility in providing special educational services to 18- to 21-year-old inmates in adult prisons.

Indeed, there were some, including the Governor of my home State, Governor Wilson, whose view I very much respect, who believed we should have flatly prohibited providing services to this segment of the population.

We did not do that. Instead, what we did do in the legislation is allow prison education to be delegated to the prison or corrections system. We relaxed standards to acknowledge the security requirements associated with serving this population in a prison environment or within a correctional facility, and, most importantly, as I stressed earlier, we provided that a State deciding not to provide services to this prison population only would forfeit that pro rata share of Federal funding for that small segment of the totally IDEA eligible population.

This seems again to be very reasonable, and it is the intent of my amendment to confirm that Congress indeed intends to give the States the option not to provide IDEA special education services to adult felons age 18 to 21 in adult prison while receiving only a limited monetary penalty.

I do take exception to anyone who would contend that my amendment somehow would unravel the bipartisan agreement on the IDEA Amendments Act, that it somehow violates the spirit of those good faith, bipartisan, bicameral negotiations.

Again, I view my amendment as purely a clarifying amendment to confirm that the carefully crafted compromise agreement on this issue was indeed structured to allow states to make an election to not provide costly IDEA special education services to convicted felons.

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

Mr. SOUDER. I yield to the gentleman from Virginia.

Mr. SCOTT. Mr. Chairman, I would just point out that the position taken by the gentleman from California [Mr. RIGGS] was offered, and many of us thought it had been in fact rejected; that if there were a financial penalty, the financial penalty would be limited to the pro rata share of the persons not served, but at no point was an option given that there were other enforcement mechanisms possible.

We differ in terms of what we thought. Everybody else thought there was in fact no option, that the position articulated had in fact been rejected.

Mr. Chairman, I thank the gentleman for yielding.

Mr. JACKSON of Illinois. Mr. Chairman, the merits of affirmative action is not what this amendment is about. We'll get our opportunity to engage in that debate when we consider the so-called Civil Rights Act of 1997 which is sponsored by Mr. CANADY. The question posed by this amendment offered by my colleague, Mr. RIGGS, is whether, by popular sovereignty, a State can undermine, and in fact, ignore the law of the land, and prohibit the Federal Government from enforcing the Federal law.

By prohibiting the Department of Education from withholding assistance to institutions which do not comply with title VI of the Civil Rights Act of 1964, this provision will set a very dangerous precedent indeed. We must not, as a national legislative body, endanger the national interest, and the stability of our Union, by passing an amendment prohibiting the Federal Government from enforcing Federal law in California, or in any other State which seeks to negate the national will of our citizenry, as codified in our law.

The law of the land requires that public educational institutions that receive Federal funds may not discriminate in admissions. Title 42 of the United States Code, section 2000d declares that:

no person * * * shall on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Education.

In implementing title VI's mandate for equality of opportunity in public education, the Code of Federal Regulations section 100.3(b)(6) provides that if an institution's:

noncompliance or threatened noncompliance cannot be corrected by informal means, compliance * * * may be effected by the suspension or termination of or refusal to grant or to continue Federal financial assistance or by any other means authorized by law * * *

If we today, in a very shortsighted fashion, attempt to isolate this particular provision from the broader potential consequences, we will be doing ourselves, and more importantly, the Nation, a historic disservice.

By allowing the State of California and other intended States to affirmatively reject Federal civil rights law—in effect, pick from the panoply of benefits associated with Federal law—Federal funds, whether for public education, or for highway and transportation projects, these same States must uphold the obligations associated with our republican form of government.

History demonstrates that inherent in a State's effort to undermine Federal law is the fertile soil through which the seed of dissension is sown. If we allow Federal law to be undermined in this instance, who is then to stop tobacco growing States from holding a referendum on the tobacco settlement, or border States challenged by immigration issues from negating Federal immigration mandates, or States with lower per capita incomes from rejecting minimum wage increases.

Mr. Chairman, the strength of the Union is contingent upon the ability of the Federal Government to enforce the goals of the Union. States must not be allowed to pick and choose, to embrace Federal benefits, while rejecting Federal protections.

This body roundly embraces the notion of unfunded mandates—the guiding principle that we cannot, as a Federal legislative body, impose mandates on States and localities without adequately funding such mandates. The reverse is true as well. If Federal funds are granted to assist States in providing a quality education to its citizens, those States may not undermine title VI's mandate that these taxpayer dollars are expended in nondiscriminatory manner

Mr. Chairman, the question before us today is not whether you are for or against affirmative action, it is whether we can allow a State to ignore Federal law and undermine Federal enforcement of that law. A vote for this amendment is a vote prohibiting the Federal Government from enforcing a Federal law and in favor of exempting a State from complying with Federal law. In order to provide domestic tranquility, protect our national interest, and indeed build a more perfect union, Mr. Chairman, all Americans must have an equal opportunity to a quality public education.

And, so colleagues, whether you are for affirmative action or not, that is not what this amendment is about. Do not vote to undermine our ability to enforce the provisions amongst the States we fight for on this floor on behalf of our constituents in our efforts to build a more perfect union. Mr. Chairman, on these grounds I urge a "no"' vote on the gentleman's amendment, and yield back the balance of my time.

