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House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore [Ms. GRANGER].

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
October 21, 1997.

I hereby designate the Honorable KAY GRANGER to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MESSAGE FROM THE SENATE

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

H. Con. Res. 8. Concurrent resolution recognizing the significance of maintaining the health and stability of coral reef ecosystems.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 399. An act to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to establish the United States Institute for Environmental Conflict Resolution to conduct environmental conflict resolution and training, and for other purposes;

S. 587. An act to require the Secretary of the Interior to exchange certain lands located in Hinsdale County, Colorado;

S. 588. An act to provide for the expansion of the Eagles Nest Wilderness within the Arapaho National Forest and the White River National Forest, Colorado, to include land known as the Slate Creek Addition;

S. 589. An act to provide for a boundary adjustment and land conveyance involving the Raggeds Wilderness, White River National Forest, Colorado, to correct the effects of earlier erroneous land surveys;

S. 591. An act to transfer the Dillon Ranger District in the Arapaho National Forest to the White River National Forest in the State of Colorado;

S. 595. An act to designate the United States Post Office building located at Bennett Street and Kansas Expressway in Springfield, Missouri, as the ''John Griesemer Post Office Building'';

S. 916. An act to designate the United States Post Office building located at 750 Highway 28 East in Taylorsville, Mississippi, as the ''Blaine H. Eaton Post Office Building'';

S. 973. An act to designate the United States Post Office building located at 551 Kingstown Road in Wakefield, Rhode Island, as the ''David B. Champagne Post Office Building''; and

S. 985. An act to designate the post office located at 194 Ward Street in Paterson, New Jersey, as the ''Larry Doby Post Office''.

The message also announced that in accordance with sections 1928a–1928d, as amended, the Chair, on behalf of the Vice President, appoints the Senator from Utah [Mr. BENNETT] as a member of the Senate delegation to the North Atlantic Assembly during the 1st session of the 105th Congress, to be held in Bucharest, Romania, October 9–14, 1997.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 21, 1997, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes, and each Member except the majority leader, the minority leader, or the minority whip limited to 5 minutes.

The Chair recognizes the gentleman from Texas [Mr. PAUL] for 5 minutes.

TOBACCO SETTLEMENT

Mr. PAUL. Madam Speaker, tobacco industry leaders are under attack by nearly everyone. A tobacco-friendly tax provision that was hidden in the settlement was quickly removed by the Senate and the House once the public became aware of it. But without a tax benefit or higher cigarette prices, or both, there is no way the industry can afford the astronomical $368.5 billion settlement they have agreed to pay over the next 25 years. The industry makes only $8.4 billion annual pretax profit.

The tobacco companies deserve every bit of grief they are receiving, but for reasons other than commonly assumed. It is true they profit from selling a dangerous product, but so do automobile, airplane, and gun manufacturers as well as food producers, drug companies, and coffee farmers. When we boil it down, any product used incorrectly or excessively is dangerous. Even oxygen used incorrectly can be dangerous. And most people know tobacco is dangerous without the benefit of the nanny-state inspectors and the bureaucrats' warning label.

Tobacco company executives symbolize much of what is wrong with corporate America and our corrupt system of special interests, favoritism, and interventionism. For decades, Big Tobacco lobbied for and gladly accepted subsidies and trade benefits, while anyone with a grain of common sense knew smoking was a bad habit that adversely affected some people's health. It is no secret that young people could easily become addicted to nicotine.

There were specific gains to be realized from the charade that surrounded tobacco sales. Pretending that smoking was a benign habit made it easier to collect benefits from the nonsmoking taxpayers. And the alternative, arguing for personal responsibility, was hardly in vogue.

Over the past 50-plus years, responsibility for risk incrementally has been shifted from the individual to the State. As we moved further from a free

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society toward a managed welfare state, responsibility for nearly everything began to be systematically delivered to someone else through the State and its growing army of bureaucrats. The tobacco industry was a willing accomplice to this betrayal of individual responsibility.

The failure of Big Tobacco to fight Government's requirement to put warning labels on cigarettes while accepting agricultural subsidies allowed the entire smoking industry to be invaded by the Federal Government.

Tobacco put the welcome mat out for big Government. Now it is only a matter of time before nicotine will be declared a drug and more FDA regulation will inundate us. Unfortunately, this will only compound our many problems with nicotine.

Madam Speaker, smoking should be treated no differently than compulsive eating, chocolate addiction, or driving too fast. But the way the tobacco corporate leaders are acting in cahoots with big Government, one would think they are conspiring to prevent this.

Madam Speaker, the question is who has responsibility for our well-being? Who should make decisions regarding risk-taking and personal habits, the Government or the individual?

During the Clinton health care debate, tobacco, and nearly every other industry took the easy way out. They conceded that it was Government's responsibility, Federal and State, to provide medical care for everyone, as if it were in itself a constitutional right.

When the free market works, medical insurance premiums adjust to reflect the cost of habits like smoking, sky diving, overweight, and medical preconditions. When Government pays, the concept of insurance goes out the window and everybody gets everything paid for and no one can be discriminated against.

Persons who have harmed their health by smoking have learned they can coerce those with good health into paying for the consequence of their bad habit. In fact, many who harm themselves through their chosen lifestyles, not just a single bad habit, religiously believe they have a right to be taken care of by someone else. This group of individuals, not only those who smoke, but those who drink too much or perform sexual acts which increase their chance of acquiring AIDS or hepatitis, or who will not diet to take care of diabetes or heart conditions.

It is this abdication of personal responsibility, this misconceived notion that the State is responsible for us, that drives counterintelligent drug laws, which inspires the use of dirty needles, which serves to further spread AIDS and hepatitis. And instead of legalizing the right to buy a clean needle for a few pennies, the bureaucrats insist on making it the Government's responsibility to coerce nondrug users into paying for free needles so the addicts can keep using their illegal drugs. Nothing could be more bizarre.

This lack of understanding responsibility, rights and subsidies has led the tobacco industry leaders to further compound the problem by not fighting the trumped up obligation to pay for any health care that may have arisen from smoking.

Not once have we heard a tobacco industry leader defend his right to sell something that is risky to someone but not others, which is the case with tobacco and most other products.

Tobacco industry leaders are under attack by nearly everyone. A tobacco-friendly tax provision that was hidden in the settlement was quickly removed by the Senate and House once the public became aware of it. But without a direct tax benefit or higher cigarette prices, or both, there's no way the industry can afford the astronomical $368.5 billion settlement they have agreed to pay over the next 25 years—the industry makes only $8.4 billion annual pretax profit.

The tobacco companies deserve every bit of grief they are receiving—but for reasons other than commonly assumed. It's true they profit from selling a dangerous product. But so do automobile, airplane, and gun manufacturers, as well as food producers, drug companies, and coffee farmers. When you boil it down, any produce used incorrectly or excessively is dangerous. Even oxygen used incorrectly can be dangerous. And most people know tobacco is dangerous without the benefit of the nanny-state inspectors and the bureaucrats' warning label.

Tobacco company executives symbolize much of what is wrong with corporate America and our corrupt system of special interests, favoritism, and interventionism, For decades, big tobacco lobbied for, and gladly accepted, subsidies and trade benefits while anyone with a grain of common sense knew smoking was a bad habit that adversely affected some people's health. It was no secret that young people could easily become addicted to nicotine.

There were specific gains to be realized from the charade that surrounded tobacco sales. Pretending that smoking was a benign habit made it easier to collect benefits from nonsmoking taxpayers. And the alternative—arguing for personal responsibility—was hardly in vogue.

Over the past 50-plus years, responsibility for risk has incrementally been shifted from the individual to the State. As we moved further from a free society toward a managed welfare state, responsibility for nearly everything began to be systematically delivered to somebody else through the State and its growing army of bureaucrats. The tobacco industry was a willing accomplice to this betrayal of individual responsibility.

The failure of big tobacco to fight Government's requirement to place warning labels on cigarettes, Government intervention into distribution, while accepting agricultural subsidies, Government involvement in production, allowed the entire smoking industry, from production to distribution, to be invaded by the Federal Government.

Tobacco put out the welcome mat for big government. Now, it's only a matter of time before nicotine will be declared a drug and more FDA regulations will inundate us. Unfortunately this will only compound our many problems with nicotine.

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This lack of understanding responsibility, rights, and subsidies has led tobacco industry leaders to further compound the problem by not fighting the trumped-up obligation to pay for any health care that may have arisen from smoking.

Not once have we heard a tobacco industry leader defend his right to sell something that is risky to some but not others—which is the case with tobacco and most other products. One pack of cigarettes a year never hurt anyone. Everyone who smokes doesn't become addicted. Ninety percent of smokers never get a smoking-related illness. Absent fraud, the user is responsible for the risk he assumes, not the seller of any given product.

It has been suggested by some that smoking cigarettes provides certain immunity from some diseases. I personally cannot stand smoking, and even as a child I knew it was dangerous. It was a time when parents had a lot more to do with assuming the responsibility for teaching children about all dangers—like fire, chemicals, heights, crossing highways, sharp objects, guns, and smoking.

We still don't hear a principled challenge to the demands of the various states to be reimbursed by the tobacco industry for the costs of smoking-related illnesses. States should not be in the medical business in the first place, let alone be extorting funds from the producers of tobacco products.

Yes, the business leaders in the tobacco industry deserve sharp criticism. Once this precedent of paying medical bills is set, the manufacturers of automobiles will then be liable for all accidents even if the drivers are speeding and intoxicated. Chocolate addicts can then sue Hershey, fat people can sue cattle ranchers. The whole notion that tobacco companies should pay for tobacco-related illnesses is absurd.

The tobacco deal does great harm, because it further undermines the principle of self-responsibility. The spread of this concept will not only push up the costs of medical treatment and the products involved, it could actually encourage the use of dangerous products. The response of potential users will be, ''If I'm unfortunate and become ill or injured, the seller or the Government will be made to take care of me''—a very common reaction in a welfare state. To the extent one can lower the cost of one's own risky habit by socializing it, one is less likely to worry about consequences and more likely to engage in that dangerous behavior.

If this attitude toward consumer risk is not changed, the free society that we once had cannot be restored.

I'd like to see a spokesman for tobacco come forward and insist on recognition of the moral principle that individuals have responsibility for themselves and a duty to make choices and assume the consequences of the risks they take. My advice to him would be to give up the subsidies, demand freedom, and fight the social misfits who argue for collective guilt and collective responsibility. Any other course of action will lead to more evils.

CONGRESSIONAL CAUCUS ON WOMEN'S ISSUES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentlewoman from the District of Columbia [Ms. NORTON] is recognized during morning hour debates for 5 minutes.

Ms. NORTON. Madam Speaker, the women of the House have something to celebrate this evening. Nearly all—Republican and Democratic women alike—are members of the Congressional Caucus on Women's Issues. The caucus will celebrate 20 years of historic legislation and other milestones for women, families, and children led by the Women's Caucus for two decades.

Madam Speaker, an all-star cast will be on hand at the elegant Andrew Mellon Auditorium for the 7 p.m. dinner led by remarks from President Clinton himself. Secretary of State Madeleine Albright will speak, ABC's Cokie Roberts, the daughter of former Congresswoman Lindy Boggs, will MC, and ''Sweet Honey in the Rock,'' the award-winning singing group, will entertain.

Today, 50 of the 52 women of the House are members of the caucus. We are more than three times the group we were in 1977 when 15 Members led by former Representatives Elizabeth Holtzman and Margaret Heckler founded the Congressional Caucus on Women's Issues. Resolutely bipartisan from that day to this, the caucus has a list of achievements that boggle the mind. Here is a sampling from the honor roll of legislative landmarks achieved through the leadership of the Women's Caucus:

The Family Medical and Leave Act, the Violence Against Women Act, the Pregnancy Discrimination Act, retirement equity legislation, child support enforcement legislation, the Mammography Quality Assurance Act, legislation that established the NIH Office of Research in Women's Health, legislation barring health plan discrimination against victims of domestic violence and against the genetic information of clients, criminalization of female genital mutilation, and policies requiring that women be included in clinical trials. There is too much more where that came from to name and there is lots more to come.

Madam Speaker, this year we have initiated new approaches in the caucus that promise even greater legislative production. We have inaugurated a series of Women's Caucus hearings and we now have 14 issue teams, each led by a Republican and a Democratic Member. My cochair, the gentlewoman from Connecticut [Mrs. JOHNSON], and I have worked hard in the tradition of prior Republican and Democratic cochairs, the gentlewoman from Maryland [Mrs. MORELLA] and the gentlewoman from New York [Mrs. LOWEY], former Congresswomen Liz Holtzman and Margaret Heckler, former Congresswoman Pat Schroeder and former Representative and now Senator OLYMPIA SNOWE.

Tonight we are throwing ourselves a party. We hope to see our colleagues there.

SUPPORT THE 21ST CENTURY PATENT SYSTEM IMPROVEMENT ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from North Carolina [Mr. COBLE] is recognized during morning hour debates for 5 minutes.

Mr. COBLE. Madam Speaker, I want to respond to the unfounded and increasingly bizarre criticism of H.R. 400, the 21st Century Patent System Improvement Act.

Throughout the winter and spring of the current session, I have been involved with the writing, reshaping, and marshaling support for H.R. 400. While I understand that the legislative process is necessarily deliberate and often contentious, I confess my ongoing amazement that this bill has engendered so much controversy.

Madam Speaker, we are not talking about a red meat issue that divides people on partisan ideological lines. This is not a subject matter that hits at the gut or tears at the heart. This is not gun control, abortion, or the death penalty. This is a patent bill, but significant to America's economic well-being.

Now, for most people the words ''patent bill'' are sufficient to induce sleep. For a small minority, however, it inspires a level of paranoia that reaches biblical proportions. I recently witnessed two floor critiques of H.R. 400 and S. 507 and the experience was quite revealing, Madam Speaker.

Previously, I was led to believe that my exclusive motivation in sponsoring H.R. 400 was to destroy the U.S. patent system. But no, I am far more ambitious. I have now learned that Senator HATCH and I are part of a nefarious plot designed to ruin the United States of America financially.

Madam Speaker, the two orations through which I sat were, charitably considered, devoid of factual content. Worst still, however, were the base metaphors and cliches invoked to drive home the opposition's point. There were references to secret deals with the Japanese Government that will enable Japanese corporations, Chinese corporations, huge multinationalists, and if it can be believed, the People's Liberation Army, to bully the little guy and brutalize Americans.

Representatives from American corporations were criticized for having talked to Congressmen and were clearly identified as members of the enemy. Presently, the paranoid jumble was tied together and we learned that H.R. 400 and S. 507 constitute the first fight in a war that, if not won on our opponents' terms, will result in the complete internationalization of American economic activity and the total elimination of our liberty. I recall no mention of black helicopters or drug trafficking by the Queen of England, but such testimony is sure to follow.

Madam Speaker, for anyone who cares to know the facts, H.R. 400 and S. 507 are forward-thinking attempts to make our current patent system even stronger. Both bills would allow the Patent and Trademark Office to operate more like a business on a day-to-day basis, while subjecting the agency to congressional and executive oversight.

Good faith users of the patent system, those who the Constitution was intended to protect, will be guaranteed a minimum of 17 years of patent term and, in most instances, will receive more than 18 years.

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Far from hurting applicants, the publication feature of H.R. 400, or what is left of it, will inhibit patent submarining, which does indeed harm American businesses and generally violates the constitutional spirit of patent policy. Both bills also create a new patent pending right, along with a commercial use defense for inventors who do not have the resources to file for protection. And companies which pedal application scams to innocent inventors will be punished severely under H.R. 400.

A well-known American inventor once wrote, ''with the change of circumstances, institutions must advance

to keep pace with the times.'' This inventor, Madam Speaker, was Thomas Jefferson and he knew a little bit about the Constitution, which charges the Congress with the duty of promoting the progress of science and useful arts through intellectual property.

None of us discharges his or her duty by pandering to the worst instincts of other people. Nor do we honor ourselves by pretending that complex and arcane subject matter is easily and snappily explained. The regrettable effect of the two lectures just described is that they may motivate 20 or 30 people in some Member's district to write or call urging a ''no'' vote on the patent bill. I urge support of the patent bill.

SEXUAL PREDATORS

The SPEAKER pro tempore (Ms. GRANGER). Under the Speaker's announced policy of January 21, 1997, the gentleman from Texas [Mr. LAMPSON] is recognized during morning hour debates for 5 minutes.

Mr. LAMPSON. Madam Speaker, yesterday the people of Friendswood, TX, whose lives have been inexorably altered by the kidnapping and murder of 12-year-old Laura Kate Smither, saw a light at the end of their tunnel. Police Chief Jared Stout announced yesterday that they had a prime suspect who was in custody. The Friendswood police were able to name this suspect after his arrest for kidnapping a 19-year-old woman from a nearby community called Webster.

In the case for which this suspect was arrested, he approached a young woman changing a flat tire and offered assistance, but as he approached, he pulled a knife on her and ordered her into his truck. This woman escaped by throwing herself out of his truck, which was moving down an interstate highway at 70 miles an hour sustaining significant injuries.

That was not the first time this individual had attacked a woman. The prime suspect in the murder of Laura Smither had been sentenced on December 18, 1986, to a total of 28 years for convictions on charges of aggravated kidnapping, forcible oral sodomy, and rape. He was released a year ago. He served less than half of that sentence, and now this man has been named as the prime suspect in the slaying of Laura Smither.

In less than a year, this individual, who had committed previous acts of kidnapping and violent sexual assault, has already been charged with aggravated kidnapping again. It is outrageous. Scientific data demonstrates that individuals who commit sex crimes against children have the highest recidivism rate of any criminal. It is irresponsible, if not downright negligent to release this individual back into society after serving only 10 years of a 28-year sentence for aggravated kidnapping, forcible oral sodomy and rape.

Violence against women and children cannot be tolerated. It cannot be excused. It cannot be swept under the rug. Rape and sexual violence are not minor offenses. They are violent attacks that violate the body and violate the human spirit. These crimes must be punished swiftly and severely. An Oklahoma court tried to do that when it sentenced this man to 28 years in prison. But somehow in that State's criminal justice system someone decided that 10 years was enough for that rapist. And less than a year later, one 19-year-old woman had to throw herself out of a truck to save herself, traveling 70 miles an hour down a highway sustaining significant injuries, to save herself from a rapist. And when Chief Stout's investigation is completed, we are likely to learn that this individual has committed a total of three acts of aggravated kidnapping, one act of forcible oral sodomy and two rapes and a murder.

We cannot lose these people in this system. Yes, this man was registered as a sex offender, but if he had been an incarcerated sex offender as he was sentenced, we might have a 12-year-old child alive today.

As for Bob and Gay Smither, they may soon know for certain who took their little girl away never to return again. That is little solace, but that is what the Friendswood Police Department has worked so hard to accomplish since we discovered Laura's body on April 20. We thank and salute them and the Webster Police Department, as well. And today we still pray, as many did last night gathered in Stevenson Park in Texas. We are all still mourning, and worst of all, we must continue to pray for the safe return of Jessica Cain, who has kidnapped from the same vicinity on August 17.

It was the way the community came together to search for Laura that spurred me to form the Congressional Caucus on Missing and Exploited Children. I am proud of the fact that 80 of our colleagues in the House have joined the effort to protect our children and reunite families. But this morning, Madam Speaker, I am frustrated and angry. Whatever we do here in Congress will not matter a bit if we do not punish these sexual predators and make them serve their full sentences in prison. Madam Speaker, we cannot allow more of these tragedies.

FDA'S MISGUIDED POLICY COULD HARM PATIENTS WITH RESPIRATORY PROBLEMS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Florida [Mr. STEARNS] is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Madam Speaker, on March 6, 1997, the FDA issued an advanced notice of proposed rulemaking, which set forth its plan to ban CFC-containing metered-dose inhalers once certain criteria are met. The plan was developed in collaboration with the Environmental Protection Agency and is intended to eliminate the minuscule amount of CFC's currently allowed to be used for medication delivered by metered-dose inhalers.

CFC is the abbreviated term used to refer to chlorofluorocarbon gas. There are tens of millions of Americans who suffer from asthma; 5 million of those are children. These patients depend upon CFC-propelled metered-dose inhalers to treat their asthma and to help them breathe. With over 5,000 deaths each year in America due to asthma, I am convinced that the FDA's rule would eliminate treatment options for asthmatic patients.

Today, I want to talk about H.R. 2221, legislation that I, along with my colleague, the gentleman from New Jersey [Mr. SMITH], introduced on July 22 of this year. Since that time I have received tremendous support from all over the country. With 28 cosponsors, the bill continues to receive new cosponsors daily. The bill would require the Secretary of Health and Human Services to take no further action on the FDA's proposed ban on CFC-containing metered-dose inhalers.

My colleague, the gentleman from New Jersey [Mr. SMITH], and I are working with Members from the House and Senate from the relevant committees in an effort to add language in the conference report to the Food and Drug Reform legislation. It will direct the FDA to withdraw its March 6, 1997, advanced notice of proposed rulemaking and to take no further action to promulgate a proposed final rule on the basis of such advanced notice.

Madam Speaker, recently it has been pointed out in several leading publications, including the Wall Street Journal editorial dated September 17, 1997, that asthma is on the rise in our Nation. It is the most common chronic illness affecting children. In fact, among children's chronic diseases, asthma is the No. 1 reason for school absenteeism. Asthma mortality is also on the rise. Explanations for the increasing prevalence, morbidity and mortality are varied. Regardless, these populations include children, especially poor children living in urban areas.

Are not these the very children that the EPA claims it is helping with its new air quality standards? This misguided policy is definitely the case of one hand not knowing what the other hand is doing.

With one hand, the EPA presents new air quality standards that are supposed to protect the health of asthmatic children, while on the other, the FDA proposes to ban life-saving metered-dose inhalers from the market. The result of these actions would be to deny these children the treatment to help them to lead almost normal lives.