Ms. JACKSON-LEE of Texas, Mr. Chairman, I rise in vehement opposition to the amendment offered by Representative RIGGS of California. This amendment is nothing more than an effort to force the Department of Education to apply a Federal ban on affirmative actions programs in education in States that have passed proposition 209 like efforts.

This is an attack on the Federal civil rights laws that so many have fought and even died to have enacted.

This amendment would, in effect, prohibit the Office for Civil Rights at the Department of Education from enforcing Federal civil rights laws. Title VI of the Civil Rights Act and title IX of the Education amendments of 1972 would not be enforceable.

This amendment effectively bars the Department of Education and the Office of Civil Rights from carrying out its statutory responsibility to enforce Federal antidiscrimination provisions relating to how Federal financial assistance is dispensed under a variety of education programs and activities. Even the most blatant cases of discrimination would have no remedy by the Department of Education if this amendment goes into effect.

Additionally, this amendment prohibits the Office of Civil Rights from enforcing Federal civil rights laws in all 50 States, which creates a patchwork of civil rights enforcement. This goes against the uniform longstanding national policy of the uniform application of civil rights laws.

While this amendment proports to apply only to Federal grant recipients located in States where State law, or a Federal court order prohibits the enforcement of affirmative action programs, we know the true effect of this damaging and dangerous amendment. It will set a difficult precedent for other efforts and amendments to ban all affirmative actions programs of the Federal Government.

The Federal civil rights laws have proved monumental in bringing about real changes in American education and have improved the educational opportunities of millions of students. The Federal civil rights laws have been in place to preserve minorities' rights when States would not act. We need do nothing to promote State actions over Federal law as it relates to protecting civil rights.

What has been the impact of civil rights laws in the United States? The dropout rate of African-American students—ages 16 to 24—declined from 22.9 percent in 1975 to 12.1 percent in 1995. Total minority enrollment at colleges and universities increased 63.4 percent in the past decade. Since 1990, the number of Latino and Hispanic students enrolled in higher education increased by 35 percent, the number of African-American students increased by 16 percent and the number of American-Indian students increased by 24 percent.

We should stop this amendment in its tracks now, before it picks up steam and rolls over all of the hard work and tireless efforts of Americans of all creeds who have stated over and over again that affirmative action works.

What are we really talking about when we talk about affirmative action? We are talking about diversity, opportunity, and the ability for persons who have historically not been able to gain access to education and jobs in this country to simply have access to these important arenas.

The 160,000 members of the American Association of University Women have affirmed that affirmative action programs continue to expand equal opportunity for hundreds of women and minorities in education and employment.

In 1992, the Bureau of Labor Statistics found that only 6.6 percent of all working women were employed in nontraditional occupations. Women in nontraditional occupations earn 20 to 30 percent more than women in traditional occupations.

Affirmative action programs in education and training open doors that were consistently slammed in the faces of women across this country. It allows opportunities for women and girls who might otherwise be tracked into low-wage, predominantly female jobs with little or even no opportunity for real advancement or economic independence.

This amendment is premature. Proposition 209 in California is undecided law. There are serious constitutional challenges to proposition 209 which must be heard by the Supreme Court.

In Texas, the *Hopwood* decision has resulted in a major setback for African-Americans and minorities to enter into graduate and undergraduate programs at public institutions. Among the freshman class of 6,500 students at the University of Texas, only 150 are African-American students. This is half of last year's enrolling class. At the law school, only 4 African-Americans and 26 Hispanics will be entering the first-year class. This is an outrage.

What are we prohibiting when no one has acted yet. We are keeping qualified, energetic, and eager students from attending schools of higher education across this country. We are allowing blatant racism to go unpunished and unanswered if we allow this amendment to pass.

I am pleased this amendment was eventually withdrawn.

The CHAIRMAN pro tempore (Mr. BARRETT of Nebraska). The question is on the amendment offered by the gentleman from California [Mr. RIGGS].

The amendment was agreed to.

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

Mr. Chairman, on October 1, 1997, the deadline for the child support enforcement system automation program comes upon us. The consequence of the States' failures to meet the automation and centralization of the computer systems obligation for enforcement of child support which were imposed by the 1988 Family Support Act will mean the automatic cutoff of all TANF, formerly AFDC funds, and child support funds.

At least 11 States in this country, including California, clearly cannot meet that October 1 deadline. It is quite possible that seven, eight, or nine other States will also not meet that deadline. The consequence of the failure to meet the deadline is that the cutoff of the

TANF funds and the child support funds will mean a loss of $4 billion to the State of California. States like the State of the great chairman of the subcommittee, Illinois, will lose close to $700 million in funds. Ohio, South Dakota, New Mexico, Hawaii, Maryland, Michigan, Nevada, Pennsylvania, all of these States are not going to meet that deadline.

I had originally intended to offer an amendment to delay the imposition of those deadlines and to provide for a moratorium for 6 months so that we could both look at the situation and have time to change the law. I have been persuaded by the fact that my amendment would not be in order, that was helpful in persuading me, but in addition to that, the gentleman from Florida [Mr. SHAW], the chairman of the key subcommittee of the authorizing committee, has a strategy which I would like to yield to the gentleman to describe, which will deal with the possibility of my State and many other States in this country losing an incredible amount of money, totally destroying the whole structure of the Welfare Reform Act the gentleman worked hard on, meaning the inability to enforce interstate child support collection functions and a number of other key functions.

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

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

Mr. SHAW. I thank the gentleman for yielding to me to clarify exactly where we are on this, because as the gentleman quite correctly stated, this is not only a problem that the Californians are concerned about, but it is a problem that at least 9 other and perhaps 10 other States are concerned about, as the gentleman said.

The deadline was extended under the Welfare Reform Act to October 1 of this year. In that there are a number of States that have tried to comply and been unable to comply for some very technical reasons, we have had this matter under discussion in the committee itself.

The way the law presently is written and hopefully will remain is that after this deadline, there is a period of time of approximately 6 months in which the various States can, and I am sure will, appeal in order to pick up the added time and also in order to negotiate with the Secretary, also in order to give this Congress an opportunity to go back and review exactly where we are.

It is my intention as chairman of the Subcommittee on Human Resources to bring a bill to the floor, in cooperation with the Secretary, that would give her certain discretion in imposing any penalty, and, of course, I am sure she would never impose the tremendous penalty as to total defunding, as the gentleman pointed out, in California.

Nonsupport by noncustodial parents is probably the biggest reason for welfare in this country today. We are only collecting about $14 billion a year out of a total of almost $50 billion that is due. That is a horrible situation, and it is necessary that we solve the problem by making it easier to track the deadbeat parents down in order to be sure that they live up to their obligations.

My own State of Florida will probably make the deadline, but I found out in a hearing just the other day that in order to make that deadline it has had to rely on and continue to use an antique computerized system, which it was characterized as. The State of Florida will be on time with the deadline, but they are going to be on time using an Edsel instead of something that would be more modern than that.

That is a problem, and it was sort of the law of unintended consequences that took place.

The CHAIRMAN. The time of the gentleman from California [Mr. BERMAN] has expired.

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

Mr. SHAW. Mr. Chairman, I am very much aware of the California problem. I have spoken to the gentleman's Governor, he has been in my office, Governor Wilson. Secretary Eloise Anderson was in my office as late as yesterday discussing this problem with me.

California it appears has a fragmented system, but it is very high-tech and it is a very good system, and California wants to retain their system. We are going to try to work out a way so that the intention of the law will be brought forward and that various States as California, who have used new technology and has been innovative in the way that they have taken care of their system and updated their system, are not penalized by a Federal mandate if they meet the spirit of the law.

So I would say to the gentleman, I look forward to continuing to work with him and other Californians as well as Pennsylvanians and some of the other States the gentleman mentioned, in seeing that they do meet deadlines and that the deadlines are really enforced in a very reasonable way and that the Secretary is given latitude.

Mr. BERMAN. Mr. Chairman, reclaiming my time, just to sort of pin down the issue perhaps a little bit more precisely, California becomes vulnerable on October 1. So do these other at least 11 States. The process, as I understand it, is that by December or January, HHS will assess and decertify the States, and there is an appeals process. So, as the gentleman pointed out, it is very unlikely any money will be withheld for the next 6 months. But the fear in California, Senator FEINSTEIN has worked on this issue, spoken with the President, and is pursuing whatever mechanisms she can to try and deal with it, the fear is that ultimately something will happen, the legislation will not move, and California will now be found to have been in default, owing $4 billion. Next year's payment will be held back because of this, and the fact is the underlying law California will not be able to comply with in 6 months or 1 year anyway.

So there are two issues, the need for California and the other States to know that the penalty structure will be fundamentally changed, it is nuts to withhold TANF or AFDC funds, $3.7 billion in the State of California because of the failure to meet the computer model, and there will be a new penalty structure dealing with child support enforcement proportional to the sins in the sense it will be structured. And then the underlying question also, which is how do we achieve the centralization and coordination we need without, as the gentleman indicated by implication, encouraging old technologies rather than new technologies and requiring the scrapping of very expensive computer systems. These are both difficult questions.

The CHAIRMAN pro tempore. The time of the gentleman from California [Mr. BERMAN] has expired.

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

Mr. BERMAN. Mr. Chairman, people will want to go to the conference committee here and try to get this extension of the moratorium. I know the gentleman's feelings about it. Anything the gentleman can say to reassure people on this point would be very important.

Mr. SHAW. If the gentleman will yield further, first I want to make it very clear that California is not going to lose $4 billion. In fact, I would doubt that they will end up in the long run losing anything.

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Both this Member of Congress as well as the Secretary, and I assume the President, want to leave the deadline in place but want flexibility in administering the consequences.

We are looking at the law and we are going to do everything we can to restructure it to answer this California problem.

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

The CHAIRMAN pro tempore (Mr. BARRETT of Nebraska). The Committee will rise informally.

The SPEAKER pro tempore (Mr. SHAW) assumed the chair.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the