Madam Speaker, I urge my colleagues on the conference to adopt the language that I have presented and outlined in their final report. I urge my

colleagues to support our bill, H.R. 2221, by becoming a cosponsor.

YOUTH SUMMIT '97

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentlewoman from North Carolina [Mrs. CLAYTON] is recognized during morning hour debates for 5 minutes.

Mrs. CLAYTON. Madam Speaker, I am pleased to inform the House about an exciting and successful event that I sponsored in Ayden, NC, Saturday, October 18. This event, called Youth Summit '97, is an annual event for students that I have sponsored for the last 5 years. Each year, I am particularly pleased that the turnout is equal or greater than the one the previous year.

This year's summit brought together an impressive number of youth; over 600 participated. It was certainly an inspiration to see so many students expressing their interests in pursuing an education. Most of the youth were minority students throughout eastern North Carolina. Many came with school or church groups, while others came with their parents.

The youth summit was held this year in Pitt County at a local school called Ayden-Grifton High School. Over the past several years, I have sponsored the event in different counties exposing students throughout North Carolina to the seminar.

The youth summit is designed to expose children to educational opportunities afforded to them, to reaffirm the importance of their skills and competency development, to alert the children to explore all job and career options they have, and to remind and to encourage students that they should pursue their goals to their utmost ability.

The summit also prepares students about the entire process of applying to colleges, from testing procedures to the availability of financial aid. Because I feel that the financial aid is so important to students, particularly those who come from low-income homes, we explained to the students just exactly what has transpired in Congress this session regarding funding for education.

For example, we discussed and explained the legislation enacted granting increases in title I funding and what effects these increases would have particularly on particular families. The increases included, $1,500 HOPE scholarships, the increase in Pell grants by 26 percent, the largest in the last 20 years, and 20-percent tuition tax credit for families with students in their third and fourth year of college and universities.

These increases are so critical for North Carolina's educational success, and particularly important for the educationally disadvantaged. According to the U.S. Department of Education, North Carolina families will tremendously benefit from the increase in the scholarships and grants appropriated by title I.

Not only was the event an informational session, but the summit was also a forum where several speakers made their presentation. It also was a social event. Several speakers included guidance counselors, pastors, doctors, professors, judges, county commissioners, and representatives from the military academy. They spoke on a wide range of topics, including testing, financial aid, job career opportunities, parent-child communication, self-esteem, service academies, and the church's role in the development of our youth.

Additionally, our session three students explained just how difficult it was and their struggle from their path to make sure they would become adults.

The youth summit reinforced how essential education is for students and their communities. In order to be entirely successful, however, students must appreciate the importance of developing values and morals in their life, in addition to education they receive in attending class.

I am particularly pleased with the youth summit's success this year and I am looking forward to many future youth summits in North Carolina. These annual events seem to have such a positive effect, not only on the children, but on their parents and other communities. Therefore, I am also recommending to my colleagues that they do similar in their districts.

□ 1100

H.R. 2564, MARRIAGE TAX ELIMINATION ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Illinois [Mr. WELLER] is recognized during morning hour debates for 5 minutes.

Mr. WELLER. Madam Speaker, today I stand here to speak in favor of H.R. 2564, legislation entitled the Marriage Tax Elimination Act, which many of us believe should be the centerpiece of next year's budget. And I am proud to report that the Marriage Tax Elimination Act today has 222 cosponsors. Members of both parties have joined with us in this very important effort.

Let me explain why elimination of the marriage tax is so important; why bipartisan support is needed and so necessary for the Marriage Tax Elimination Act, with some three very simple questions:

Do Americans feel that it is fair that our Tax Code imposes a higher tax penalty on marriage? Do Americans feel that it is fair that 21 million married working couples pay almost $1,400 more a year in taxes just because they are married; $1,400 more than an identical couple living together outside of marriage? Do Americans feel it is morally right that our Tax Code provides a financial incentive to divorce?

I think the answer is pretty clear. The marriage tax is not only unfair, it is wrong, it is immoral. It is immoral that our Tax Code punishes our society's most basic institution, which is marriage. And, according to the Congressional Budget Office, this marriage tax is imposed on 21 million married working couples for an average of $1,400 more in taxes just because they are married.

Let me give my colleagues an example of a couple from my district in Illinois, a couple with the combined income of $61,000. This particular couple, and I will say the husband is a machinist at the Joliet Caterpillar plant, the wife is a schoolteacher at the Joliet public schools. They each have essentially identical incomes, right around $30,000.

If this couple were two singles, say living together outside of marriage, they would each be in the 15-percent tax bracket, after considering the standard deductions and exemptions. But because as a married couple they file jointly, their combined income, which is almost $61,000, they are pushed into the 28-percent tax bracket.

For this married couple, this machinist at the Joliet Caterpillar plant, this public schoolteacher at the Joliet public schools, they pay almost $1,400 more in higher taxes just because they got married. And do the American taxpayers believe that it is right that we impose a higher tax on this Joliet couple just because they are married?

Think about it, what that $1,400 would mean for an average married working couple. Fourteen hundred dollars is several months worth of a car payment, tuition at the Joliet Junior College, or tuition at a local parochial or private or religious school for their child. Of course, even a portion of a downpayment on a home.

Let me quote Mike Reading from Monee, IL, who many have talked with about the Marriage Tax Elimination Act, and Mike says, you know, ''You try and be honest and do things straight, and you get penalized for it. That's just not right.''

Well, that is really what it is all about. This is an issue of right and wrong. The marriage tax is wrong. We proposed the Marriage Tax Elimination Act to do something about it, and we really want to provide an issue of fairness by giving working married couples the power to choose their filing status. Very simple.

Under the Marriage Tax Elimination Act, this Joliet machinist and Joliet public schoolteacher would be able to choose to file each as single, even while they are married, to be able to enjoy the same tax rate as that couple who lives together outside of marriage. That would save this couple $1,400, money they could spend to meet their family's needs.

And I am pleased that our efforts to eliminate the marriage tax penalty, which now has 222 cosponsors for the Marriage Tax Elimination Act, is gaining momentum. I am proud our efforts have been endorsed by the Joliet Herald News. The hometown newspaper for

this Joliet couple, this Joliet machinist and this Joliet public schoolteacher, has said that working families would welcome repeal of the marriage tax penalty.

The Daily Journal, another paper in the 11th Congressional District, says: ''The marriage tax is an unfair imposition. The code should be rewritten to eliminate it.

''While we are all for simplicity in the Tax Code, the reality is that taxes drive social engineering.''

The marriage tax should be eliminated and repealed today.

I have a letter here from Robert Eckert of Jacksonville, FL, a tax preparer. He says, ''As a seasoned tax preparer and enrolled agent, I find the marriage penalty can be very significant, 12 percent of after tax income or 33-percent increase in tax liability.''

My colleagues, group after group have endorsed the Marriage Tax Elimination Act. It should be the centerpiece. The bottom line is elimination of the marriage tax penalty should be the centerpiece of next year's budget agreement. I ask for bipartisan support and I ask for public support for our campaign to eliminate the marriage tax.

THE CONGRESSIONAL CAUCUS FOR WOMEN'S ISSUES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentlewoman from the Virgin Islands [Ms. CHRISTIAN-GREEN] is recognized during morning hour debates for 2 minutes.

Ms. CHRISTIAN-GREEN. Madam Speaker, I rise to salute the Congressional Caucus for Women's Issues for 20 years of leadership and tenacity on legislation affecting the lives of women and all Americans.

Our founders, Representatives Elizabeth Holtzman and Margaret Heckler had the foresight to realize that women and their families required significantly more attention from our Nation's leaders.

The baton has been passed on to us and so I salute all of my colleagues, past and present, Democrat and Republican, and especially Representatives NORTON and JOHNSON for the direction and leadership they have provided to this distinguished caucus.

I hope that you have noticed that our famous women's intuition is alive and well. Just this past weekend in my district, the Virgin Islands, women were reenergized as they came together at the annual women's conference hosted by our Senate president, Senator Lorraine Berry and the local women's caucus. And this week, as we celebrate our anniversary, members of the Congressional Black Caucus and thousands of American African women are preparing to travel to Philadelphia for the million woman march on Saturday.

Madam Speaker, I am proud to have been given the wonderful opportunity to be one of the caucuses' 50 members in the 105th Congress, and although some of us will not be in Philadelphia this weekend, we should all stand with the women who will be there in the Godly, creative, energetic, and loving spirit that has made this caucus what it is.

So Madam Speaker, I am pleased today to salute the past, the present, and, most importantly, the future of the Congressional Caucus for Women's Issues.

SUPPORT LEGISLATION TO HELP STATES PROTECT CHILDREN FROM SEX OFFENDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Minnesota [Mr. GUTKNECHT] is recognized during morning hour debates for 2 minutes.

Mr. GUTKNECHT. Madam Speaker, I join my colleague today, the gentleman from Texas, Mr. NICK LAMPSON, and congratulate Texas law enforcement agents for identifying a prime suspect in the kidnapping and murder of young Laura Smither, but I also share his frustration that things might have turned out differently.

We need tougher mandatory sentences; we need more effective community notification programs. While every State now registers child sex offenders, many of their notification programs have been stalled by legal challenges and confusion. This is unacceptable.

To help the States, 31 of my colleagues have joined me in introducing a resolution which gives the States a model community notification program that they can follow, if they choose. This resolution is not a Federal mandate. Instead, it expresses the sense of Congress that States should enact a tier-based system, like nine States have already done successfully.

For example, a released sex offender posing a high risk of repeating his crimes moves into a community. Everyone, police officers, past victims, and, most importantly, neighborhood parents, are notified.

As someone who served in the State legislature for 12 years, I urge my colleagues to join me in helping the States to protect America's children. Cosponsor House Concurrent Resolution 125.

CELEBRATION OF 20 YEARS OF THE WOMEN'S CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentlewoman from New York [Mrs. MALONEY] is recognized during morning hour debates for 5 minutes.

Mrs. MALONEY of New York. Madam Speaker, tonight we will honor the 20th anniversary of the Women's Caucus. President Clinton will join us as we celebrate the past, present, and future of the Women's Caucus.

Women have always faced extra hurdles as they served in Congress. Recognizing these extra challenges, Elizabeth Holtzman, from my home State of New York, along with Peggy Heckler of Massachusetts, organized 13 Members to join them in forming the Women's Caucus in 1977.

We have certainly expanded our numbers. The caucus is 53 members strong this year, but we still face many obstacles.

I would like to submit this copy of achievements of the Women's Caucus during its 20 years for the Record, and just note some of the achievements for the Record.

In 1978, the caucus was instrumental in the passage of the Pregnancy Discrimination Act, guaranteeing employment rights to pregnant workers.

In 1979, Congress, at the pushing by the Women's Caucus, created the Office of Civil Rights at the Education Department to enforce the title IX ban against sex discrimination in education.

In 1984, the caucus' Economic Equity Act was the driving force behind enactment of important legislation in retirement equity and child support enforcement legislation.

That year, also, a caucus member, Geraldine Ferraro, from my home State of New York, was nominated for Vice President of the United States, the first time a woman ran for that office on a major party ticket.

In 1985, for the first time, legislation was introduced to provide temporary leave for parents of newborns and seriously ill children and for workers with serious health problems. This effort sparked an 8-year campaign that ended with the 1993 enactment of the Family and Medical Leave Act. That was the first bill that I voted for in Congress.

In 1992, the media called this year the ''Year of the Woman'' in politics as hundreds of women lined up to run for office. It was a year in which many people voted for women candidates, not as a slogan but as a force to be reckoned with. A record 48 women were elected to the House and 6 to the Senate. And our presence here truly did make a difference.

We passed many important bills: The Family and Medical Leave Act; we expanded the earned income tax credit; we passed the domestic violence bill; the Violence Against Women Act; we expanded coverage and funding for breast cancer and breast cancer research; and this year, in 1997, Congress passed landmark legislation to balance the Federal budget, and they included in it very important expansions for women's health provisions.

One bill that I am particularly proud of is one that I worked on since 1992 with my Republican colleague, Barbara Vucanovich, which expanded the coverage of mammograms in Medicare for women over 65 and bone mass measurement. And I note the very good work of my Republican colleague, the gentlewoman from Maryland [Mrs. CONNIE MORELLA], in this area.

We also enacted a child tax credit, assistance for families with children in college, and expanded health coverage for uninsured children.

I would like to take this time to thank the Congresswomen who have chaired the Women's Caucus. This year the gentlewoman from Connecticut, Mrs. NANCY JOHNSON, and the gentlewoman from the District of Columbia, Ms. ELEANOR HOLMES NORTON.

This year, on Mother's Day, again with my colleague, the gentlewoman from Maryland, Mrs. CONNIE MORELLA, it was a symbolic victory, but after many hurdles we finally moved the only statue of women that are in the rotunda, from the basement into the rotunda. On that particular day Lucretia Mott, Susan B. Anthony, and Elizabeth Cady Stanton, two of whom were women from New York State and who worked very hard on women's issues and for the right for women to gain the vote, they finally took their place in the Capitol rotunda, along with our other great revolutionary leaders.

I would like to put the rest of my remarks into the RECORD and also note other great women leaders from New York State, Bella Abzug, Shirley Chisholm, Geraldine Ferraro and Elizabeth Holtzman, all of whom were members of the Women's Caucus.

PROGRAM BOOK HIGHLIGHTS

1977—Reps. Elizabeth Holtzman (D-NY) and Margaret Heckler (R-MA) founded the Congresswomen's Caucus. Comprised of 15 of the 18 women in the House, the group focused its early efforts on eliminating sex discrimination and improving women's employment opportunities in the federal government.

1978—The Caucus led a successful effort to gain an extension of the ratification period for the Equal Rights Amendment. Also that year, Congress passed landmark legislation—the Pregnancy Discrimination Act—guaranteeing employment rights to pregnant workers.

1979—Double digit inflation spurred the Caucus to focus on economic equity for women, ranging from women's business opportunities to the susceptibility of women workers to unemployment. Congress created the Office of Civil Rights at the Education Department to enforce the Title IX ban against sex discrimination in education. Rep. Patricia Schroeder (D-CO) took over as Democratic Co-Chair of the Caucus.

1980—The Caucus called for a Congressional investigation of the extent to which women-owned businesses were gaining access to federal contracts. Congress voted to require federal agencies to report the dollar value of all federal contracts awarded to small, minority-owned and female-owned businesses.

1981—The Caucus introduced the Economic Equity Act—a package of legislation to address key economic security issues. Sandra Day O'Connor was sworn in as the first woman Associate Justice of the U.S. Supreme Court. The Congresswomen's Caucus opened its membership to men and changed its name to the Congressional Caucus for Women's Issues.

1982—At the urging of the Caucus, the Joint Economic Committee convened hearings on the economic status of women and its impact on family income. Congress extended flex-time arrangements for federal workers and made former military spouses eligible for health benefits.

1983—Virtually every piece of the Caucus' Economic Equity Act was the subject to Congressional hearings, including tax and retirement matters, dependent care, nondiscrimination in insurance, and child support enforcement. In a major jobs bill, Congress enacted provisions important to working women. Rep. Olympia Snowe (R-ME) becomes Republican Co-Chair of the Caucus.

1984—The Caucus Economic Equity Act was the driving force behind enactment of important retirement equity and child support enforcement legislation. Caucus member Geraldine Ferraro (D-NY) was nominated for Vice-President of the United States, the first time a woman ran for that office on a major party ticket.

1985—For the first time, legislation was introduced to provide temporary leave for parents of newborns and seriously ill children, and for workers with serious health problems. This effort sparked an eight year campaign that ended with the 1993 enactment of the Family and Medical Leave Act (FMLA).

1986—Congress passed major legislation to increase accessibility of a college education to non-traditional students—mostly women—and to allow states to expand Medicaid coverage to pregnant women and infants. Sen. Barbara Mikulski (D-MD) was the first Democratic woman elected to the Senate without first having been elected or appointed to fill a vacant seat.

1987—The Caucus celebrated its 10th anniversary as the nation marked the 100th Congress and the 200th anniversary of the Constitution. Two important Supreme Court decisions upheld the constitutional use of affirmative action plans for women and ruled that states could force all-male clubs to admit female members.

1988—An important Caucus priority was achieved when Congress restored broad coverage of Title IX and other civil rights laws. The Caucus won passage of legislation to address the impoverishment faced by many elderly women when their spouses entered nursing homes. Congress also passed the Women's Business Ownership Act aimed at ending discrimination in credit to women entrepreneurs.

1989—The Caucus continued to push Congress to approve the Family and Medical Leave Act as well as new legislation to increase the availability, quality, and affordability of child care. Congress increased funding for maternal and child health programs and required states to expand Medicaid programs to cover pregnant women and children under six, Rep. Ileana Ros-Lehtinen (R-FL) was the first Latina elected to Congress.

1990—Congress approved the first major child care legislation in 20 years. A General Accounting Office (GAO) report requested by the Caucus confirmed the widespread exclusion of women from federally funded medical research. Caucus members introduced the first Women's Health Equity Act and traveled to the National Institutes of Health (NIH) to discuss plans for creating an NIH Office of Research on Women's Health.

1991—Congress approved civil rights legislation that expanded remedies for victims of sex discrimination, established a Glass Ceiling Commission to examine barriers to the advancement of women in management positions, and removed the statutory prohibition against women flying combat missions. Rep. Patricia Schroeder (D-CO) became the first woman in nearly 20 years to chair a full committee in the House.

1992—Caucus initiatives to improve quality of mammograms and combat infertility in women were enacted. The media labeled 1992 the ''Year of the Woman'' in politics as hundreds of women lined up to run for office. A record 48 women were elected to the House and 6 to the Senate.

1993—After an eight year battle, the Family and Medical Leave Act was signed into law. Major women's health legislation drafted by the Caucus also became law. Congress removed the remaining statutory limits on women serving in the military. The Earned Income Tax Credit was expanded to help raise poor working families above the poverty level.

1994—With strong bipartisan support from the Caucus, Congress enacted the Violence Against Women Act, which authorized $1.6 billion over six years for services to victims of sexual assault and domestic violence. Congress also passed legislation to ensure more equitable treatment for women and girls in education and required federal agencies to establish a five percent goal for contracting with women-owned businesses.

1995—Congress approved legislation applying civil rights and employment statutes to itself, long a priority of the Caucus. Congress also defunded the legislative offices of House caucuses, including the Congressional Caucus for Women's Issues. Reps. Constance Morella (R-MD) and Nita Lowey (D-NY) were named to co-chair the reorganized Congressional Caucus for Women's Issues. Three women were named to chair committees in the House and Senate.

1996—Legislation was enacted to guarantee continued health insurance coverage for workers who change or lose their jobs. Included were Women's Health Equity Act provisions barring insurers from discriminating on the basis of genetic information or evidence of domestic violence. Congress also require insurers to expand hospital stays for new mothers and approved a Caucus initiative to strengthen child support enforcement.

1997—Congress passed landmark legislation to balance the federal budget and included in it important women's health provisions which expand Medicare coverage of mammography and bone mass measurement. Also enacted were a child tax credit, assistance for families with children in college, and expanded health coverage for uninsured children. Congresswomen Nancy Johnson (R-CT) and Eleanor Holmes Norton (D-DC) take over as Co-Chairs of the Caucus.

□ 1115

TRIBUTE TO THE LATE HONORABLE JOEL PRITCHARD

The SPEAKER pro tempore (Ms. GRANGER). Under the Speaker's announced policy of January 21, 1997, the gentleman from Washington [Mr. METCALF] is recognized during morning hour debates for 5 minutes.

Mr. METCALF. Madam Speaker, it is with deep sadness and sorrow that I rise today to note the death last week of former Congressman Joel Pritchard, a man deeply respected and admired and liked by everyone.

Joel was a rare politician who worked across partisan lines to solve problems. He exemplified the qualities that make our system work in his 40 years in the political system, from 1956 until 1996. Joel went on to serve 12 years in Congress. I was still in the State Senate when he was our Lieutenant Governor.

An affable, unassuming politician, Joel will be remembered as a man of his word. He believed strongly in term limits, as I do, and kept his word to leave Congress after 12 years, even

when friends and colleagues urged him otherwise.

Joel believed you do not have to give up your principles to work with people and to be pleasant. He said, ''I have always been able to get along with people, people I disagreed with, to help find a way out of an impasse.''

I considered Joel both a friend and respected colleague. He will be deeply missed, not only in Washington State, but also here in Washington, DC.

Today I would like to pay respect to Joel Pritchard and to send from the House of Representatives our sympathy to his family. Joel, you will most certainly be missed. I hope that we in Congress can continue to work across partisan lines that you so aptly personified in your exceptional career.

THE 20TH ANNIVERSARY OF THE CONGRESSIONAL CAUCUS FOR WOMEN'S ISSUES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentlewoman from Maryland [Mrs. MORELLA] is recognized during morning hour debates for 3 minutes.

Mrs. MORELLA. Madam Speaker, tonight the Congressional Caucus for Women's Issues will be celebrating its 20th anniversary. Since 1977, the Caucus has worked to ensure the well-being of women, children and families, and has played a major role in the enactment of more than 100 laws or provisions of laws. The Family and Medical Leave Act, child support enforcement legislation, child care legislation, expanded funding for women's health research, civil rights legislation, the Violence Against Women Act, just to name a few, are among the achievements of the Caucus.

In the last Congress, I had the honor of cochairing the caucus with my good friend and colleague, NITA LOWEY. We had the difficult assignment of guiding the caucus from its former status as a legislative service organization with a separate office and five paid staffers to the current status as a congressional members organization, without paid staff or office space.

While many of the caucus' folded under the lack of financial and staff support, the Congressional Caucus for Women's Issues continued to thrive and contribute its energies to legislation benefiting women, children and families.

In the 104th Congress, the caucus successfully worked on behalf of increased funding for the Violence Against Women Act, women's health research, and other priorities at a time when funding was reduced for many other programs. We worked to preserve the title X Family Planning Program and the Women's Educational Equity Act, and, as part of health care reform legislation, the caucus won the inclusion of provisions to prevent discrimination by health plans against domestic violence victims and on the basis of genetic information. A provision requiring insurers to guarantee minimum hospital stays for new mothers was also approved.

We successfully fought for substantial increases in funding to the States for child care under welfare reform, and the caucus child support enforcement initiative was made part of the bill as well. Most recently, provisions to expand Medicare coverage to include annual mammograms and bone density testing for the diagnosis and prevention of osteoporosis were also made part of the Balanced Budget Act, which is now law.

I am pleased to join with my colleagues today and later tonight in celebrating the work of the caucus over these past 20 years, from the initial founding of the caucus by Margaret Heckler and Liz Holtzman with a bipartisan group of 15 women, through the distinguished leadership of OLYMPIA SNOWE and Pat Schroeder, to today's organization, comprised of 50 women Members of the House under the able leadership of cochairs NANCY JOHNSON and ELEANOR HOLMES NORTON.

As we celebrate 20 years of accomplishment in sisterhood, I know that the caucus will only continue to grow, leading to new advancements for women and their families. We still have a long way to go in achieving our goal, but we also need to stop and acknowledge the long journey we have already traveled.

TRIBUTE TO THE LATE REGINA FRANKEWICZ

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Florida [Mr. MICA] is recognized during morning hour debates for 5 minutes.

Mr. MICA. Madam Speaker, when citizens are elected to have the great honor of serving in Congress, there are numerous individuals who help to make that experience possible for us. Each Member of Congress has family, friends, and supporters who have worked hard and sacrificed to elect us to office and to make our system of representative government work.

Today I would like to take just a few moments to honor the memory of one of my most faithful friends and supporters, Regina Frankewicz. She passed away yesterday in central Florida, and I would like to extend my very deepest sympathy to her husband, Leonard, and to her family.

While Regina was not a State or national figure, she was one of those great individuals in our Nation, one of those untold heroes who indeed helped make our democratic system function. Besides being a devoted wife and mother, Regina would often roll up her sleeves, and she went to labor in the political vineyards to support her candidates and her party in an untiring fashion.

Madam Speaker, I am pleased today to pay a very special tribute to the memory of my good friend, Regina Frankewicz. Without her kind, faithful, and devoted efforts, I am certain that I would not be serving in Congress.

Madam Speaker, I submit if every citizen would take up their political and electoral responsibility in a manner and fashion as exemplified by Regina Frankewicz, our Nation and our communities would well be served.

To Regina's husband, Leonard, today, and to her family and her friends, I would like to extend my deepest sympathy on their great loss.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 12 noon.

Accordingly (at 11 o'clock and 22 minutes a.m.), the House stood in recess until 12 noon.

□ 1200

AFTER RECESS

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

PRAYER

The Reverend Constantine Nicholas Dombalis, Dean Emeritus, Sts. Constantine and Helen Greek Orthodox Cathedral, Richmond, VA, offered the following prayer:

We thank You God, for the return of the mystic and quiet spell of this autumn season, that brings a majesty of color to the singing symphonies of our woodlands and our mountains.

In this Chamber, the finest minds of our Nation convene, responsible to the citizens, our laws, and on final account to You. May they never lose confidence, grow weary nor desolate. May they see in every adversity an opportunity, and serve Your will, nothing more, nothing less, nothing else.

We are strengthened by the House of Representatives, unafraid of standing for the dignity, worth, and rights of men as a special Congressional Gold Medal was presented this morning to His All Holiness, Ecumenical Patriarch Bartholomew, world leader of the Greek Orthodox Faith and the presentation of the honor, transmits an advocacy of religious freedom.

May we take something of the love of God wherever we go. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from North Carolina [Mr.

BALLENGER] come forward and 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 PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

WELCOME TO OUR GUEST CHAPLAIN

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

Mr. BLILEY. Madam Speaker, it is indeed a high honor for me and a great personal privilege to recognize today and to present our guest chaplain, a longtime friend and constituent from Richmond, VA, the retired dean of the Cathedral of Sts. Constantine & Helen. Father Bombalis is not only a great religious leader, but he is a great community leader throughout Virginia, and certainly not least of which in our capital city, Richmond. He is a longtime friend. He is a wonderful pastor and a devoted father and husband, and it is, indeed, a great pleasure to have him here with us today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker pro tempore signed the following enrolled bills on Wednesday, October 15, 1997:

H.R. 2158, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes, and

H.R. 2169, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OCTOBER 15, 1997.

Hon. NEWT GINGRICH,
The Speaker, U.S. House of Representatives, Washington, DC.

Dear Mr. Speaker. Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit correspondence received from the White House on October 15, 1997 at 5:00 p.m. and said to contain a message from the President pursuant to the Line Item Veto Act (P.L. 104–130) transmitting a cancellation with respect to the Department of Defense Appropriations Act, 1998 (P.L. 105–56).

With warm regards,

ROBIN H. CARLE,
Clerk, U.S. House of Representatives.

CANCELLATION OF SPECIFIC DISCRETIONARY BUDGET AUTHORITY WITH RESPECT TO DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1998—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105–155)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, pursuant to section 1025(a) of the Congressional Budget and Impoundment and Control Act of 1974, referred to the Committee on Budget and the Committee on Appropriations and ordered to be printed:

THE WHITE HOUSE,
Washington, DC, October 14, 1997.

Hon. NEWT GINGRICH,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: In accordance with the Line Item Veto Act, I hereby cancel the dollar amounts of discretionary budget authority, as specified in the attached reports, contained in the ''Department of Defense Appropriations Act, 1998'' (Public Law 105–56; H.R. 2266). I have determined that the cancellation of these amounts will reduce the Federal budget deficit, will not impair any essential Government functions, and will not harm the national interest. This letter, together with its attachments, constitute a special message under section 1022 of the Congressional Budget and Compoundment Act of 1974, as amended.

Sincerely,

WILLIAM J. CLINTON.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OCTOBER 16, 1997.

Hon. NEWT GINGRICH,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit correspondence received from the White House on October 16, 1997 at 3:00 p.m. and said to contain a message from the President pursuant to the Line Item Veto Act (P.L. 104–130) transmitting a cancellation with respect to the Treasury and General Government Appropriations Act, 1998 (P.L. 105–61).

With warm regards,

ROBIN H. CARLE,
Clerk, U.S. House of Representatives.

CANCELLATION OF SPECIFIC DISCRETIONARY BUDGET AUTHORITY WITH RESPECT TO TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1998—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105–156)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, pursuant to section 1025(a) of the Congressional Budget and Impoundment Control Act of 1974, referred to the Committee on the Budget, the Committee on Government Reform and Oversight, and the Committee on Appropriations and ordered to be printed:

THE WHITE HOUSE,
Washington, DC, October 16, 1997.

Hon. NEWT GINGRICH,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: In accordance with the Line Item Veto Act, I hereby cancel the dollar amount of discretionary budget authority, as specified in the attached report, contained in the ''Treasury and General Government Appropriations Act, 1998'' (Public Law 105–61; H.R. 2378). I have determined that the cancellation of this amount will reduce the Federal budget deficit, will not impair any essential Government functions, and will not harm the national interest. This letter, together with its attachment, constitutes a special message under section 1022 of the Congressional Budget and Impoundment Control Act of 1974, as amended.

Sincerely,

WILLIAM J. CLINTON.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OCTOBER 17, 1997.

Hon. NEWT GINGRICH,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit correspondence received from the White House on October 17, 1997 at 2:11 p.m. and said to contain a message from the President pursuant to the Line Item Veto Act (P.L. 104–130) transmitting cancellations with respect to the Energy and Water Development Appropriations Act, 1998 (H.R. 2203, approved October 13, 1997).

With warm regards.

ROBIN H. CARLE,
Clerk, U.S. House of Representatives.

CANCELLATION OF SPECIFIC DISCRETIONARY BUDGET AUTHORITY WITH RESPECT TO ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1998—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105–157)

The SPEAKER pro tempore laid before the House the following message

from the President of the United States; which was read and, together with the accompanying papers, without objection, pursuant to section 1025(a) of the Congressional Budget and Impoundment and Control Act of 1974, referred to the Committee on the Budget and the Committee on Appropriations and ordered to be printed:

THE WHITE HOUSE,
Washington, DC, October 17, 1997.

Hon. NEWT GINGRICH,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: In accordance with the Line Item Veto Act, I hereby cancel the dollar amounts of discretionary budget authority, as specified in the attached reports, contained in the ''Energy and Water Development Appropriations Act, 1998'' (H.R. 2203, approved October 13, 1997). I have determined that the cancellation of these amounts will reduce the Federal budget deficit, will not impair any essential Government functions, and will not harm the national interest. This letter, together with its attachments, constitutes a special message under section 1022 of the Congressional Budget and Impoundment Control Act of 1974, as amended.

Sincerely,

WILLIAM J. CLINTON.

NUCLEAR WASTE DUMP DECISIONS SHOULD NOT BE BASED ON CAMPAIGN CONTRIBUTIONS

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

Madam Speaker, a recent editorial in the Las Vegas Sun stated: ''Nuclear industry stacks the deck.'' The article further states, ''Dollars here. Get your campaign money here.''

How true. Like hucksters at a carnival, the nuclear industry is dangling dollars in front of Senators and Congressmen, then stuffing their campaign coffers with nearly $13 million. The prize, of course, is a nuclear waste dump in Nevada.

According to the study aptly titled, ''The Nuclear Industry: A Cash Cow for Congress,'' pointed out that nearly $10 million was given to House Members and $3 million to Senators. Nevadans wonder what effect this money has had on the scientific study of Yucca Mountain's suitability as a nuclear waste repository. Does this money amount to hush money or is it just political contributions to pay off opposition? Should the industry's $13 million not be better spent recycling this waste?

Madam Speaker, I urge my colleagues to vote ''no'' on H.R. 1270. Government should make its decisions on sound science; not bank accounts.

WOMEN'S CONGRESSIONAL CAUCUS ADVOCATES ADEQUATE CHILD CARE

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

Ms. DEGETTE. Madam Speaker, and that sounds kind of good, ''Madam Speaker,'' when 18 women established the Congressional Caucus on Women's Issues in 1977, little did they realize that their brainchild would be the single most important tool for advancing issues most important to American women.

One of the most pressing issues that is facing women and families today, and as we move into the next century, is child care. I know this personally, having faced struggles in child care in just the last few months in moving in the Washington area and looking for quality child care for my two young girls.

Madam Speaker, finding child care for me was tough, but finding child care for low-income women and families, where a dollar spent on child care means a dollar less on food or rent, is even harder.

That is why I applaud the efforts of the Women's Congressional Caucus and the White House, which this week is holding a conference on child care, the first of its kind ever.

Mothers and families should not have to choose between work and adequate child care. That is why the Women's Caucus has been, and continues to be, a strong advocate for quality child care.

OSHA AND MSHA SHOULD BE MERGED

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

Mr. BALLENGER. Madam Speaker, last Congress I proposed legislation to merge two Federal workplace safety and health agencies, OSHA and MSHA, into a single agency. In my view, merging these two agencies would more effectively promote workplace safety. It would also help reduce Washington bureaucracy.

The Clinton administration strongly opposed my proposed merger. But after he criticized my plan to merge the agencies, the Clinton administration made the head of MSHA a part-time job. And 2½ years later, the Clinton administration still considers MSHA so important that the Acting Solicitor of Labor is running the agency in a couple of hours a week.

Madam Speaker, I am all for saving taxpayer money and combining Federal Government jobs where possible, but I am curious whether this sharing of top-level jobs might be part of a larger strategy. I know the Department of Labor has criticized companies in the past for filling too many lower level positions with part-time workers. Is the Clinton administration trying to turn the tables by putting part-timers in top positions?

Madam Speaker, how far will the administration carry this? Will the Attorney General be officially splitting time as a White House Press Secretary?

WHITE HOUSE MUST ACCEPT CHANGE IN BURDEN OF PROOF IN TAX DISPUTES

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

Mr. TRAFICANT. Madam Speaker, the White House is opposed to shifting the burden of proof from the taxpayer to the IRS. The White House wants to leave it alone, smack dab on the taxpayer.

The White House says it will cost too much. Unbelievable. The IRS accuses; the taxpayer must prove it. Could my colleagues imagine George Washington opposing the Bill of Rights over dollars and cents?

Shame, White House. Shame. As far as I am concerned, the White House will get the burden of proof change in a civil tax case one way or the other. They will either accept it with common sense and good logic, or they will get it as a stone cold congressional suppository.

Madam Speaker, I would tell them, ''Make your choice, White House, and make our 1040. It is time to put the Bill of Rights back into the Tax Code. Audit this.''

LIBERAL EDUCATION ADVOCATES ARE NOT TO BE TAKEN SERIOUSLY

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

Mr. HUTCHINSON. Madam Speaker, it appears to me that the liberal thinkers who talk about education and always call for education standards are not to be taken seriously. These advocates for children, who proudly call themselves progressives, are the same people responsible for the outrageous academic fads in the classroom which have produced such terrible academic results in the first place.

Academic rigor gives way to emphasis on self-esteem. Merit is replaced by cooperative learning. Common sense, time-tested methods to teach kids how to spell correctly lose out to whole learning.

□ 1215

Classrooms which challenge the gifted are scrapped for dumbed-down learning that cheat kids out of real education. Math that requires actual calculations yields to rain forest algebra that teaches no mathematical skills whatsoever, and so on and on. So before we listen to the progressives who are responsible for this deplorable state of affairs, let us consider instead whether a return to the basics and common sense learning methods are what is really needed.

WOMEN'S CAUCUS

(Ms. NORTON asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. NORTON. Madam Speaker, what do President Clinton, Secretary of State Madeleine Albright, Cokie Roberts, and the singing group, Sweet Honey in the Rock have in common? They are part of the all-star line up this evening when the Women's Caucus celebrates 20 years of incredible achievements for women and families.

Originally 15, we are now 50 strong. Almost all of the women of the House are Members. We are bipartisan and proud of it. At 7 tonight at Mellon Auditorium we will celebrate extraordinary legislative achievements that range from the Pregnancy Discrimination Act to the Family Medical and Leave Act. The Women's Caucus has given shape and focus to women's issues and we have a lot to show for it. Tonight, though, we will just show off.

CONGRESSIONAL GOLD MEDAL CEREMONY

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

Mr. PAPPAS. Madam Speaker, I just attended the Congressional Gold Medal presentation ceremony in the rotunda of this building in which that was presented to His All Holiness Patriarch Bartholomew of the Greek Orthodox Church. It was a real honor to be there and be a Member of this House that made that possible in recognition for his leadership, not just as a religious leader, but as someone who is a defender of freedom around the world.

I decided to come here and just take this moment to draw attention to the people around our country that this has taken place and that we in this country are very, very fortunate to be able to speak freely of our religious beliefs and, yes, even the U.S. Government through the U.S. Congress recognizes the importance that religion plays in our world and certainly in our Nation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to the provisions of clause 5 of rule I, the Chair announces that she will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 4 of rule XV.

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

EMERGENCY STUDENT LOAN CONSOLIDATION ACT OF 1997

Mr. McKEON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2535) to amend the Higher Education Act of 1965 to allow the consolidation of student loans under the Federal Family Loan Program and the Direct Loan Program, as amended.

The Clerk read as follows:

H.R. 2535

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

SECTION 1. SHORT TITLE; REFERENCE.

(a) SHORT TITLE.—This Act may be cited as the ''Emergency Student Loan Consolidation Act of 1997''.

(b) REFERENCES.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

SEC. 2. LOAN CONSOLIDATION PROVISIONS.

(a) DEFINITION OF LOANS ELIGIBLE FOR CONSOLIDATION.—Section 428C(a)(4) (20 U.S.C. 1078–3(a)(4)) is amended—

(1) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(2) by inserting after subparagraph (B) the following new subparagraph:

''(C) made under part D of this title, except that loans made under such part shall be eligible student loans only for consolidation loans for which the application is received by an eligible lender during the period beginning on the date of enactment of the Emergency Student Loan Consolidation Act of 1997 and ending on October 1, 1998;''.

(b) TERMS OF CONSOLIDATION LOANS.—Section 428C(b)(4)(C)(ii) is amended—

(1) in subclause (I), by inserting after ''consolidation loan'' the following: ''for which the application is received by an eligible lender before the date of enactment of the Emergency Student Loan Consolidation Act of 1997, or on or after October 1, 1998,'' ;

(2) by striking ''or'' at the end of subclause (I);

(3) by inserting ''or (II)'' before the semicolon at the end of subclause (II);

(4) by redesignating subclause (II) as subclause (III); and

(5) by inserting after subclause (I) the following new subclause:

''(II) by the Secretary, in the case of a consolidation loan for which the application is received by an eligible lender on or after the date of enactment of the Emergency Student Loan Consolidation Act of 1997 and before October 1, 1998, except that the Secretary shall pay such interest only on that portion of the loan that repays Federal Stafford Loans for which the student borrower received an interest subsidy under section 428 or Federal Direct Stafford Loans for which the borrower received an interest subsidy under section 455; or''.

(c) NONDISCRIMINATION IN LOAN CONSOLIDATION.—Section 428C(b) is amended by adding at the end the following new paragraph:

''(6) NONDISCRIMINATION IN LOAN CONSOLIDATION.—An eligible lender that makes consolidation loans under this section shall not discriminate against any borrower seeking such a loan—

''(A) based on the number or type of eligible student loans the borrower seeks to consolidate;

''(B) based on the type or category of institution of higher education that the borrower attended;

''(C) based on the interest rate that is authorized to be collected with respect to the consolidation loan; or

''(D) with respect to the types of repayment schedules offered to such borrower.''.

(d) INTEREST RATE.—Section 428C(c)(1) is amended—

(1) in the first sentence of subparagraph (A), by striking ''(B) or (C)'' and inserting ''(B), (C), or (D)''; and

(2) by adding at the end the following new subparagraph:

''(D) A consolidation loan for which the application is received by an eligible lender on or after the date of enactment of the Emergency Student Loan Consolidation Act of 1997 and before October 1, 1998, shall bear interest at an annual rate on the unpaid principal balance of the loan that is equal to the rate specified in section 427A(f), except that the eligible lender may continue to calculate interest on such a loan at the rate previously in effect and defer, until not later than April 1, 1998, the recalculation of the interest on such a loan at the rate required by this subparagraph if the recalculation is applied retroactively to the date on which the loan is made.''.

(e) AMENDMENTS EFFECTIVE FOR PENDING APPLICANTS.—The consolidation loans authorized by the amendments made by this section shall be available notwithstanding any pending application by a student for a consolidation loan under part D of title IV of the Higher Education Act of 1965, upon withdrawal of such application by the student at any time prior to receipt of such a consolidation loan.

SEC. 3. ADMINISTRATIVE EXPENSE REDUCTIONS.

Section 458(a)(1) (20 U.S.C. 1087h(a)(1)) is amended by striking ''$532,000,000'' and inserting ''$507,000,000''.

SEC. 4. TREATMENT OF TAX BENEFITS.

(a) FAMILY CONTRIBUTION FOR DEPENDENT STUDENTS.—

(1) PARENTS' AVAILABLE INCOME.—Section 475(c)(1) is amended—

(A) by striking ''and'' at the end of subparagraph (D);

(B) by striking the period at the end of subparagraph (E) and inserting ''; and''; and

(C) by adding at the end the following new subparagraph:

''(F) the amount of any tax credit taken by the parents under section 25A of the Internal Revenue Code of 1986.''.

(2) STUDENT CONTRIBUTION FROM AVAILABLE INCOME.—Section 475(g)(2) is amended—

(A) by striking ''and'' at the end of subparagraph (C);

(B) by striking the period at the end of subparagraph (D) and inserting ''; and''; and

(C) by inserting after subparagraph (D) the following new subparagraph:

''(E) the amount of any tax credit taken by the student under section 25A of the Internal Revenue Code of 1986.''.

(b) FAMILY CONTRIBUTION FOR INDEPENDENT STUDENTS WITHOUT DEPENDENTS OTHER THAN A SPOUSE.—Section 476(b)(1)(A) (20 U.S.C. 1087pp(b)(1)(A)) is amended—

(1) by striking ''and'' at the end of clause (iv); and

(2) by inserting after clause (v) the following new clause:

''(vi) the amount of any tax credit taken under section 25A of the Internal Revenue Code of 1986; and''.

(c) FAMILY CONTRIBUTION FOR INDEPENDENT STUDENTS WITH DEPENDENTS OTHER THAN A SPOUSE.—Section 477(b)(1) (20 U.S.C. 1087qq(b)(1)) 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 ''; and''; and

(3) by adding at the end the following new subparagraph:

''(F) the amount of any tax credit taken under section 25A of the Internal Revenue Code of 1986.''.

(d) TOTAL INCOME.—Section 480(a)(2) (20 U.S.C. 1087vv(a)(2)) is amended—

(1) by striking ''individual, and'' and inserting ''individual,''; and

(2) by inserting ''and no portion of any tax credit taken under section 25A of the Internal Revenue Code of 1986,'' before ''shall be included''.

(e) OTHER FINANCIAL ASSISTANCE.—Section 480(j) is amended by adding at the end the following new paragraph:

''(4) Notwithstanding paragraph (1), a tax credit taken under section 25A of the Internal Revenue Code of 1986 shall not be treated as estimated financial assistance for purposes of section 471(3).''.

The SPEAKER pro tempore. Pursuant to the rule the gentleman from California [Mr. MCKEON] and the gentleman from Michigan [Mr. KILDEE], each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. MCKEON].

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

Madam Speaker, I rise in support of the Emergency Student Loan Consolidation Act of 1997 and urge its immediate passage.

Madam Speaker, this bill is the first in a series of education bills that Members of our party will bring to the floor this week. Already this year the House Republicans have passed bills that will make our schools safer, train Americans for high-paying jobs and educate disabled children and make college more affordable.

Now, over the next 2 weeks, Americans will see the House of Representatives vote on a series of innovative education bills introduced by Republicans. These are dramatic efforts, not old, tired Federal programs from Washington. Our bills will help children read, send dollars directly to the classroom, and assist families in saving for the high cost of education. Our bills also will empower low-income families with new parental choice, scholarships and launch new innovative charter schools.

The bill I support today will help college students and recent graduates who are caught in a credit crunch created by the U.S. Department of Education. On September 24, 1997, when I, along with the gentleman from Pennsylvania [Mr. GOODLING] and the gentleman from Ohio [Mr. BOEHNER] introduced this legislation, the Department of Education was facing a backlog of more than 80,000 applications for Direct Student Loan consolidations, and had stopped accepting new applications for loan consolidations altogether. Many of these borrowers had waited months for their applications to be processed. Today, over 30,000 are still waiting and another 35,000 have simply given up and been dropped out of the process.

Countless thousands more need to consolidate their student loan debt but have been told to wait until the Department begins accepting applications again.

The legislation before us today will provide these borrowers with immediate relief. The Emergency Student Loan Consolidation Act will allow borrowers to consolidate direct student loans into FFEL consolidation loans. The interest rate for all new consolidation loans will be identical to the rate in the Direct Loan Program and borrowers who consolidate subsidized loans will not lose their deferment benefits simply because they consolidate their loans.

In addition, thanks to an amendment offered in committee by our colleague, the gentleman from Michigan [Mr. KILDEE], and our colleague, the gentleman from Missouri [Mr. CLAY], this legislation makes urgently needed technical changes to the need analysis provisions found in the Higher Education Act. These changes will ensure that low- and middle-income families who receive the benefits of the education tax credits provided for in the Taxpayer Relief Act of 1997 will not be penalized with respect to their eligibility for financial aid in future years.

Making these changes now will allow the Department of Education to begin the process of revising its forms and procedures for the 1999 academic year well in advance so that students and families will not encounter delays in the processing of their applications for financial aid.

While many of us still have doubts about the long-term viability of the Direct Student Loan Program and the Department's ability to manage it, this legislation is not about direct loans or guaranteed loans or which program is better. It is about helping students who are currently unable to obtain a consolidation loan through the Direct Loan Program.

These are students who may pay hundreds or even thousands of dollars in additional interest costs, who may have serious difficulty in securing other credit such as a mortgage, and who may even default on their student loans if we do not act now to offer them an alternative to the Direct Loan Program.

The alternative offered under the Emergency Student Loan Consolidation Act will also take some of the pressure off of the Department of Education. We do not want the Department to hastily try to fix the current system problems only to cause more delays and problems in the future.

One graduate from the Boston University School of Law was delighted to have received a Direct Consolidation Loan after 8 months of waiting. However, when the direct loan servicing center began sending her bills and charging her interest on a $57,000 consolidation loan when it should have been a $37,000 consolidation loan, she was not too happy. Mistakes such as this will continue to occur if the Department attempts to hurriedly process all the pending applications without first ensuring that the applications are being processed correctly.

This is emergency legislation, so these changes will only remain in effect until September 30, 1998. However, I want to assure lenders that step in to help students and the Department during this crisis that we realize that every time we change the law, it also requires changes in the way we do business. We will be reviewing the changes included in this legislation for inclusion in our authorization of the Higher Education Act.

The cost of this legislation will be paid for by reducing the section 458 administrative funds available to the Department of Education and for the Direct Loan and the FFEL programs by $25 million in fiscal year 1998. Statements made by the Assistant Secretary for Postsecondary Education and others at the Department about being unable to administer the Direct Loan Program without the $25 million are very troubling.

The Department's fiscal year 1998 budget proposal for section 458 requested an increase of $41 million with 75 percent of the increased funds or $30 million needed as a result of the growth in the Direct Loan Program. However, with the net gain of only one school participating in the fourth year of the program, it is difficult to imagine why the Department would need another $30 million in order to manage this program.

I would also note that the administration has expressed concerns that private sector lenders might discriminate against some borrowers when making these loans. I want to point out that the legislation before us today contains antidiscrimination provisions. This is a change from the legislation reported from the committee to specifically address these concerns.

Unfortunately, for many students, this bill does not go far enough. It does not require the Department and its contractor to reimburse students for the additional interest they have been charged while waiting for this mess to be resolved. The Secretary should look into that possibility. The Secretary should also look into the quality of the information being provided to students. The students who testified at our hearing expressed a total lack of confidence in the Department's ability to provide quality customer service and accurate information.

Additionally, a while back I spoke with a constituent, David Higbee, a recent law school graduate. He had written me a letter about his concerns with the direct loan consolidation process. In the letter he said, ''we quickly received an estimate from Sallie Mae on the portion of our student loans we were refinancing there. The Department of Education was slow and refused every reasonable suggestion to expedite its inadequate customer service process.''

I am inclined to believe David and the other students who testified before us. I am inclined to help them and others like them with their similar stories. This bill will provide these borrowers with immediate emergency relief, which is the right thing to do.

Finally, I want to thank my colleagues on both sides of the aisle for

supporting this effort. I particularly want to thank the gentleman from Ohio [Mr. BOEHNER], for his active participation in addressing this problem. I also want to thank the gentleman from Missouri [Mr. CLAY], and the gentleman from Michigan [Mr. KILDEE], for their efforts in bringing a bipartisan bill before the committee and the gentleman from New Jersey [Mr. ANDREWS], for his recommendation that we specifically ensure that the students caught in the current delays have the final say in deciding whether they obtain a consolidation loan. I am happy that we were able to address his concern in the committee.

I urge my colleagues to support this emergency legislation and provide immediate relief to student loan borrowers trapped by the shutdown of the direct student loan consolidation process. I urge a ''yes'' vote on this Emergency Student Loan Consolidation Act of 1997.

Madam Speaker, I reserve the balance of my time.

□ 1230

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

Madam Speaker, I believe that speedy enactment of H.R. 2535 is necessary for one reason, to help students, and to my mind no other reason need be offered.

Suspension of the Direct Loan Consolidation Program initially left more than 84,000 students without the ability to consolidate their student loans. These are not simply numbers, they are real people who suddenly faced additional costs and difficulties in paying off their student loans. This crisis is something they should not have had to endure.

While I believe the Department must bear the responsibility for suspension of this program, I applaud the progress it has made in approving the consolidation for almost 22,000 students since the program was suspended. I remain deeply concerned, however, that almost 34,000 students have withdrawn or have had their consolidation applications deactivated, and that another 30,000 students will continue to await approval of their applications.

I have been informed that the Department expects to renew operation of its Loan Consolidation Program by December 1 of this year, and I am very hopeful that they will reach that target. I would caution officials at the Department, however, to prepare for a potential avalanche of new consolidation applications that has been building in the period since the current program suspended operation in August. We cannot afford another crisis for our students.

I believe that broadening loan consolidation in the Federal Family Education Loan Program provides more choices for students to consolidate their outstanding student loans. I am especially encouraged that this will be done, to the extent possible, on terms that are the same as those now provided in the Direct Loan Consolidation Program. Especially important is the provision in this legislation that will enable students participating in loan consolidation in the FFEL program to receive a lower interest rate on the consolidated loans than they now enjoy.

The other important provision of H.R. 2535 involves an amendment that I offered on behalf of the gentleman from Missouri [Mr. CLAY] and myself, and which was unanimously accepted during full committee consideration of this bill. It would make sure that the receipt of a HOPE scholarship would not count against a student's eligibility for other Federal student aid.

When we enacted the HOPE scholarship program as part of the tax bill, we intended to make sure that the receipt of a HOPE scholarship would not adversely affect a student's eligibility for a Pell grant and other student aid. Financially needy students need all the help they can get if they are to pay for a college education, and pitting a HOPE scholarship against a Pell grant or other student aid was certainly something we never intended.

In order to avoid this situation, changes in the need analysis provisions of the Higher Education Act are necessary. Without this amendment, some 69,000 students will annually lose an estimated $125 million in Federal student aid.

I would also point out that this provision is very time sensitive. While changes in the new tax law regarding the HOPE scholarship will not take place until 1999, my understanding is that this change is already included in the CBO baseline for the Pell Grant Program. Failure to make the changes included in this legislation will result in the removal of those assumptions from the baseline. Restoring them at any time other than the current calendar year will, as I understand it, result in the cost of at least $120 million a year.

Madam Speaker, this legislation is worthy of strong bipartisan support, the same support it had in committee. The need for its enactment is immediate, and I urge my colleagues to join me in supporting its passage.

Madam Speaker, I reserve the balance of my time.

Mr. MCKEON. Madam Speaker, I yield 4 minutes to the gentleman from Pennsylvania [Mr. GOODLING], the chairman of the Committee on Education and the Workforce.

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

Mr. GOODLING. Madam Speaker, this would be a good time to say I told you so, if it were not for the fact that probably 100,000 students and former students are dangling in the wind. But I have repeated, since 1991 or earlier, what my predecessor, Chairman Ford, would say over and over again, ''There is no way under the sun that the Department of Education can become the effective largest bank in the world.'' But I learned something. If one wants to get a program named after oneself, make sure it does not work, and then one will succeed.

At any rate, we have a problem. Leo created it. He was the lion and he wanted to make very sure that the private sector would be put out of business as far as student loans were concerned, and he did everything under the Sun to make sure that that would happen, that only direct lending would be allowed. And some of the things he did, of course, was say, well, we will give reduced interest rates, we will give subsidized deferments, knowing that the private sector could not do that. And of course that brought all these wonderful applicants to consolidate loans at these good offers that Leo the lion was making.

And of course all of a sudden they discovered, well, now we are 84,000 behind, so we will just shut down the operation and let the rest of the students wonder what is going to happen.

Now of the 84,000, we understand there has been some reduction in the number, but most of it has been done because they just gave up and dropped out or others the Department decided just not to consider. So we have a serious problem, and it is the students we are interested in, the former students, not what will work or will not work.

So I am happy to be here today to say that in a bipartisan way we have done the right thing in the name of honoring those students who were tricked into what appeared to be what the Government so many times promises, something wonderful for nothing that never happens.

Today we can take a bipartisan step with an overwhelming vote and we can help all of those students and maybe send a message to the Department, to the departed lion, Leo, that we told him so. We knew he could not do it. Did not matter which administration, he never did very well managing anything, and, obviously, he could not become the biggest bank in the world.

So let us pass it unanimously, help the students.

Mr. CLAY. Madam Speaker, will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from Missouri.

Mr. CLAY. Madam Speaker, the gentleman is speaking about bipartisanism and he has had a frontal attack on the former chairman of this committee, Bill Ford, who has had an outstanding record of supporting education in this committee, and I do not know how the gentleman can stand there——

Mr. GOODLING. Madam Speaker, reclaiming my time, I did not attack Bill Ford at all. Bill Ford and I are very good friends.

Mr. CLAY: It sounds like the gentleman and Mr. Ford are very good friends.

Mr. GOODLING. I merely repeated what Bill Ford said time and time

again, when the gentleman from Wisconsin [Mr. PETRI] would try to move direct lending. It was the gentleman from Wisconsin who was moving it, and Bill Ford would say over and other again that is a silly idea, that is a crazy idea, that cannot work, the Department is not capable of doing that. And, of course, I have just repeated what he said over and over again.

Mr. KILDEE. Madam Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. CLAY], the ranking Democratic member of the full committee.

Mr. CLAY. Madam Speaker, I thank the gentleman for yielding me this time.

Madam Speaker, I am supporting the bill before us today because, on balance, it provides some students an additional option to consolidate their loans. While this serious problem with loan consolidation cannot be minimized, I am pleased to hear that the Department of Education is making good progress in eliminating the backlog of loan consolidation applications. I believe Secretary Riley has a strong commitment to eliminate this backlog and to prevent future problems.

Madam Speaker, I remain confident about the quality of service direct lending provides in originating student loans, and there continues to be substantial support in the use of direct lending in the education community. It is indisputable that by providing competition, direct lending has brought great improvement to the whole student loan program.

Finally, Madam Speaker, I am pleased that this bill includes an amendment I offered, along with the gentleman from Michigan [Mr. KILDEE], that will ensure that students who receive HOPE scholarship credits will not have their Pell grants or other student aid reduced. Without this amendment, some 69,000 students would lose an estimated $125 million annually.

Madam Speaker, I recommend that the Members of this House support this bill.

Mr. MCKEON. Madam Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. BOEHNER], the chairman of our Republican conference, a member from this committee, who is on leave of absence with the leadership.

Mr. BOEHNER. Madam Speaker, we have spent the past several years knocking down the status quo barriers to our children's future, but nowhere is the status quo still more evident than in the Federal education establishment, a bureaucracy built on empty promises to our young people.

Not long ago an Education Department official bragged that the direct loan program, and I will quote, ''provides a simpler, more automated, and more accountable system,'' to its student customers. But last month American students learned the harsh truth: That the Government cannot handle the job.

If you're looking for proof that the education bureaucracy hurts our kids' future, the consolidation meltdown offers some good examples—84,000 examples, to be exact. That's the number of students left in the lurch while the education bureaucracy tries to get its act together. That's the number of students being told to put their financial futures on hold until their government figures out how to deliver its promises.

The Education Department has made students an offer that sounds too good to be true, and it is. The truth is, for students hoping to consolidate their direct loans, their government has sold them a lemon. For many who grew up in the era of big Government, it is just the latest empty promise from Washington.

I have two daughters, a 19-year-old and a 17-year-old. People have labeled that generation Generation X, implying that they are disillusioned or unsure of who or what they can believe in. Madam Speaker, if this is the way their government treats their hopes for the future, who can blame them for being disillusioned?

Today, the House will take action to help give students caught up in this bureaucratic nightmare a way out by allowing the consolidation of the direct loans to occur through private lenders. The hard work of my colleagues on the committee, the gentleman from Pennsylvania [Mr. GOODLING], the gentleman from California [Mr. MCKEON], certainly the gentleman from Michigan [Mr. KILDEE], and the gentleman from Missouri [Mr. CLAY] should be commended. I urge all my colleagues to vote for this bill today.

Mr. KILDEE. Madam Speaker, I yield 1 minute to the gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Madam Speaker, I thank the gentleman for yielding me this time.

To my thinking, this bill addresses a crisis and also addresses over 1 year an inequality which needs to be addressed.

The crisis is the Federal Government's loan consolidation program offered as part of the Department of Education's Direct Lending effort. With a backlog of over 80,000 loan consolidation requests, that part of the system clearly is in crisis. This is simply not fair to the students, and the bill helps address that.

I am confident that the private lenders of the Guaranteed Student Loan Program will meet the challenge we give them in this bill. Rather than delays, backlogs, and shutdowns, students will have the service they have a right to expect.

As to the fairness issue, I am glad that the private sector will be allowed a loan consolidation role like the Government's loan program for the next year. I hope this becomes permanent in future legislation. If we are to have two student loan programs, one run by the Government yet one made available through the private sector, let us give them equal range. Let us give permanently to the private sector this loan consolidation opportunity.

Mr. MCKEON. Madam Speaker, I yield 2 minutes to the gentleman from South Dakota [Mr. THUNE].

Mr. THUNE. Madam Speaker, I thank the gentleman for yielding me this time.

Madam Speaker, this is an issue with which I have some experience because it was not all that long ago that my wife and I were in the process of repaying the loans, the money that we borrowed to finance our college education.

I believe that this is a very commonsense approach to dealing with an issue that is so important to ensuring that our young people have an opportunity to pursue a higher education.

It has already been noted there is a backlog of some 84,000 applications for consolidation. The Department of Education has stopped accepting any future applications, and that means there are tens of thousands of students waiting to even submit their application, trying to seek a way to solve their financial problems and with no other way to solve them.

□ 1245

This bill encourages students to do business with the private sector instead of the Federal Government. I do not think we want people to depend upon the Government to handle their personal financial matters. Consolidation will allow students to make lower payments, thus reducing the number of defaults. In the long run that is going to mean better credit ratings, which means students will have a better chance to secure credit in the future, especially when it comes time to apply for things like a mortgage.

I would encourage all our colleagues, and I am delighted to hear the bipartisan support for this approach today, to put the private sector on a level playing field with the Federal Government and to assist the thousands of students who need to consolidate their loans. In my view, this is something that is very much win-win. It is very pro student, pro consumer and user of government programs. It is also something that is very pro taxpayer in that it gives us a more efficient mechanism with which to deal with the student loan program. And so I credit those who have worked on it on both sides of the aisle, and I would encourage all my colleagues here to support this important move toward better efficiency in government.

Mr. KILDEE. Madam Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. KLINK].

Mr. KLINK. Madam Speaker, I thank the gentleman for yielding me this time. I thank my former committee colleagues, the two chairmen, for their kind and great work on this bill. H.R. 2535 is very similar to section 8 of a bill that I introduced in both this Congress and the last Congress, this Congress it is H.R. 2140, the Federal Accountability and Institutional Reform and Education Act, or FAIR Ed Act, which would make commonsense reforms to the student loan program.

The bill that we are talking about today, H.R. 2535, deserves a positive

vote from Members on both sides of the aisle. It is going to provide students with the ability to consolidate loans either from the Federal Student Loan Program or the Federal Family Education Loan Program into a single student loan. This is going to allow students to better manage their student loan debt and avoid defaults. That is going to be good for the students, it is going to be good for the schools, and it is going to be good for the Federal Government.

It is unfortunate under the current circumstances that this has to come forward as an emergency bill, but this is a great first step in the process of reauthorizing the Higher Education Act. I urge my colleagues to vote ''yes.''

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

Mr. KILDEE. Madam Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. GORDON], who has worked very hard on this whole question of loans.

Mr. GORDON. Madam Speaker, I thank the gentleman from Michigan [Mr. KILDEE] for allowing me the opportunity to express my strong support for H.R. 2535, the Emergency Student Loan Consolidation Act. I want to begin by commending the gentleman from Pennsylvania [Mr. GOODLING], the gentleman from California [Mr. MCKEON], the gentleman from Missouri [Mr. CLAY] and the gentleman from Michigan [Mr. KILDEE] for their leadership on this issue.

When talking about student financial assistance, more specifically about student loans, there is one thing that we as Members of Congress can all agree upon. We want what is in the best interests of students by making available the means to pay for higher education. Each year that goes by, the cost of higher education climbs more and more, as does student debt. A major component for students as they graduate and enter into repayment of their loans is to consolidate their multiple loans into one manageable debt that has monthly payments. Unfortunately, the Federal Government, after providing students with loans, has failed those same students in need of consolidating their previous loans into one manageable sum.

These recent graduates are trying to start their lives, start their families and buy homes. Unfortunately, more than 87,000 students throughout the country are now having trouble making ends meet, balancing their checkbooks and getting a mortgage because they cannot consolidate their student loans. I think it is clear that Congress needs to take action and correct this problem. This bill will accomplish two things in regard to loan consolidation. First, it will allow them to consolidate their loans now. Second, it will level the playing field between our two distinct loan programs, allowing students more choices in dealing with their finances.

I would like to once again commend my colleagues and the committee staff for their hard work and for addressing this issue quickly and in a timely bipartisan manner.

Mr. KILDEE. Madam Speaker, I yield myself such time as I may consume. I believe it is very important that we recognize the staff for their good, hard work that they put into this legislation. In particular, I want to thank Mr. David Evans, Mr. Mark Zuckerman, Ms. Sally Stroup, Mr. George Conant and Mr. Jeff Andrade for their efforts. Their work has been very, very helpful. They work back and forth between the chairman and I, and we certainly appreciate their efforts.

Mr. CUNNINGHAM. Mr. Speaker, I rise in strong support of H.R. 2535, the Emergency Student Loan Consolidation Act.

Millions of American college students and graduates depend on the Nation's student financial aid system to work reliably for them. Unfortunately, the bureaucracy at the U.S. Department of Education is letting down our students and graduates time and time again. And Congress must act to remedy the Clinton administration's failure.

The most recent problem is that the U.S. Department of Education's Direct Lending Consolidation Loan Program has collapsed. In August, it stopped accepting applications from students and graduates to consolidate their direct student loans. Loan consolidations allow students with multiple loans to simplify their finances by combining their many monthly loan payments into a single loan. Often, students can consolidate at a preferred rate that lowers their monthly payments. At the end of August, some 84,000 student borrowers found their consolidation applications delayed by as much as 10 months. And since then, when this crisis first broke, the U.S. Department of Education bureaucracy has made headway on a mere 12,000 consolidation applications.

In San Diego, this failure is having a significant and negative impact. We are working very hard to encourage young people to advance their education in institutions of higher learning. Our local, high technology economy depends on a growing stream of qualified graduates. But the failure of the direct lending consolidation system causes students to question whether their system will work for them. Is it causing students to reconsider whether they will pursue their college education? I hope not, but the failure of the U.S. Department of Education to keep its promises may cause people to make that decision. This collapse is forcing student borrowers to pay more, and undergo more hassle, for no good reason, just because the Clinton bureaucracy failed.

Now, what does this mean in practical terms for American student borrowers? Students typically participate in several student loan programs at once, as their education institutions prepare individual packages of financial aid involving grants and many types of loans. Simply put, thousands of American students and graduates are in a credit crunch. They expected consolidations that the Department's bureaucracy failed to deliver. They are having to make several student loan payments every month, instead of just one. They are paying higher rates of interest than they need to. In all the confusion, some students face damage to their credit ratings, jeopardizing their ability to buy a home or a car.

All of this has occurred because the bureaucratic U.S. Department of Education has failed to do its job, again.

One may reasonably ask: Can't students consolidate their loans elsewhere? The answer is that some can. But in 1993, the Clinton administration and the Democrat Congress passed a Washington-knows-best type of law. It requires students that use the Direct Lending Program—in which student loans are made directly by the U.S. Department of Education and not by private sources—to use only the U.S. Department of Education to consolidate their loans. Because educational institutions, not students, often make the choice in what loan programs to offer, this choice was not the students; to take. As a result, students whose schools are direct lending have simply been led off the edge of a cliff. And that's wrong.

The Clinton administration has failed to adequately remedy this situation. Congress must act. And we do today, by moving H.R. 2535.

H.R. 2535 simply allows direct lending borrowers to consolidate their loans using a private sector student loan provider. It was approved on a unanimous, bipartisan 43–0 vote in committee. And now, it falls to use in the House to promptly adopt their legislation today.

Mr. Speaker, the Clinton administration's U.S. Department of Education has time and time again let America's students and our children down. Its bureaucracy is failing our young people, burdening our schools with paperwork and needless regulation, and costing us too much money for too little good.

Let the record show that this Republican Congress will continue to fight for better education for our young people. We will work to bring accountability and good management to those programs that are important, and to eliminate wasteful programs that are failing. We will fight for the bottom line: better student achievement, better results, better teacher training, better technology, and less bureaucratic overhead. We have already made progress in this area by enacting HOPE scholarships and other incentives for citizens to expand their education, and by moving my 21st Century Classrooms Act to expand private investment of technology in our schools.

If we do nothing, our young people and our country will suffer. We can and will act. We will put our citizens, our students, and our children first—ahead of big government bureaucracy, ahead of the status quo special interests, and ahead of partisan political agendas. The American people demand nothing less. This Emergency Loan Consolidation Act is just one more step in our long journey forward.

Mr. KILDEE. Madam Speaker, I yield back the balance of my time.

Mr. MCKEON. Madam Speaker, I want to second the remarks of the gentleman from Michigan [Mr. KILDEE] in thanking the staff for their good work, especially on an emergency bill which takes very quick movement and good cooperation.

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

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from California [Mr. MCKEON] that the House suspend the rules and pass the bill, H.R. 2535, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MCKEON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2535.

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

There was no objection.

CARLOS J. MOORHEAD POST OFFICE BUILDING

Mr. MCHUGH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 681) to designate the U.S. Post Office building located at 313 East Broadway in Glendale, CA, as the ''Carlos J. Moorhead Post Office Building.''

The Clerk read as follows:

H.R. 681

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

SECTION 1. DESIGNATION.

The United States Post Office building located at 313 East Broadway in Glendale, California, shall be known and designated as the ''Carlos J. Moorhead Post Office Building''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in section 1 shall be deemed to be a reference to the ''Carlos J. Moorhead Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York [Mr. MCHUGH] and the gentleman from Pennsylvania [Mr. FATTAH] each will control 20 minutes.

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

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

Madam Speaker, H.R. 681 was introduced by the gentleman from Illinois [Mr. HYDE]. As has been noted, the legislation designates the U.S. Post Office building located at 313 East Broadway in Glendale, CA, as the Carlos J. Moorhead Post Office Building and honors a colleague with whom many of us in this body were very familiar.

Madam Speaker, though the sponsor of the bill, Mr. HYDE, is from Illinois, the measure did receive, as required by the committee rules, the support of the entire House delegation from the State of California, where the office is located, and many other friends and colleagues of Mr. Moorhead.

Madam Speaker, Mr. Moorhead, as we all know, represented and served in this body with distinction from 1972 until he retired in 1997. Mr. Moorhead was a member of the Committee on the Judiciary and then became chairman of the Subcommittee on Courts and Intellectual Property. He is a native Californian, having been born in Long Beach and attending public school in Glendale, receiving a B.A. from UCLA and a J.D. from the University of Southern California School of Law in Los Angeles. Former Representive Moorhead is a veteran of World War II and a retired judge advocate lieutenant colonel.

Madam Speaker, I have a longer statement that I will submit for the RECORD. I will end my comments at this time by saying I am very pleased that the gentleman from Illinois [Mr. HYDE] has acted to honor a dear friend and a very distinguished colleague, Congressman Moorhead. Those of us who had the opportunity and the privilege of serving with him knew him as a hard-working legislator, an honorable man and a good friend. I think this is the kind of tribute that this House makes that is so appropriate and so fitting.

Madam Speaker, I reserve the balance of my time.

Mr. FATTAH. Madam Speaker, I yield myself such time as I may consume. Let me join with the gentleman from New York in support of this measure. I think it is appropriate and fitting that this House take notice of the fine work of our colleague in this manner. I want to congratulate the gentleman from Illinois [Mr. HYDE], the chairman of the Committee on the Judiciary, for offering this legislation.

Madam Speaker, I reserve the balance of my time.

Mr. MCHUGH. Madam Speaker, let me first acknowledge and express my appreciation to the ranking member, the gentleman from Pennsylvania, as always for his leadership and his assistance in this and all matters involving the subcommittee. I deeply appreciate his support and his hard work.

Madam Speaker, I yield 3 minutes to the gentleman from North Carolina [Mr. COBLE] for some comments about a friend and colleague.

Mr. COBLE. Madam Speaker, I thank the gentleman for yielding me this time. I also express my appreciation to the gentleman from Illinois [Mr. HYDE] of the Committee on the Judiciary for having introduced this bill and the committee of jurisdiction for having expeditiously handled it.

During my time in the Congress, a little over a decade now, I served with Carlos Moorhead and with the gentleman from Illinois [Mr. HYDE], the chairman, on the Committee on the Judiciary and served with Carlos Moorhead during the years that he was the ranking Republican and during the term when he served as chairman of the Subcommittee on Courts and Intellectual Property. Oftentimes, Madam Speaker, when one refers to a man, a male, a boy, or a man, as being gentle, sometimes that is perceived as being soft or being vulnerable. Carlos Moorhead was neither soft nor vulnerable, but he was, indeed, gentle. He was a gentle man. He loved this House, and he loved the Committee on the Judiciary, and for that matter the Subcommittee on Courts and Intellectual Property.

I think it is very fitting, I say to those who have handled the bill and I say to my friend the gentleman from Illinois [Mr. HYDE], I think it is very fitting that this bill be introduced and enacted and that that Post Office in Glendale, I have never been to Glendale, CA, one day I may ride by there and look with pride as it, is identified as the Carlos J. Moorhead Building.

Mr. FATTAH. Madam Speaker, I yield 1 minute to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Madam Speaker, being here on the floor, I would just like to rise and pay tribute to the distinguished past chairman and also pay tribute to the gentleman from Illinois [Mr. HYDE], the current chairman, for having brought this legislation. Mr. Moorhead was a great member, a good friend. He helped a lot of people like myself and others. I just want to rise and associate myself with the remarks of the previous speaker and add my little 2 cents in commending Mr. Moorhead and congratulating him on this.

Mr. McHUGH. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. HYDE], the primary sponsor of this legislation, the distinguished chairman of the Committee on the Judiciary.

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

Mr. HYDE. I thank the gentleman for yielding me this time. Madam Speaker, I have a prepared statement here which I will try to get through, but I just want to say this. I, in a long life have never met a nicer person than Carlos Moorhead. He was a gentleman. He had a sense of patriotism. He loved this country, he loved the law, he loved the Committee on the Judiciary, and we loved him back.

Today I rise to pay tribute to a man who dedicated his professional life to the service of this country and to the people of California. Most Members are familiar with Congressman Moorhead who served this body with distinction until his retirement at the conclusion of the 104th Congress. He was born in Long Beach, CA. He was a veteran of World War II, a retired judge advocate lieutenant colonel. Carlos was first elected to Congress in 1972 to represent the 27th District of California, which includes his hometown of Glendale where this post office is located, along with Pasadena, Burbank, La Crescenta, and San Marino.

As a member of the Committee on the Judiciary and later chairman of the Subcommittee on the Courts and Intellectual Property, Carlos led some of the most controversial and important legislative debates that we have ever had in Congress. Throughout his 24 years of service to the people of California, Carlos typified the very best of what the House has to offer, vigorous

debate by a gentleman statesman. He worked hard and was highly respected by Members on both sides of the aisle, as evidenced by the fact that all 52 members of the California delegation are cosponsors of this legislation. He proved himself to be one of the most versatile and adaptable legislators this body has seen. He consistently had the most conservative voting record of any Member of Congress, and that did not stop him from being an effective legislator during his 22-year tenure in the minority.

Always a loyal statesman, Carlos was also skilled in the art of the possible. He had a special ability to get past politics and negotiate legislation that achieved the best result possible under the circumstances. Nevertheless, after 22 years in the minority, Carlos wasted no time adapting to the majority.

□ 1300

He proved to be one of the most efficient and effective subcommittee chairmen of the 104th Congress. In just 2 years, he managed to favorably report several of the most important and controversial elements of the Contract With America. He went on to break decades-old log jams of legislation in the area of patents, copyrights, trademarks, and the Federal courts.

In his short tenure as chairman of the Subcommittee on Courts and Intellectual Property, Carlos was responsible for the enactment of 14 public laws, both qualitatively and quantitatively. That was the best record of any subcommittee chairman.

I join with pride the California delegation in saluting this man of service, a great patriot, and wish him and his wife, Valerie, and his five children and grandchildren the very best.

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

Madam Speaker, let me again join with the chairman of the Committee on the Judiciary. I did take note while some of us were on break, he kept the home fires burning here in Washington and the committee was working.

Madam Speaker, I want to again say that in terms of this bill, that we join on this side of the aisle in recognizing the achievements of our colleague, and want to see this post office in California named after him. I am happy he was able to serve for more than two decades in the House. As a newer Member of the Congress, I look forward to one day of having that type of lengthy service.

I think it is very important to see that the experience a Member gains over those years comes to be admired by both sides of the aisle and comes to be appreciated, hopefully, throughout the country.

Madam Speaker, I yield back the balance of my time.

Mr. MCHUGH. Madam Speaker, I yield 2 minutes to the gentleman from California [Mr. ROGAN], Mr. Moorhead's successor in this Congress.

Mr. ROGAN. Mr. Speaker, I thank the gentleman for yielding me time. I especially want to thank the distinguished chairman of the Committee on the Judiciary for bringing this very well-deserved bill to the floor.

As Carlos Moorhead's successor, I have both a benefit and a burden. It is a benefit, because I have enjoyed him not just as a friend, but as a mentor in my private and public career. It is also a burden, because he sets a very high-standard of respect and accomplishment for those who follow in his footsteps.

As we walk through the Capitol, we see there is a propensity to build statues to heroes. Yet not all of our heroes are represented in statue. Although he deserves a statue, naming a post office for Carlos Moorhead is a modest way of thanking him for a job well done. In 32 years of public service, Carlos served his community and country with a sense of quiet dignity and resolve. And he did so without there ever being a hint of scandal or of impropriety. He is a man who has faithfully served his country for 24 years in this House, and in doing so he has left a lasting mark.

As I meet both veteran and new Members of Congress, I have found that if I want to ingratiate myself, I simply tell them that I took Carlos Moorhead's place. Invariably this introduction brings a smile and a nod of appreciation for both Carlos as a friend, and for Carlos as a colleague.

Mr. Speaker, it is a great honor to join with so many distinguished Members of this House in paying tribute to a great Congressman, a great public servant, a great friend, and most of all, a great American. This bill is a fitting tribute to a well-deserving public servant, the Honorable Carlos J. Moorhead of California.

Mr. MCHUGH. Madam Speaker, I am honored to yield two minutes to the gentleman from California [Mr. MCKEON].

Mr. MCKEON. Mr. Speaker, I want to thank the gentleman from Illinois, Chairman HYDE, of the Committee on the Judiciary for bringing forth this bill, the gentleman from New York, Chairman MCHUGH, and the ranking member, the gentleman from Pennsylvania, Mr. FATTAH, for their expeditious handling of the bill to bring it to the floor in this timely manner.

Madam Speaker, I just was thinking while people were talking, I was thinking about Carlos Moorhead. He was the first Congressman I had the pleasure of meeting in my lifetime. I was the mayor of our city and he was our Congressman.

I was at work one day and received a phone call from our receptionist who said, ''There is a Congressman out front that would like to meet you.'' I did not know how to act or how to react to that, but I invited him to come into the office. Those of you who are colleagues who know Carlos know how quiet and unassuming he was. He came in, introduced himself, and we had a nice chat. That began a strong friendship.

To me, Carlos represents all that is great about the House of Representatives. As has been mentioned, he had an unimpeachable character. He served this House and his countrymen for many years with great dignity. He practiced his Christian principles that he believed in. He was a humble, unassuming man. As was said earlier by the gentleman from North Carolina [Mr. COBLE], he was a true gentleman.

The greatest praise my dad could give to someone was that he was a real gentleman. I cannot think of anything greater to say about Carlos.

He was great to work with. He helped me very much in assuming my role here. He was my Congressman. I replaced part of his district when we had the reapportionment in 1992.

Madam Speaker, I am happy to see this done. I have been to Glendale many times. I am happy this Post Office will be named after him. I know the people of that district will love to see this named after him, and they appreciate all the things he did for them.

Mr. MCHUGH. Madam Speaker, I have no further requests for time, and, with a final urging to my colleagues to support this very worthwhile legislation for a very distinguished colleague, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. COBLE). The question is on the motion offered by the gentleman from New York [Mr. MCHUGH] that the House suspend the rules and pass the bill, H.R. 681.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MCHUGH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill just passed, H.R. 681.

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

There was no objection.

OSCAR GARCIA RIVERA POST OFFICE BUILDING

Mr. MCHUGH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 282) to designate the U.S. Post Office building located at 153 East 110th Street, New York, NY, as the ''Oscar Garcia Rivera Post Office Building''.

The Clerk read as follows:

H.R. 282

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

SECTION 1. DESIGNATION.

The United States Post Office building located at 153 East 110th Street, New York, New York, shall be known and designated as

the ''Oscar Garcia Rivera Post Office Building''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States Post Office building referred to in section 1 shall be deemed to be a reference to the ''Oscar Garcia Rivera Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York [Mr. MCHUGH] and the gentleman from Pennsylvania [Mr. FATTAH] each will control 20 minutes.

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

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

Mr. Speaker, H.R. 282, the bill designating the U.S. Post Office Building located at 153 East 110th Street, New York, NY, as the Oscar Garcia Rivera Post Office Building, was introduced by the gentleman from New York [Mr. SERRANO] and cosponsored by the entire House delegation of the State of New York in accordance with the policy of the Committee on Government Reform and Oversight.

This legislation honors the first Puerto Rican elected to public office in the continental United States. Having been born in Puerto Rico, Mr. Rivera came to New York. After graduating from high school, he worked at the post office and city hall while pursuing his further studies.

He was instrumental in organizing and establishing the Association of Puerto Rican and Hispanic Employees within the Post Office Department. Mr. Rivera received his law degree from St. John's University in New York in 1930 and was elected as a State assemblyman in New York in 1937 and served until 1940.

He returned to his hometown of Mayaguez, PR, where he continued to be known for his commitment to protecting the rights of manual laborers, and remained a role model and a community leader. He died in Mayaguez in 1969.

Mr. Speaker, I urge our colleagues to support H.R. 282 to designate the U.S. Post Office building located at 153 East 110th Street, New York, NY as the ''Oscar Garcia Rivera Post Office Building'' which has twice been approved by the House. The Congressional Budget Office has determined that enacting H.R. 282 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply, nor does it contain any intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995, Public Law 104–4, and would impose no costs on the budgets of State, local, or tribal governments.

Mr. Speaker, I would at this time like to commend the gentleman from New York [Mr. SERRANO], for his initiative on this bill. Under any circumstances, Mr. Rivera would represent a totally worthy recipient of this particular honor, but given the odds that he overcame, the ground that he broke, I think this is a particularly fitting tribute, and I am honored and proud to be a part of this. I also would like to thank the gentleman from Pennsylvania [Mr. FATTAH] for his invaluable assistance in helping this bill to come to the floor in a timely manner.

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

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

Mr. Speaker, I rise in support of H.R. 282, to name a post office in the State of New York after Mr. Garcia Rivera. He has two last names, and I guess we alternately have used both. But, nonetheless, it is a fitting tribute.

Mr. Speaker, this is a gentleman who was the first Puerto Rican to be elected to the State assembly in the State of New York, a labor leader, someone committed to human rights, who helped to fight and support legislation to punish lynchings throughout our land, someone who in his own time and space has made a contribution.

I join with my colleague, the gentleman from New York [Mr. SERRANO], who has sponsored this bill, in support of this legislation. I would like just to add that in terms of the leadership that my colleague from the State of New York is providing in this Congress on so many important issues, he has helped inspire all of us on the committee to give due consideration to this measure.

Mr. Speaker, I yield back the balance of my time.

Mr. MCHUGH. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from New York [Mr. SERRANO], the prime sponsor of this bill.

Mr. SERRANO. Mr. Speaker, I would like to thank the gentleman from New York, Chairman MCHUGH, and the gentleman from Pennsylvania, Mr. FATTAH, for bringing this bill to the floor. I would like to thank the New York delegation for supporting the bill.

Mr. Speaker, I rise today to urge my colleagues' support of H.R. 282, a bill that would designate the U.S. Post Office Building located at 153 East 110th Street, New York, NY, as the Oscar Garcia Rivera Post Office Building.

Let me in addition thank my colleague and mentor, the gentleman from New York [Mr. RANGEL]. The post office is in his district, and he has allowed me to play this role throughout these couple of years on this bill.

Mr. Garcia Rivera, and let me clarify for the gentleman from Pennsylvania [Mr. FATTAH], this is an old tradition in Latin America. His name was Garcia, and then you pick up your mother's last name, and that created a big confusion in New York. That is why I am ''Serrano'' and not ''Serrano Soto.'' Otherwise it would be kind of confusing at times.

Mr. Garcia Rivera was elected assemblyman in New York in the 14th District on March 30, 1937. He was born in Mayaguez, PR, on November 6, 1900, which happens to be my hometown.

Oscar Garcia Rivera was raised on a coffee plantation. After graduation from high school, Garcia came to the mainland and began working part time in a factory in Brooklyn while he continued to take courses to reach his goal of becoming a lawyer.

He applied for a job in the U.S. Postal Service, obtained high recommendations, and was assigned to the post office in city hall. He quickly became very involved in union issues, and later encouraged the establishment of the Association of Puerto Rican and Hispanic Employees within the U.S. Postal Service. Garcia Rivera attended law school at St. John's University and graduated in 1930.

Dedicated and committed to the struggles of the then pioneering Puerto Rican and Hispanics in East Harlem, he announced publicly in 1937 that he would seek a seat in the New York State Assembly.

In March of that same year he made history by becoming the first Puerto Rican elected to public office in the United States. The gentleman from New York [Mr. MCHUGH], would be happy to know he was elected as a Republican, the first and only one, but that is an issue for another day. He won reelection the following year and continued in this post until 1940.

During the short time that he served in the assembly, however, Garcia Rivera, initiated legislation that offered valuable and lasting contributions to his Puerto Rican community, the labor movement, and to the working class at large.

He introduced a bill guaranteeing safeguards against unemployment. This revolutionary piece of legislation at that time was enacted into law in 1939. Garcia Rivera defended minimum wage laws, fought for regulated hours of labor, worked to establish tariff agreements, and, most importantly, he was committed to protecting the rights of manual laborers and encouraged workers to organize themselves into active unions.

□ 1315

He also supported the campaign, which, as my colleague, the gentleman from Pennsylvania [Mr. FATTAH] has said, established a law which punished lynchings throughout the United States.

Every year the anniversary of his election as the first Puerto Rican who attained a public office marks a proud moment in my community's history. Despite his brief career as Assemblyman, Oscar Garcia Rivera became a great leader in his community, creating a role model for young people and establishing hope for his people that they could achieve their dreams in the United States. His actions transformed the Puerto Rican community and improved working conditions for all New Yorkers.

Mr. Speaker, I believe the passage of this bill and the dedication of this building to this great leader would serve as an inspiration to the future generations in my community and

Americans throughout this country and throughout the United States. Please join me in support of H.R. 282.

Once again, I want to thank these two gentlemen for bringing this bill to the floor. This has been a long time coming, and as one who served 16 years in the State Assembly in New York, I take very seriously the fact that Mr. Garcia Rivera opened the doors for so many members of my community.

Mr. FATTAH. Mr. Speaker, I yield back the balance of my time.

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

Again, Mr. Speaker, I commend the gentleman from New York [Mr. SERRANO] for his hard work on this bill to honor a gentleman who obviously is a very, very fitting recipient of this kind of honor. I urge all of my colleagues to join with the gentleman from Pennsylvania [Mr. FATTAH] and the gentleman from New York [Mr. SERRANO] and myself in supporting this bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. COBLE). The question is on the motion offered by the gentleman from New York [Mr. MCHUGH] that the House suspend the rules and pass the bill, H.R. 282.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MCHUGH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 282, the bill just passed.

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

There was no objection.

THE DAVID B. CHAMPAGNE POST OFFICE BUILDING

Mr. MCHUGH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2013) to designate the facility of the U.S. Postal Service located at 551 Kingston Road in South Kingstown, RI, as the ''David B. Champagne Post Office Building.''

The Clerk read as follows:

H.R. 2013

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

SECTION 1. DESIGNATION.

The facility of the United States Postal Service located at 551 Kingstown Road in South Kingstown, Rhode Island, shall be known and designated as the ''David B. Champagne Post Office Building''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States Post Office building referred to in section 1 shall be deemed to be a reference to the ''David B. Champagne Post Office Building''.

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to the rule, the gentleman from New York [Mr. MCHUGH] and the gentleman from Pennsylvania [Mr. FATTAH] each will control 20 minutes.

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

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

Madam Speaker, H.R. 2013 was sponsored by our colleague, the gentleman from Rhode Island [Mr. WEYGAND], and cosponsored by the Rhode Island House delegation, according to the policy rules of the Committee on Government Reform and Oversight.

The legislation designates the facility of the U.S. Postal Service located at 551 Kingstown Road in South Kingstown, RI, as the ''David B. Champagne Post Office Building.'' The bill recognizes the valiant efforts of David Champagne, a 19-year-old marine who lost his life in the Korean conflict.

Mr. Champagne was born in Wakefield, RI, and entered the military soon after completing high school. Corporal Champagne was posthumously awarded the Medal of Honor by President Eisenhower for his gallantry above and beyond the call of duty in action against the enemy.

Corporal Champagne skillfully led his first fire team through intense enemy machine gun and grenade fire in spite of a severe leg wound. An enemy grenade landed in the midst of the fire team, and Corporal Champagne hurled it in the direction of the enemy. His hand was blown off in this endeavor and he was hurtled out of the trench. He succumbed to his injuries, but not before he saved the lives of his fellow marines.

Madam Speaker, I urge our colleagues to support H.R. 2013, designating the facility of the U.S. Postal Service located at 551 Kingstown Road in South Kingstown, RI, as the ''David B. Champagne Post Office Building''. Additionally, Madam Speaker, the Congressional Budget Office has notified the committee that the legislation contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 and would impose no costs on State, local, or tribal governments.

Madam Speaker, I think the recipients of these designations today have all been very, very worthy gentlemen, but I have to say in all candor that few displayed the sense of courage and sense of dedication and love of country as did the gentleman that we are seeking to honor here today. He is truly an epitome of the American spirit, and we all, as a Congress and as a Nation, are in his debt.

I want to commend the gentleman from Rhode Island [Mr. WEYGAND] and the gentleman from Pennsylvania [Mr. FATTAH] for working together on their side to bring this bill to the floor to honor a very, very worthy American and very, very worthy individual.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, this is, as the gentleman from New York [Mr. MCHUGH] has stated, someone who has literally given his life through an act of courage to save his fellow comrades. For this young man, David Champagne, this is an honor that is obviously something that we would like to bestow, but it does not even begin to represent what should be the appreciation for his act of great courage.

I want to join with my colleague, the gentleman from Rhode Island [Mr. WEYGAND]. The gentleman from New York [Mr. MCHUGH] said that the cosponsor requirement had been met because the entire delegation from the State had signed on to this naming bill.

I want to join with fully 50 percent of the Rhode Island House delegation and support this piece of legislation. It is very worthy. This gentleman, Corporal Champagne, has been already awarded the Medal of Honor, but I think this is something that people in the community of Rhode Island will have as a living memory of his act of courage.

Madam Speaker, I yield such time as he may consume to the gentleman from Rhode Island [Mr. WEYGAND].

Mr. WEYGAND. Madam Speaker, I want to thank Chairman MCHUGH and the ranking member, the gentleman from Pennsylvania [Mr. FATTAH], for allowing me to speak today on this very important naming of the post office in South Kingstown, Rhode Island.

I would also like to thank my colleagues, Senator REED and Senator CHAFEE, who have also cosponsored similar legislation, which has already passed the U.S. Senate, and as the ranking member, the gentleman from Pennsylvania [Mr. FATTAH] has said, the entire Rhode Island delegation, which is a total of two people, the gentleman from Rhode Island [Mr. KENNEDY] and myself, we totally support this bill, and I want to thank the gentleman for helping us get this through the committee.

Madam Speaker, I rise today to express my support for H.R. 2013, a bill to name the South Kingstown Post Office in Wakefield, RI, as the David B. Champagne Post Office Building. As mentioned by the chairman, David Champagne was born on November 11, 1932, Veterans Day. Not only is he a local hero in Rhode Island, but he is also a Congressional Medal of Honor recipient.

Corporal Champagne of the U.S. Marine Corps led a life dedicated to serving his country, his community, and his family. Even as I walked through his elementary school just yesterday, people said how proud they would be to have the post office dedicated in his memory. The South Kingstown High School graduate, the Wakefield Elementary School graduate, received the

Congressional Medal of Honor in May 1952 by then-President Eisenhower for conspicuous gallantry and intrepidity at the risk of his own life above and beyond the call of duty while serving as fire team leader of Company A, 1st Battalion of the 7th Marines, the 1st Marine Division, in action against enemy aggressor forces in Korea on May 28, 1952.

Advancing with his platoon in the initial assault on the company against a strongly fortified and heavily defended hill position, Corporal Champagne skillfully led his fire team through a veritable hail of intense enemy machine gunfire, small gunfire, and grenade fire, overrunning trenches in a series of almost impenetrable bunker positions before reaching the crest of a hill and placing his men in a defensive position.

Suffering from painful leg wounds while assisting in repelling the ensuing hostile counterattack, which was launched under cover of a murderous hail of mortar and artillery fire, he steadfastly refused evacuation and fearlessly continued his control of his fire team. When the enemy counterattack increased in intensity and a hostile grenade landed in the midst of his fire team, Corporal Champagne unhesitatingly seized that deadly missile and hurled it in the direction of the approaching enemy.

Unfortunately, as the chairman just mentioned, the grenade as it left his hand exploded, blowing off his hand and throwing his body into the midst of the oncoming fire. Mortally wounded by enemy mortar fire while in this exposed position, Corporal Champagne lost his life, but in doing so showed his gallant leadership, fortitude, and spirit of self-sacrifice in the face of almost certain death, and undoubtedly saved many of the lives of his fellow marines.

Mr. Champagne made a great contribution, not only to our State but also to the history of our Nation. I look forward to the day when Mr. Champagne's family and I cut the ribbon, and let them know just how much we appreciate his gallantry. By naming this post office, we will bestow a well-deserved honor on a great man who will be forever remembered.

Madam Speaker, I again want to thank my colleagues, our ranking member, the gentleman from Pennsylvania [Mr. FATTAH], and Chairman MCHUGH for their support of this legislation, and I ask the support of my colleagues for 2013.

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

Madam Speaker, let me just associate myself, if I may, with the very eloquent words of the last speaker, and urge all of my colleagues to join us in supporting what is a very worthy tribute to a more than deserving young man.

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

We, in support of this bill, not only recognize the courageous act of Corporal Champagne, but in some important way symbolize our thanks to thousands and thousands of Americans who have given their lives in defense of this Nation or on behalf of our Government, either in the armed service or in law enforcement, in any number of ways. So I think it is very appropriate that this House recognize an individual, but in doing that, hopefully send a signal to the Nation that we appreciate the acts of so many individuals that have helped us move forward.

Madam Speaker, I yield back the balance of my time.

Mr. MCHUGH. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. MCHUGH] that the House suspend the rules and pass the bill, H.R. 2013.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MCHUGH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill just passed, H.R. 2013.

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

There was no objection.

DOUGLAS APPLEGATE POST OFFICE

Mr. MCHUGH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2129) to designate the U.S. Post Office located at 150 North 3d Street in Steubenville, OH, as the ''Douglas Applegate Post Office.''

The Clerk read as follows:

H.R. 2129

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

SECTION 1. DESIGNATION.

The United States Post Office located at 150 North 3rd Street in Steubenville, Ohio, shall be known and designated as the ''Douglas Applegate Post Office''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States Post Office referred to in section 1 shall be deemed to be a reference to the ''Douglas Applegate Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York [Mr. MCHUGH] and the gentleman from Pennsylvania [Mr. FATTAH] each will control 20 minutes.

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

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

Madam Speaker, H.R. 2129 designates the U.S. Post Office located at 150 North 3d Street in Steubenville, OH, as the Douglas Applegate Post Office. The legislation was introduced by the gentleman from Ohio [Mr. TRAFICANT] and cosponsored by the entire House delegation from the State of Ohio, as in accordance with the policy of the Committee on Government Reform and House Oversight.

Mr. Applegate was born and educated in Steubenville. He served in the Ohio House of Representatives and the Ohio Senate for 8 years, respectively. He was then elected to the 95th Congress by Ohio's 18th Congressional District, and reelected each term until his retirement after the 103d Congress.

Mr. Applegate was known as an advocate of America's veterans, and was chairman of the Subcommittee on Compensation, Pension, and Insurance of the Committee on Veterans' Affairs. Though he was known as a quiet worker, he strongly and emphatically defended American jobs.

Madam Speaker, H.R. 2129 designates the U.S. Post Office located at 150 North 3d Street in Steubenville, OH, as the Douglas Applegate Post Office. The legislation was introduced by Mr. TRAFICANT and cosponsored by the entire House delegation from the State of Ohio in accordance with the policy of the Committee on the Government Reform and Oversight.

Mr. Applegate was born and educated in Steubenville. He served in the Ohio House of Representatives and the Ohio Senate for 8 years respectively. He was then elected to the 95th Congress by Ohio's 18th Congressional District and reelected each term until his retirement after the 103d Congress. Mr. Applegate was known as an advocate of America's veterans and was the chairman of the Veterans' Affairs Subcommittee on Compensation, Pensions, and Insurance. Though he was known as a quiet worker, he strongly and emphatically defended American jobs.

Madam Speaker, I urge our colleagues to support H.R. 2129 designating the U.S. Post Office located at 150 North 3d Street in Steubenville, OH, as the Douglas Applegate Post Office.

Madam Speaker, the Congressional Budget Office has affirmed that the legislation contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 and would impose no costs on State, local, or tribal governments.

Madam Speaker, I would say, as happened earlier this afternoon with our tribute to a former colleague, Mr. Moorhead, that Mr. Applegate as well represents the kind of dignity, the kind of hard work and honesty, that this body strives for each and every day.

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And he certainly would represent a very, very fitting recipient of this postal naming bill, and I urge the support by all of my colleagues.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in support of H.R. 2129. The sponsor of this bill, the gentleman from the great State of Ohio [Mr. TRAFICANT], has been very enthusiastic in making sure the committee acted expeditiously on this piece of legislation. But I think it is appropriate because the colleague whose service we recognize in the naming of this postal facility is someone who, in many ways, the gentleman from Ohio seemingly has some bond with because of their support for similar causes.

Madam Speaker, the naming bill that is in front of us is a bill that hopefully will enjoy broad-based support.

Madam Speaker, I yield such time as he may consume to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Madam Speaker, Steubenville is a tough town. It produced Dean Martin and Douglas Applegate, and both of them had as big an effect in the professional careers that they pursued. Dean Martin, a giant on the screen and, although a lot of people did not realize this, Doug Applegate was a giant right here.

Madam Speaker, when it comes to veterans benefits, veterans compensation, and benefit compensation to survivors of those who lost their lives, Doug Applegate was responsible for that legislation. When it came about, as chairman of the Subcommittee on Water Resources, to restrict the interstate transportation of hazardous materials, Douglas Applegate did not get a whole lot of attention for it. When the Taiwanese manufacturers were producing American flags and giving us a great deal on them, it was Doug Applegate that brought to the attention of Congress and the American people that Old Glory was being made by a Taiwanese factory.

Madam Speaker, all of these imports all of a sudden had a ''Made in America'' label on them. Doug Applegate worked very hard with me to pass the law now that provides for a Federal offense to be applied to anybody who places a fraudulent ''Made in America″ label.

When it comes to benefits to veterans, Doug Applegate is a giant in our history just like Dean Martin is a giant in the movie industry.

Madam Speaker, he was one of my mentors. He was just a great guy. Along with Walter Jones and Jamie Whitten, there was no one better, and maybe he is responsible for what I have evolved into. But this is certainly one of the great Members that we have had in our past. He really did not get the attention and the glory that he should have earned. But I would like to, hopefully with the naming of this post office, see that that comes to pass.

His beautiful wife Betty, I hope that they are watching, great children and grandchildren. I do not know, maybe Doug is down there in Florida now. But hopefully we will see him up in Steubenville.

Madam Speaker, it is a tough town, he is a tough guy, and he will have his name on a new post office. I am hopeful that we will get the other body to expeditiously handle our affair, and I thank the Congress for listening to my plea.

H.R. 2129, to designate the U.S. Post Office in Steubenville, OH, as the ''Douglas Applegate U.S. Post Office,'' will pay a much-deserved tribute to a strong leader, a loyal friend, and a great man.

As many of you may remember, Doug was not one to grandstand or bring attention to himself. Doug chose, instead, to work quietly, yet diligently. It was in this manner that he affected important change, earned the respect of his colleagues, and won the loyalty of Ohio's 18th Congressional District.

Doug chose his legislative battles then devoted himself to them completely. Among the most important items on his agenda was protecting the benefits to our country's veterans. He worked to substantially increase the benefits to the survivors of those who did not make it home. Realizing that no amount of money could ever make up for their terrible loss, he also knew that such compensation could make life a little less complicated for those left behind.

Doug was a champion of American jobs and industry. His house stationery was emblazoned with the slogan ''Buy American! Save American Jobs!'' But, this was not just a slogan to Doug. Time and again he demonstrated his determination to protect and promote American jobs.

He fought to protect the sanctity of the ''Made in the U.S.A.'' label when he worked to uncover a scheme, concocted by American companies, to cut labor costs by having United States flags made in Taiwan, then labeled ''Made in the U.S.A.'' Doug refused to let our workers and our industry be misrepresented by those only concerned with the bottom line.

Throughout his tenure in Congress, Doug demonstrated tremendous integrity and true leadership ability. He could work to build a consensus, yet he was not afraid to stand alone.

Never afraid to stand up for what he believed, he would not play partisan politics if he felt the interests of the American people could be better served by following another viewpoint.

In addition to all of this, however, some of my fondest memories of Doug will be of a great and loyal friend.

I urge all of my colleagues who believe that great leadership should be memorialized, to vote for H.R. 2129 to designate the U.S. Post Office in Steubenville, OH, the ''Douglas Applegate Post Office.''

Mr. MCHUGH. Madam Speaker, I have no further requests for time. I would join with the gentleman from Ohio [Mr. TRAFICANT], a man who is known for his plain words and straight-to-the-point comments on this floor, and he has done them again here today, and his very poignant tribute to a former colleague. I urge all of our colleagues to support passage of this bill.

Madam Speaker, I yield back the balance of my time.

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

Madam Speaker, I would just say that the gentleman from Ohio [Mr. TRAFICANT], in the conclusion of his remarks said that he hoped that the House would hear his words. There is not a day that he has spoken before the House that all of America has not heard his words. So we thank the gentleman for authoring this legislation, and we would hope that it would receive unanimous support.

Mr. JOHNSON of Wisconsin. Mr. Speaker, I rise today in strong support of H.R. 2129, which would designate the U.S. post office in Steubenville, OH as the Doug Applegate Post Office.

Although I never had the privilege of serving in Congress with former Congressman Applegate, I do have the privilege of serving on the Subcommittee on Water Resources and Environment, which he chaired. I have also heard a lot about him through my legislative director, George Shevlin, who worked for Mr. Applegate for 5 years. George has told me of the fine work that Congressman Applegate did on behalf of his congressional district and about how he was known for providing excellent constituent services. He was very aware of the needs of his district, which was hard hit by the economic restructuring of the 1970's and 1980's, and worked hard to protect American jobs. He followed the example of his father, who was the mayor of Steubenville, by dedicating his life to public service, first in the statehouse in Columbus, and then for nine terms in the U.S. House of Representatives. Despite his many years in Congress, he never lost touch with his district, and traveled back there every weekend possible, even after he had announced his retirement.

Doug Applegate was also known for his tireless work on behalf of veterans and, as chairman of the Veterans' Affairs Subcommittee on Compensation, Pensions, and Insurance, he worked hard to increase the benefits to the survivors of those who gave their lives for our country. He was well-liked by his colleagues on both sides of the aisle and was loved by his loyal staff, most of whom served him for many years.

Mr. Speaker, I believe that we would all do well by following Congressman Applegate's example of service to his constituents and therefore I urge my colleagues to vote in favor of this fine tribute to a dedicated public servant and former colleague.

Mr. FATTAH. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. MCHUGH], that the House suspend the rules and pass the bill, H.R. 2129.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MCHUGH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2129, the bill just passed.

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

There was no objection.

PETER J. MCCLOSKEY POSTAL FACILITY

Mr. MCHUGH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2564) to designate the U.S. Post Office located at 450 North Centre Street in Pottsville, Pennsylvania, as the ''Peter J. McCloskey Postal Facility''.

The Clerk read as follows:

H.R. 2564

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

SECTION 1. DESIGNATION.

The United States Post Office located at 450 North Centre Street in Pottsville, Pennsylvania, shall be known and designated as the ''Peter J. McCloskey Postal Facility''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States Post Office referred to in section 1 shall be deemed to be a reference to the ''Peter J. McCloskey Postal Facility''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York [Mr. MCHUGH] and the gentleman from Pennsylvania [Mr. FATTAH] each will control 20 minutes.

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

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

Madam Speaker, the legislation before us, H.R. 2544, designates the United States Post Office located at 450 North Centre Street in Pottsville, PA, as the Peter J. McCloskey Postal Facility. The bill was introduced by the gentleman from Pennsylvania [Mr. HOLDEN] and cosponsored by the House delegation of the State of Pennsylvania in its entirety, in accordance with the policy of the Committee on Government Reform and Oversight.

Peter McCloskey, a native of Pennsylvania, joined the U.S. Army Air Corps in 1944. In 1967, he was selected to join the Post Office Department as acting postmaster of the City of Pottsville, and then was reappointed postmaster. During his 23 years as postmaster, Mr. McCloskey has seen 30 of the employees that he has supervised become postmasters. He has been an active member of the Pottsville community for more than 60 years.

Madam Speaker, the Congressional Budget Office has commented that this bill contained no intergovernmental or private sector mandates as defined in the Unfunded Mandated Reform Act of 1975, and would impose no costs on State, local, or tribal governments.

Madam Speaker, on four occasions previously today, we have honored truly deserving gentlemen. I think this one is especially appropriate because it is an opportunity to recognize the Postal Service's own, a gentleman who worked his literal entire adult career in the Postal Service in service to that great cause.

I think for that reason, particularly, this is a very, very fitting tribute for a man who stands out, but probably is best recognized for the kind of dedication to the service that so typifies the over 800,000 postal employees who each and every day go out and make sure that all of us in this Nation receive our mail in a timely fashion.

So I would commend the gentleman from Pennsylvania [Mr. HOLDEN] and thank the gentleman from Pennsylvania [Mr. FATTAH] for helping to bring this bill to the floor to pay tribute to a gentleman who represents all of the good and positive things that the Postal Service has stood for for more than 200 years in this Nation.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in support of H.R. 2564 as introduced by my colleague, the gentleman from Pennsylvania [Mr. HOLDEN], a Member with whom I have had the opportunity to serve and who has provided a great deal of leadership here in the House and on behalf of the citizens of Pennsylvania.

Madam Speaker, this bill is appropriate. We sometimes joke about the Postal Service in our country. Let the record be clear that we have the finest Postal Service anywhere in the world, and partly because of people like the gentleman we honor with the naming of this postal facility in Pottsville, PA, because we have dedicated people who work very, very hard, almost 700,000 people who work for the United States Postal Service. And I think that among these bills, it is, indeed appropriate that we would take one and name it after someone who has labored to help make sure that our Nation has a Postal Service that is really second to none in the world.

Madam Speaker, I am not surprised at all that the naming of a postal facility on behalf of someone who has worked for the Postal Service would come from my colleague, the gentleman from Pennsylvania [Mr. HOLDEN], because the gentleman is someone that we all know who has seriously applied himself to understanding the interworkings of the Federal Government and how it interacts and is relevant in the lives of the people who we attempt to serve.

Madam Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. HOLDEN], my colleague.

Mr. HOLDEN. Madam Speaker, I rise today as the proud sponsor of H.R. 2564, a bill to designate the U.S. Post Office located at 450 North Centre Street in Pottsville, PA, as the Peter J. McCloskey Postal Facility. I would like to thank the gentleman from New York [Mr. MCHUGH] the subcommittee chairman, and the gentleman from Pennsylvania [Mr. FATTAH], ranking member, and all 21 members of the Pennsylvania delegation for cosponsoring this legislation and bringing it to the floor today.

Madam Speaker, Pete McCloskey has dedicated his entire life to serving his country, his Government, and helping people. He was born in New Castle Township, PA, on September 20, 1920, and graduated from Cass Township High School in 1938.

In February 1941, Pete married Catherine ''Kitty'' Mahoney. They are the proud parents of Ethel McCloskey Joyce and have four grandchildren: Patrick, Peter, Lalor and Kaeti.

In 1942, Pete joined the U.S. Army Air Corps serving with distinction as an aerial gunner instructor in the European Theater. Upon discharge from the Army, he worked for the Metropolitan Life Insurance Co. and was later appointed by Pennsylvania Auditor General as the supervisor for the Bureau of School Audits, where he served until 1967.

In 1968, he was appointed postmaster of the Post Office in Pottsville, PA. In his 23 years as postmaster of Pottsville, he earned the respect of the hundreds of employees he supervised, approximately 30 of whom moved on to become postmasters in their own right.

During his tenure as postmaster, and prior to that and since that, Pete not only earned the respect of his coworkers and his employees but of the entire community of Pottsville and of Schuykill County, PA. Whether that be involved with civic organizations such as the Elks or the Rotary or the Lion's or the Knights of Columbus or with his church, Saint Patrick's.

After retirement from the Postal Service, Pete continues to be active in the community. He has served on the Pottsville Housing Authority Board of Directors. And the thing that most impresses me about Pete McCloskey is that he never looks to help himself; he is always there to help others with their problems.

Madam Speaker, I wish I could count the number of times that Pete has come to see me or other political leaders or other businesspeople in the community to say I have so-and-so who is in need of a job. They have a difficult situation right now and they need employment. Can you help them? Or the number of times he would bring a widow to my office and say, can you help with the black lung benefits? Or another constituent of mine who had trouble with the Social Security Administration or with the Veterans Administration. It is Pete who acts as an intermediary to try to bring those people to get help. He does that through my congressional office, with the county commissioners, with our State representatives throughout Schuykill County and, in particular, the city of Pottsville.

Madam Speaker, here is a man who has dedicated his life to serving his community and, as was mentioned by the gentleman from New York [Mr. MCHUGH], he is a retired worker from the Postal Service. I think it is proper and fitting that we rename the Pottsville Post Office for Peter J. McCloskey.

Madam Speaker, I thank the gentleman from New York and the gentleman from Pennsylvania for bringing this to the floor.

Mr. MCHUGH. Madam Speaker, I have no requests for time at this moment, and conclude with a final urging to my colleagues to supporting this very worthy legislation for a very, very worthy recipient.

Madam Speaker, I yield back the balance of my time.

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

Madam Speaker, let me again thank the gentleman from New York [Mr. MCHUGH]. It has been a real pleasure to work with him on these bills and any number of activities that we have had to deal with over the course of this session thus far. I really do appreciate the level of cooperation and the spirit of bipartisanship. That is talked a lot around here, but in actuality is practiced by the gentleman from New York, and I want to publicly thank him for his efforts as we have worked together in these matters.

Madam Speaker, I would like to thank my staff, Denise Wilson and also Neal Snyder, for their work on these bills and other matters related to postal affairs.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. MCHUGH] that the House suspend the rules and pass the bill, H.R. 2564.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

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GENERAL LEAVE

Mr. MCHUGH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2564, the bill just passed.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentleman from New York?

There was no objection.

REREFERRAL OF H.R. 1249 TO THE COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

Mr. MCHUGH. Madam Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure be discharged from further consideration of the bill, H.R. 1249, and that H.R. 1249 be rereferred to the Committee on Government Reform and Oversight.

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

There was no objection.

REGARDING MANAGEMENT OF NATIONAL FORESTS TO REDUCE GREENHOUSE GASES

Mr. YOUNG of Alaska. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 151) expressing the sense of the Congress that the United States should manage its public domain national forests to maximize the reduction of carbon dioxide in the atmosphere among many other objectives and that the United States should serve as an example and as a world leader in actively managing its public domain national forests in a manner that substantially reduces the amount of carbon dioxide added to the atmosphere, as amended.

The Clerk read as follows:

H. CON. RES. 151

Whereas carbon dioxide, a major greenhouse gas, can be removed from the atmosphere by trees through photosynthesis and stored in wood;

Whereas releases of carbon dioxide can be prevented by the use of wood products as substitutes for products whose manufacture consumes fossil fuels and releases substantial amounts of carbon dioxide; and

Whereas managing our forests by planting and growing our forest resources will remove carbon dioxide from the atmosphere: Now, therefore, be it

Resolved, by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the United States—

(1) should manage its forests to maximize the reduction of carbon dioxide in the atmosphere among many other objectives; and

(2) should serve as an example and as a world leader in managing its forest in a manner that substantially reduces the amount of carbon dioxide in the atmosphere.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska [Mr. YOUNG] and the gentleman from American Samoa [Mr. FALEOMAVAEGA], each will control 20 minutes.

The Chair recognizes the gentleman from Alaska [Mr. YOUNG].

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Madam Speaker, I yield myself such time as I may consume.

In December, representatives of 150 nations will gather in Kyoto, Japan, to sign a successor treaty to the United Nations 1992 framework convention on climate change. Today, as we anticipate this important event, we will debate a nonbinding measure putting the House on record as supporting proper management of our Nation's forests to maximize the reduction of greenhouse gases, among other important objectives. This resolution is similar to the Byrd-Hagel resolution passed by the Senate earlier this year that put them on record opposing any treaty that would cause serious economic harm to the United States.

Everyone agrees that we must have clean environment, but we must do it in a way that does not impair or harm our economy. This resolution represents the fact we can have both a healthy environment and a vibrant economy.

By the Clinton-Gore administration's own economic model, the effect of mandatory reductions of greenhouse gases would be devastating to this economy of ours. The United States has an obligation to defend the rights of people who inhabit our planet. It seems that officials representing the United States in the climate change treaty negotiations have lost sight of that duty. Science has proven to us that carbon dioxide, the leading greenhouse gas, can be taken out of the atmosphere by properly managing our forests. Carbon dioxide is kept out of the atmosphere by harvesting the forest before it begins to decompose or burn, thus storing the carbon in wood products that are environmentally friendly, as well as providing an economic benefit to society.

The United Nations Framework Convention on Climate Change, which may commit the United States to mandatory greenhouse gas reductions, could lead to enormous burdens and costs on the American people, the economy, and our way of life. The key issue is whether the Clinton-Gore administration will commit the United States to mandatory reductions of carbon dioxide.

Mandatory reductions will cost taxpayers billions of dollars and will cost many Americans their jobs. There are alternatives to mandatory reductions of carbon emissions. The alternative we bring before the Congress today is to properly manage our forests in order to take from the atmosphere carbon dioxide.

This means using the controls on greenhouse gases that Mother Nature gives to us rather than controls that Government mandates for us to follow. For that reason, we would move to agree on House Concurrent Resolution 151 and urge our colleagues to give it their full support.

Madam Speaker, I reserve the balance of my time.

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

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

As cosponsor of House Concurrent Resolution 151, I am proud to rise today in strong support of this important measure introduced by our distinguished chairman, the gentleman from Alaska [Mr. YOUNG]. The chairman's legislation sends a crucial message. Carbon dioxide and other greenhouse gas emissions constitute a serious problem of global dimension. We can begin, in part, to address and control gas emissions and the growing crisis of global warming by proper and prudent management of our national forests and Federal lands.

Madam Speaker, coming from the South Pacific, I am particularly sensitive to the related phenomena of

global climate warming and rising sea levels. For many low-level Pacific island nations, especially those that rise only 6 feet at their highest point of elevation, increasing sea levels threaten to flood, engulf and destroy the very homelands of many Pacific peoples.

Global climate warming presents a real and terrifying danger in the region that cannot be dismissed.

I have introduced a companion-related resolution, House Concurrent Resolution 157, to address the need for the United States to work with the Pacific island leaders on these issues. I have attached a copy of House Concurrent Resolution 157 for the RECORD and urge our colleagues' support.

Madam Speaker, just last month, as a member of the House Committee on International Relations, I attended the South Pacific Forum meetings in Rarotonga in the Cook Islands as a representative of the U.S. Congress. As Members know, the South Pacific Forum is the annual meeting of the Heads of State of 16 Pacific island nations, including Australia and New Zealand.

The Forum meetings revealed that the most urgent priority of the island leaders concerned global climate warming and the related phenomenon of rising sea levels.

House Concurrent Resolution 157 expresses the sense of the Congress regarding the effects of global warming-induced climate disruptions to Pacific nations that are longtime allies of the United States. The measure calls on the United States to work with the island nations to address this extremely serious problem.

As I foresee the process unfolding, the United States will play a leadership role to ensure that all nations and major economies in the world—including China, India and Mexico—fairly share the burden of reducing global greenhouse emissions. All members of the international community must bear the sacrifice for the greater good of the world. No nation should be exempt from doing its part.

As to the measure before us, House Concurrent Resolution 151, Madam Speaker, the ranking member of the committee, the gentleman from California [Mr. MILLER], has contributed immensely to the amended legislation. Unfortunately, the gentleman from California [Mr. MILLER], is at the White House and is unable to be here with us to urge adoption of this measure.

House Concurrent Resolution 151, as amended in committee with the leadership of the gentleman from California [Mr. MILLER], recognizes that our forests have an important role to play in removing carbon dioxide, a major greenhouse gas, from the atmosphere. In our view, however, the amended resolution clearly does not endorse the original premise that it is desirable to increase old growth harvests of U.S. national forests in order to reduce global warming. That would be a horribly misguided message to send to the rest of the world, especially as we seek to encourage conservation of forest resources in other countries.

Instead, we believe that the old growth forest reserves of the United States should be protected. The temperate rain forests in the Pacific Northwest are among the most effective carbon sinks in the world. If the old growth is harvested it takes many decades to recover the vast amount of carbon released in the process.

We do recognize that carbon dioxide reduction can and should be improved by planting and growing more forest cover in the United States, especially on marginal crop and pasture lands. That is why the amended resolution applies not only to national forests, but to all U.S. forests including private lands.

Finally, Madam Speaker, we want to be very clear that forest-based carbon sequestration, while important, does not replace the need to reduce fossil fuel emissions.

Just yesterday, the Department of Energy reported U.S. emissions of carbon dioxide and other gases, which contribute to global warming, significantly increased in 1996. Contrary to our 1992 treaty obligations, such emissions have increased by 7.4 percent since 1990. This should give the administration a sense of urgency as they prepare to engage in global warming talks with the rest of the world in Kyoto, Japan, this December.

Madam Speaker, I would urge our colleagues to adopt House Concurrent Resolution 151, a worthy measure that symbolizes America's commitment to address the growing crisis of global climate warming.

H. CON. RES. 157

Whereas the world's leading climate experts who comprise the Intergovernmental Panel on Climate Change (hereafter in this preamble referred to as the ''IPCC'') have reported that ''the balance of evidence suggests a discernible human influence on global climate'';

Whereas the IPCC has concluded that the effects of global climatic disruption due to increased greenhouse gas emissions could result in (1) a global temperature increase of 1.8 to 6.3 degrees Fahrenheit by the year 2100; (2) a rise in sea level of 6 inches to 3 feet by the year 2100; (3) extreme weather events due to a more vigorous hydrological cycle, such as increased flooding in some areas and more severe droughts in others; (4) saltwater intrusion into freshwater supplies; and (5) the spread of infectious diseases, including malaria and dengue fever;

Whereas the IPCC estimates that today's carbon emissions will remain in our atmosphere for a century or more;

Whereas more than 2,600 scientists recently signed the Scientists' Statement on Global Climatic Disruption calling on the United States, and the world leader in greenhouse gas emissions, to provide leadership this December in Kyoto, Japan, where an international protocol to the United Nations Framework Convention on Climate Change, to which the United States is party, is scheduled to be signed;

Whereas relations between the United States and Pacific island nations historically have been marked by a spirit of mutual understanding and cooperation on a wide range of issues;

Whereas Pacific island nations and the United States share a commitment to world peace, and the Pacific islands have traditionally been supportive of major United States initiatives, including United States positions at the United Nations;

Whereas at the Seventh Economic Summit of Smaller Island States (SIS), held September 17, 1997, in the Cook Islands, a statement was issued to reaffirm, recognize, and endorse the Second Assessment Report of the Inter-Governmental Panel on Climate Change (IPCC) of 1996;

Whereas the United States is a Forum Dialogue Partner in the South Pacific Forum and is a participant or contributor to other regional organizations, including the South Pacific Regional Environment Programme, the South Pacific Commission, the Forum Fisheries Agency, the El Nino research in conjunction with the United States National Oceanic and Atmospheric Administration (NOAA), the South Pacific Geoscience Commission (SOPAC), the Joint Commercial Commission (JCC), the U.S. Studies Country Program (USSCP), in connection with the Integrated Coastal Zone Management (ICZM) Program, the International Coral Reef Initiative (ICRI), the South Pacific Nuclear-Free Zone (SPNFZ) Treaty, the Asia-Pacific Economic Cooperation (APEC), the World Bank, and the Asian Development Bank;

Whereas the bonds of cooperation are established between the United States and Pacific island nations either through independent territorial, commonwealth, or free association relationships;

Whereas certain Pacific island nations, in alliance with the United States, have historically provided for an important U.S. regional strategic presence and have continued to provide such vital assistance in recent years;

Whereas the world is becoming more politically and socially volatile, with growing security threats in proximity to the Pacific region and in other potentially hostile global theaters;

Whereas Pacific island nations, with many inhabited atolls, lie only a few feet above sea level and are faced with the constant threat of flooding and the possible loss of their nations due to a rise in sea level induced by global warming;

Whereas Pacific island nations such as Nauru, Tuvalu, Kiribati, Niue, Tonga, the Cooks Islands, the Marshall Islands, and the Federated States of Micronesia are already experiencing the effects of an accelerated sea level rise, such as salinization of soil and water, erosion, and rising tides;

Whereas the National Academy of Sciences has determined that the efficiency of nearly every United States energy use can be improved and that the United States could reduce its greenhouse gas emissions significantly at low cost or potential savings; and

Whereas research and development into advanced energy saving technologies would position the United States as the leading exporter of these technologies, reduce the dependency of the United States on foreign oil, and help balance the trade deficit: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) the United States, with its advanced technologies and comprehensive studies on global climate conditions, should be committed to the proposition that global warming is a very serious international issue, and the United States take appropriate measures to consult closely with the nations of the world to address this serious problem; and

(2) the leaders and peoples of Pacific island nations should be commended for their efforts to enhance the consciousness and sensitivity of the world community by raising the issue of global warming and greenhouse gas emissions.

Madam Speaker, I reserve the balance of my time.

Mr. YOUNG of Alaska. Madam Speaker, I yield 7 minutes to the gentlewoman from Idaho [Mrs. CHENOWETH], subcommittee chairman.

Mrs. CHENOWETH. Madam Speaker, I thank the gentleman from Alaska for yielding me the time. This is a very interesting subject. I listened with great intrigue to the gentleman from American Samoa [Mr. FALEOMAVAEGA]. I can identify with his remarks and appreciate them.

Today, as the administration considers its position on global warming, though, the House will send a message to the White House that regardless of whether you believe that human-induced global climate change is occurring are not, our forests should play an integral part in reducing greenhouse gases.

At the 11th World Forestry Congress taking place in Antalya, Turkey, many professional forest managers in other countries have criticized the Clinton administration for its lack of management of our national forests. This is very interesting to me, Madam Speaker, because they feel that we have great resources here in America and we are not using them. Instead, we are demanding that the wood that we export now from other countries be harvested in other countries putting an undue pressure on those countries to produce the wood.

By not applying good silviculture treatments to our forests, we are creating burdens for the rest of the world. The ramification is decertification and destruction of tropical forests because of the pressures of the world demand as well as increases in world levels of greenhouse gases that are leading to some of the problems we are talking about today.

Science has proven to us that carbon dioxide, the leading greenhouse gas, can be taken out of the atmosphere by allowing a young vibrant forest to absorb carbon through photosynthesis and storing it as wood. In 1 year, an acre of healthy forest can absorb approximately 3 tons of carbon dioxide by sequestering 1 ton of carbon in woody tissue and converting 2 tons into oxygen for our use. Tree planting, forest management and increasing forest productivity research can positively reduce greenhouse gas buildup.

Carbon dioxide can also be kept out of the atmosphere by harvesting the forest before it begins to decompose on the forest floor or burn, thus storing the carbon dioxide in wood products that are environmentally friendly as well as providing an environmental and economic benefit to society.

In December of this year, the United Nations Framework Convention on Climate Change, which may commit the United States to mandatory greenhouse gas reductions, is expected to meet in Kyoto, Japan. The ramifications of this treaty could be enormous for the American people, for our environment, for our economy and our way of life.

The key issue, Madam Speaker, is whether the Clinton-Gore administration will commit the United States to mandatory reductions of carbon dioxide. Mandatory reductions will cost taxpayers billions of dollars and will cost many Americans their jobs and that is very sad, Madam Speaker. This is based on the fact that we do not know how much greenhouse gas emissions, especially carbon dioxide, from the burning of fossil fuels contributes to the rise in temperatures.

There are alternatives to mandatory reductions of carbon emissions. To suggest that the United States now take radical steps to curb greenhouse gases such as imposing heavy taxes on carbon dioxide emissions, such as 50 cents per gallon of gasoline, to all of the people who drive cars, is a horrible burden for the United States of America. Rather than head down this road void of scientific information that will lead to devastating economic, environmental consequences, we should begin to manage our public forests through sound silviculture methods. This means using the controls on greenhouse gases that mother nature gives to us rather than controls that Government mandates us to follow.

We must send a message that the Federal Government itself should take the lead by reducing the levels of carbon dioxide in the atmosphere, but not by mandating unrealistic, costly, ambient air quality standards, but by doing that which comes natural. That is, that we as good stewards of this Earth should help manage our forests to reestablish themselves as healthy forests.

By managing our national forests to minimize additions of carbon dioxide to the atmosphere, we will improve our air quality, the health of our Nation's forests, and set an example for other nations as the world prepares for the negotiations in Kyoto, Japan.

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

Certainly I would commend and thank the gentlewoman from Idaho for her eloquent statement and her thoughts and reasoning, which are well taken.

With regard to the Global Climate Treaty to be negotiated in Kyoto, I do not think there is any question that the Administration is very mindful of the concerns of both private industry as well as the many hundreds of thousands of American workers. The impacts upon the U.S. business community and labor force from the Kyoto conference will be significant but positive. Aside from all of that, I think the jury is still out. We will see tomorrow what the Administration's decisions will be as far as greenhouse gas emissions and the United States' role, which I am sure will be very critical, in the upcoming conference this December in Kyoto.

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

Mr. YOUNG of Alaska. Madam Speaker, I yield 3 minutes to the gentleman from Utah [Mr. HANSEN], the chairman of the subcommittee.

Mr. HANSEN. Madam Speaker, I thank the gentleman for yielding me this time.

This week in Bonn, Germany, representatives from around the world will meet on the issues of greenhouse gases. They will be negotiating how quickly the industrial nations must rein in the emissions of carbon dioxide and other so-called greenhouse gases. These talks are in preparation for later negotiations in December in Kyoto, Japan.

Global warming has been an issue of great debate and discussion in Congress. Nearly all of the discussion on global warming surrounds the mandatory reduction of carbon dioxide through costly government controls. The Clinton administration's own studies show that this effort would result in substantial increases in energy prices and damage to the economy.

Quoting from ''Economic Effects on Global Climate Change Policies'' published by the administration's own Interagency Analytical Team, the higher energy costs would produce GDP losses between 0.2 and 1.0 percent of GDP. For an economy which grew 5.1 percent last year, 1.0 percent would financially hurt every single American.

There is no doubt that everyone agrees that we need to keep our planet clean. To this end, we are here today to put the House on record as supporting proper management of our Nation's forests to maximize reductions of greenhouse gases. Science has conclusively proven that carbon dioxide can be reduced in the atmosphere by allowing a young vibrant forest to absorb carbon through photosynthesis and store it in wood.

Proper management of our forests is important to the environment as well as our economy. There is no doubt that how we are currently managing our Federal forests is neither good for the economy nor is it good for the environment. This resolution puts us on record as supporting good forest management. The forests can and should be managed to help reduce greenhouse gases from the atmosphere.

Mr. YOUNG of Alaska. Madam Speaker, I yield myself such time as I may consume to restate what has been said very eloquently by the gentlewoman from Idaho [Mrs. CHENOWETH], the gentleman from Utah [Mr. HANSEN], and my good friend, the gentleman from American Samoa [Mr. FALEOMAVAEGA]. We cannot have it

both ways. We must have sound forest management and we must have young trees growing today.

I remember when there was the old saying ''plant a tree today for tomorrow,'' and we have forgotten that. Many people now want the old trees, the constant dying old trees, which contribute very little to mankind. They will either burn or they will die from beetle kill and they will stand and they do nothing to clean the air.

All this concurrent resolution says is we say it is time for us to have sound management, scientific management of our new forests; to plant those trees, to harvest the older trees and have these forests clean up our air.

Mr. SMITH of Oregon. Mr. Speaker, I rise in strong support of this resolution. Over the last several months the Committee on Agriculture has held a series of hearings on the management of our Nation's forest resources. The scientists who have appeared before the committee have taught us a great deal about the environmental benefits of proactive forest management. This resolution on the minimization of greenhouse gases addresses one of the foremost of these benefits.

Those who truly care for the environment should be quick to realize that wood is our most environmentally friendly building material. Processing construction grade wood releases a tiny fraction of the carbon dioxide produced by steel, concrete, brick, and other non-renewable construction materials that are processed using fossil fuels.

Wood also stores vast amounts of carbon for long periods of time. Wood extracted from the forest for construction purposes continues to store carbon. Furthermore, the resulting regeneration of trees in the forest sequesters carbon from the atmosphere. In other words, when we use wood for homes, furniture and pulp and paper products, we both minimize carbon releases into the atmosphere and provide an efficient means of removing carbon from the atmosphere. This is a win-win proposition for both the environment and our economy.

In contrast, failing to actively manage our forests to both provide useful wood products to society and to maximize the ability of our forests to store carbon can have devastating results. In 1996, six million acres of national forest burned in one of the worst fire seasons of the century. This tragedy came on the heels of the 1994 fire season during which over 4 million acres of national forest burned.

These fires, because of their size and intensity, released staggering amounts of particulate matter into the air. One study indicates that the fires of 1994 alone emitted as much as a ton of particulate matter into the atmosphere for each acre of forest burned and over 400 million tons of carbon in the aggregate.

Proactive forest management, that focuses on reducing fuel loading and tree density in overstocked timber stands, can significantly reduce carbon emissions caused by wildfire. It can also improve the ability of the forest to store carbon by replacing denser stands of sick, fire prone small diameter trees with more vigorous, fire resistant stands where tree growth and health are both maximized.

Scientifically managing our forests to reduce atmospheric carbon dioxide levels is a policy that America should enthusiastically embrace, particularly in preparation of the upcoming conference in Kyoto. Yet, surprisingly, the administration does not yet appear to have included a forest management component to its official policy position.

This resolution fills that void. It frames a policy that will enable the United States to lead the world in pursuit of scientific, proactive forest management practices that will both clean our air and improve our quality of life. I urge my colleagues to support the resolution.

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

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from Alaska [Mr. YOUNG] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 151, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The title was amended so as to read:

Concurrent resolution expressing the sense of the Congress that the United States should manage its forests to maximize the reduction of carbon dioxide in the atmosphere among many other objectives, and that the United States should serve as an example and as a world leader in managing its forests in a manner that substantially reduces the amount of carbon dioxide in the atmosphere.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. YOUNG of Alaska. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on House Concurrent Resolution 151, the concurrent resolution just agreed to.

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

There was no objection.

GRAZING AT GRAND TETON NATIONAL PARK

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 708) to require the Secretary of the Interior to conduct a study concerning grazing use of certain land within and adjacent to Grand Teton National Park, WY, and to extend temporarily certain grazing privileges, as amended.

The Clerk read as follows:

H.R. 708

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

SECTION 1. FINDINGS.

Congress finds that—

(1) open space near Grand Teton National Park continues to decline;

(2) as the population continues to grow in Teton County, Wyoming, undeveloped land near the park becomes more scarce;

(3) the loss of open space around Teton Park has negative impacts on wildlife migration routes in the area and on visitors to the Park, and its repercussions can be felt throughout the entire region;

(4) a few ranches make up Teton Valley's remaining open space, and the ranches depend on grazing in Grand Teton National Park for summer range to maintain operations;

(5) the Act that created Grand Teton National Park allowed several permittees to continue livestock grazing in the Park for the life of a designated heir in the family;

(6) some of the last remaining heirs have died, and as a result the open space around the Park will most likely be subdivided and developed;

(7) in order to develop the best solution to protect open space immediately adjacent to Grand Teton National Park, the Park Service should conduct a study of open space in the region; and

(8) the study should develop workable solutions that are fiscally responsible and acceptable to the National Park Service, the public, local government, and landowners in the area.

SEC. 2. STUDY OF GRAZING USE AND OPEN SPACE.

(a) IN GENERAL.—The Secretary of the Interior shall conduct a study concerning grazing use and open space in Grand Teton National Park, Wyoming, and associated use of certain agricultural and ranch lands within and adjacent to the Park, including—

(1) base land having appurtenant grazing privileges within Grand Teton National Park, Wyoming, remaining after January 1, 1990, under the Act entitled ''An Act to establish a new Grand Teton National Park in the State of Wyoming, and for other purposes'', approved September 14, 1950 (16 U.S.C. 406d–1 et seq.); and

(2) any ranch and agricultural land adjacent to the Park, the use and disposition of which may affect accomplishment of the purposes of the Act.

(b) PURPOSE.—The study shall—

(1) assess the significance of the ranching use and pastoral character of the land (including open vistas, wildlife habitat, and other public benefits);

(2) assess the significance of that use and character to the purposes for which the park was established and identify any need for preservation of, and practicable means of, preserving the land that is necessary to protect that use and character;

(3) recommend a variety of economically feasible and viable tools and techniques to retain the pastoral qualities of the land; and

(4) estimate the costs of implementing any recommendations made for the preservation of the land.

(c) PARTICIPATION.—In conducting the study, the Secretary of the Interior shall seek participation from the Governor of the State of Wyoming, the Teton County Commissioners, the Secretary of Agriculture, affected land owners, and other interested members of the public.

(d) REPORT.—Not later than 3 years from the date funding is available for the purposes of this Act, the Secretary of the Interior shall submit a report to Congress that contains the findings of the study under subsection (a) and makes recommendations to Congress regarding action that may be taken with respect to the land described in subsection (a).

SEC. 3. EXTENSION OF GRAZING PRIVILEGES.

(a) IN GENERAL.—Subject to subsection (b), the Secretary of the Interior shall reinstate and extend for the duration of the study described in section 2(a) and until such time as the recommendations of the study are implemented, the grazing privileges described in

section 2(a)(1), under the same terms and conditions as were in effect prior to the expiration of the privileges.

(b) EFFECT OF CHANGE IN LAND USE.—If, during the period of the study or until such time as the recommendations of the study are implemented, any portion of the land described in section 2(a)(1) is disposed of in a manner that would result in the land no longer being used for ranching or other agricultural purposes, the Secretary of the Interior shall cancel the extension described in subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah [Mr. HANSEN] and the gentleman from American Samoa [Mr. FALEOMAVAEGA] each will control 20 minutes.

The Chair recognizes the gentleman from Utah [Mr. HANSEN].

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

Madam Speaker, I rise in support of H.R. 708 and urge its adoption. Senator THOMAS of Wyoming introduced similar legislation in the form of S. 308 in the Senate. The Subcommittee on National Parks and Public Lands of the Committee on Energy and Natural Resources held hearings on that legislation and it has been widely supported by the people of Jackson Hole, WY, the administration, conservation groups, and the ranching community.

I applaud the gentlewoman from Wyoming [Mrs. CUBIN] for her hard work on this issue and I am pleased to be sending this message to the President for his signature after it is worked out with the Senate.

H.R. 708 recognizes the increasing demand on private lands within the Jackson Hole area of Wyoming and the benefits that open space and ranching provide Grand Teton National Park. This legislation would require the Secretary to conduct a study concerning grazing and open space in and around Grand Teton National Park. Moreover, the Secretary must analyze the benefits of existing ranching and grazing operations to wildlife, the national park, and other public benefits.

This legislation initiated by the gentlewoman from Wyoming recognizes the development pressures on resort lands in and around national parks. If the public policy is to drive these long-held ranching families out of business, we must be prepared to deal with the consequences of ranches being sold to pay the estate taxes and development into resort communities.

In some groups' zeal to drive livestock grazing off the public lands, we are leaving no alternative to these landowners but to sell out to developers. The gentlewoman from Wyoming has convinced the people of Jackson Hole to stand back and take another look at this situation and assess the benefits of these ranches on wildlife and the park itself. I urge my colleagues to support H.R. 708.

Madam Speaker, I reserve the balance of my time.

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

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

Mr. FALEOMAVAEGA. Madam Speaker, I wish to thank the chairman of the Subcommittee on National Parks and Public Lands, the gentleman from Utah, [Mr. HANSEN], for his management of this legislation, and also the chief sponsor of this legislation, the gentlewoman from Wyoming [Mrs. BARBARA CUBIN] for her leadership in providing this legislation for our consideration.

Madam Speaker, the goals of H.R. 708 are quite laudable. The National Park Service and the Jackson Hole community are concerned that the ranchlands and open space surrounding Grand Teton National Park may be developed, furthering the loss of wildlife habitat, migration routes, and scenic values.

Much of the land south of Grand Teton has already been developed or is under pressure of development. H.R. 708 provides for a study to determine if there are viable means to preserving open space and ranching operations for the benefit of both the park and the community.

When the Committee on Resources held a markup of H.R. 708, an amendment in the nature of a substitute was adopted that incorporated many of the suggested changes made by the National Park Service. The changes that were made improved the bill. This study has the potential to be a win-win situation for both the park and the local community. I hope that this is the case and look forward to seeing the final study.

Madam Speaker, I support H.R. 708, as amended, and urge my colleagues to approve this proposed bill.

Mrs. CUBIN. Mr. Speaker, Jackson Hole, WY is one of the most beautiful and unique areas of our Nation. Over 3 million visitors per year come to hike, camp, ski, and sightsee amidst the grandeur of the Teton range and the winding Snake River in Grand Teton National Park and the Greater Yellowstone area beyond.

Many wildlife species such as moose, bear, eagles, and trumpeter swan make the valley their home, while the largest elk herd in the lower 48 states annually migrates through it to winter on the wildlife refuge at its southern end.

While much of the valley is protected in perpetuity by Federal ownership, some of the most valuable wildlife habitat, migration routes, and scenic vistas remain in private ownership as working ranch lands.

Conservation groups in Jackson Hole and around the country have worked for years to help protect these ranches from development through the use of scenic easements and other means and are to be commended for their good work.

The concept of preserving and protecting parts of the Teton Range and Jackson Hole date from the time settlers moved into the valley in the late 1800's. In January 1929 the U.S. Senate reported on a bill to establish Grand Teton National Park and stated:

The Teton range presents the most profoundly impressive view in America. It is a gift to the Nation and posterity in which the people of Wyoming may be proud, and the wilderness surrounding them may be preserved in their natural state for the benefit and enjoyment of the people of these United States and future generations to come.

In 1950, the act establishing Grant Teton National Park allowed the continuation of grazing privileges within the boundaries of the new park for the life of the designated heirs of the current holders of grazing permits.

Early management of the park determined that managing cattle in a concentrated area with irrigated grass was less destructive to the resource and less intrusive to the visiting public than random grazing throughout the park.

The purpose of my legislation, H.R. 708, is not about granting special grazing rights; it is about doing the right thing to maintain the scenic wonderment that encompasses this magnificent area and keep the area open for wildlife, especially migratory elk.

This pristine land obviously comes with a price tag. Real estate prices have skyrocketed, and intense development pressure has occurred because of this fact.

Through this legislation I have worked in cooperation with officials from Grant Teton National Park to resolve many issues. I know that all parties involved in this matter are striving to reach the same goal: maintain the scenic beauty that those of us who have been fortunate enough to spend time in the Tetons will continue to enjoy the park for a long time to come.

I have incorporated some changes to the legislation proposed by the Park Service during the National Parks and Public Lands Subcommittee hearing this summer, and the bill reflects some, but not all, of those changes.

Mr. Speaker, I am dedicated to maintaining the highly valuable open space and ranching culture in this vicinity of the park. The authorization of a 3-year study will allow time to explore a network of relationships and avoid the indiscriminate development that will occur on these pastoral lands.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah [Mr. HANSEN] that the House suspend the rules and pass the bill, H.R. 708, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: ''A bill to require the Secretary of the Interior to conduct a study concerning grazing use and open space within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges.''.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HANSEN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within

which to revise and extend their remarks and include extraneous material on H.R. 708, the legislation just passed.

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

There was no objection.

ASIAN ELEPHANT CONSERVATION ACT OF 1997

Mr. SAXTON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1787) to assist in the conservation of Asian elephants by supporting and providing financial resources for the conservation programs of nations within the range of Asian elephants and projects of persons with demonstrated expertise in the conservation of Asian elephants, as amended.

The Clerk read as follows:

H.R. 1787

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 ''Asian Elephant Conservation Act of 1997''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Asian elephant populations in nations within the range of Asian elephants have continued to decline to the point that the long-term survival of the species in the wild is in serious jeopardy.

(2) The Asian elephant is listed as an endangered species under section 4 of the Endangered Species Act of 1973 and under appendix I of the Convention on International Trade of Endangered Species of Wild Fauna and Flora.

(3) Because the challenges facing the conservation of Asian elephants are so great, resources to date have not been sufficient to cope with the continued loss of habitat and the consequent diminution of Asian elephant populations.

(4) The Asian elephant is a flagship species for the conservation of tropical forest habitats in which it is found and provides the consequent benefit from such conservation to numerous other species of wildlife including many other endangered species.

(5) Among the threats to the Asian elephant in addition to habitat loss are population fragmentation, human-elephant conflict, poaching for ivory, meat, hide, bones and teeth, and capture for domestication.

(6) To reduce, remove, or otherwise effectively address these threats to the long-term viability of populations of Asian elephants in the wild will require the joint commitment and effort of nations within the range of Asian elephants, the United States and other countries, and the private sector.

SEC. 3. PURPOSES.

The purposes of this Act are the following:

(1) To perpetuate healthy populations of Asian elephants.

(2) To assist in the conservation and protection of Asian elephants by supporting the conservation programs of Asian elephant range states and the CITES Secretariat.

(3) To provide financial resources for those programs.

SEC. 4. DEFINITIONS.

In this Act:

(1) The term ''CITES'' means the Convention on International Trade in Endangered Species of Wild Fauna and Flora, signed on March 3, 1973, and its appendices.

(2) The term ''conservation'' means the use of methods and procedures necessary to bring Asian elephants to the point at which there are sufficient populations in the wild to ensure that the species does not become extinct, including all activities associated with scientific resource management, such as conservation, protection, restoration, acquisition, and management of habitat; research and monitoring of known populations; assistance in the development of management plans for managed elephant ranges; CITES enforcement; law enforcement through community participation; translocation of elephants; conflict resolution initiatives; and community outreach and education.

(3) The term ''Fund'' means the Asian Elephant Conservation Fund established under section 6(a).

(4) The term ''Secretary'' means the Secretary of the Interior.

(5) The term ''Administrator'' means the Administrator of the Agency for International Development.

SEC. 5. ASIAN ELEPHANT CONSERVATION ASSISTANCE.

(a) IN GENERAL.—The Secretary, subject to the availability of funds and in consultation with the Administrator, shall use amounts in the Fund to provide financial assistance for projects for the conservation of Asian elephants for which final project proposals are approved by the Secretary in accordance with this section.

(b) PROJECT PROPOSAL.—Any relevant wildlife management authority of a nation within the range of Asian elephants whose activities directly or indirectly affect Asian elephant populations, the CITES Secretariat, or any person with demonstrated expertise in the conservation of Asian elephants, may submit to the Secretary to project proposal under this section. Each proposal shall include the following:

(1) The name of the individual responsible for conducting the project.

(2) A succinct statement of the purposes of the project.

(3) A description of the qualifications of the individuals who will conduct the project.

(4) An estimate of the funds and time required to complete the project.

(5) Evidence of support of the project by appropriate governmental entities of countries in which the project will be conducted, if the Secretary determines that the support is required for the success of the project.

(6) Information regarding the source and amount of matching funding available to the applicant.

(7) Any other information the Secretary considers to be necessary for evaluating the eligibility of the project for funding under this Act.

(c) PROJECT REVIEW AND APPROVAL.—

(1) IN GENERAL.—Within 30 days after receiving a final project proposal, the Secretary shall provide a copy of the proposal to the Administrator. The Secretary shall review each final project proposal to determine if it meets the criteria set forth in subsection (d).

(2) CONSULTATION; APPROVAL OR DISAPPROVAL.—Not later than 6 months after receiving a final project proposal, and subject to the availability of funds, the Secretary, after consulting with the Administrator, shall—

(A) request written comments on the proposal from each country within which the project is to be conducted;

(B) after requesting those comments, approve or disapprove the proposal; and

(C) provide written notification of that approval or disapproval to the person who submitted the proposal, the Administrator, and each of those countries.

(d) CRITERIA FOR APPROVAL.—The Secretary may approve a final project proposal under this section if the project will enhance programs for conservation of Asian elephants by assisting efforts to—

(1) implement conservation programs;

(2) address the conflicts between humans and elephants that arise from competition for the same habitat;

(3) enhance compliance with provisions of CITES and laws of the United States or a foreign country that prohibit or regulate the taking or trade of Asian elephants or regulate the use and management of Asian elephant habitat;

(4) develop sound scientific information on the condition of Asian elephant habitat, Asian elephant population numbers and trends, or the threats to such habitat, numbers, or trends; or

(5) promote cooperative projects on those topics with other foreign governments, affected local communities, nongovernmental organizations, or others in the private sector.

(e) PROJECT SUSTAINABILITY.—To the maximum extent practical, in determining whether to approve project proposals under this section, the Secretary shall give consideration to projects which will enhance sustainable integrated conservation development programs to ensure effective, long-term conservation of Asian elephants.

(f) PROJECT REPORTING.—Each person who receives assistance under this section for a project shall provide periodic reports, as the Secretary considers necessary, to the Secretary and the Administrator. Each report shall include all information required by the Secretary, after consulting with the Administrator, for evaluating the progress and success of the project.

(g) MATCHING FUNDS.—In determining whether to approve project proposals under this section, the Secretary shall give priority to those projects for which there exists some measure of matching funds.

(h) LIMITATION ON USE FOR CAPTIVE BREEDING.—Amounts provided as a grant under this Act may not be used for captive breeding of Asian elephants other than for release in the wild.

SEC. 6. ASIAN ELEPHANT CONSERVATION FUND.

(a) ESTABLISHMENT.—There is established in the general fund of the Treasury a separate account to be known as the ''Asian Elephant Conservation Fund'', which shall consist of amounts deposited into the Fund by the Secretary of the Treasury under subsection (b).

(b) DEPOSITS INTO THE FUND.—The Secretary of the Treasury shall deposit into the Fund—

(1) all amounts received by the Secretary in the form of donations under subsection (d); and

(2) other amounts appropriated to the Fund.

(c) USE.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may use amounts in the Fund without further appropriation to provide assistance under section 5.

(2) ADMINISTRATION.—Of amounts in the Fund available for each fiscal year, the Secretary may use not more than 3 percent to administer the Fund.

(d) ACCEPTANCE AND USE OF DONATIONS.—The Secretary may accept and use donations to provide assistance under section 5. Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit into the Fund.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Fund $5,000,000 for each of fiscal years

1998, 1999, 2000, 2001, and 2002 to carry out this Act, which may remain available until expended.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey [Mr. SAXTON] and the gentleman from Hawaii [Mr. ABERCROMBIE] each will control 20 minutes.

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

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

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

Mr. SAXTON. Madam Speaker, I introduced H.R. 1787, the Asian Elephant Conservation Act of 1997, along with the gentleman from Hawaii [Mr. ABERCROMBIE] and 17 other Members on June 4, 1997.

The fundamental purposes of this legislation are twofold: First, to create an Asian elephant conservation fund; and, second, to authorize the Congress to appropriate up to $5 million per year to this fund to finance various conservation projects for each of the next 5 fiscal years.

The legislation is modeled after the highly successful African Elephant Conservation Act of 1988 and the Rhinoceros and Tiger Conservation Act of 1994. The new authorization would be separate from those funds appropriated for African elephants or for rhinos or tigers.

Under the terms of H.R. 1787, the Secretary of the Interior would carefully evaluate the merits of each proposed conservation project, select those that best enhance the future of the Asian elephant, and give priority to those projects whose sponsors demonstrate the ability to match some portion of the Federal funds. In addition, the bill stipulates the Secretary may accept donations to assist Asian elephants and shall spend no more than 3 percent of the amount appropriated to administer the fund.

Unless immediate steps are taken to conserve this magnificent animal, it will surely continue to disappear from much, if not all, of its traditional habitat. We cannot allow the Asian elephant, which has such a direct impact on so many other species, like the clouded leopard, the rhinos and tigers, to become extinct. The goal of H.R. 1787 is to stop the decline and hopefully rebuild the population stocks of this irreplaceable species by financing, with a small amount of Federal money, a limited number of conservation projects.

While not an exact list, it is likely that these projects would include efforts to monitor known populations of Asian elephants, develop improved conservation management plans, and educate the public about the value of this so-called flagship species.

Finally, I want to acknowledge the tireless dedication of our former colleague, Andy Ireland. Due to his inspirational leadership, Feld Entertainment has played a major role in helping to move this legislation forward. This company, which has been a leader in Asian elephant conservation and husbandry for decades, is motivated by the goal of ensuring that there are Asian elephants living in the world, and will be for the next century.

Obviously, I am going to urge a ''yea'' vote on this, but before I do that, let me pay particular thanks to our staff for helping move this bill forward this morning, and in particular a young lady by the name of Sharon McKenna, who is not able to be here with us today, as she is home taking care of her brand new little baby, Jackson. So we wish Sharon and her husband Mike, and Jackson, all the best, and thank her for the great work that she has done on this bill.

Madam Speaker, let me just say that when I introduced this bill with the gentleman from Hawaii, who has joined us in the Chamber, I think we both were deluged with a number of questions as to why in the world a Congressman from Hawaii and a Congressman from New Jersey should devote the time and energy that we have to trying to save an Asian species, the Asian elephant.

The answer to that is quite simple, and I think it was brought to bear quite clearly here today by the previous speakers, the gentleman from Alaska [Mr. YOUNG] and the gentlewoman from Idaho [Mrs. CHENOWETH], who were talking about the controversies surrounding the issue of global warming and making the point very clearly that this world's forests, not just this Nation's forests, but this world's forests are vital in the fight against global warming.

This species, the Asian elephant, has been named a flagship species because it is easy to see. It is easy to see it disappearing. And one can quite readily draw the conclusion that one of the reasons it is disappearing is because of its disappearing habitat, the forests in which it lives.

So by concentrating on this magnificent species that men and women and boys and girls all around the world recognize and have grown to love as one of God's creatures that we all recognize, by using it as a flagship species, so-called, we draw attention and educate ourselves as a world people about the importance of not only the Asian elephant but the African elephant as well and rhinos and tigers and the forests in which they reside.

□ 1415

And so to the extent that we can set an example here today by passing this bill and working to save the Asian elephant in this case, we will also be successful in doing our part in the effort to combat global warming.

Madam Speaker, I reserve the balance of my time.

Mr. ABERCROMBIE. Madam Speaker, I yield myself such time as I may consume. I am delighted to be here today, particularly in the company of the gentleman from New Jersey [Mr. SAXTON], my good friend. I too want to pay tribute not just to him and his great leadership on this issue but to the especially strong staff support we have received along the way with the enactment of this bill.

Madam Speaker, I am just getting to the floor now because we have had the opportunity over the past couple of hours to be meeting on the questions of travel, tourism and the world, not only in relation to the United States but in relation one to another as people throughout the world.

Madam Speaker, I cannot emphasize enough to Members that in paying particular attention to this species as covered under the Asian Elephant Conservation Act, we are taking a giant step forward in seeing to it not only that we respect the ecological consequences for the Asian elephant as such, but that we recognize that in this context, the people of the world are coming to know that we are all interrelated, and we are very, very hopeful that we will be able to fund as a result of this act partnerships, international partnerships, that will result in people being able to view the Asian elephant, to understand through the conservation of the Asian elephant its relationship to ecological balance, environmental balance in South Asia and that this is beneficial on a planetary basis when all of the species of the world understand their interrelationship.

This is then a modest step in the effort to protect the existing Asian elephant herds from multiple sources of danger, including poaching for meat, hides, teeth and bones as well as capture for domestication and the encroachment of humans and civilization, so-called.

Madam Speaker, the population of Asian elephants as has been pointed out, has been dwindling steadily and now numbers roughly 40,000 animals. It is an incredible thing to contemplate, as we did in the course of our examination in the committee hearings, what such a relatively small number of great animals and of course I must say parenthetically, Madam Speaker, that my respect for and admiration for the diversity of life on this planet was only enhanced by the hearings that we had. This is indeed one of God's most magnificent creatures and indeed represents something unique. Not everyone is aware that the Asian elephant has been a partner with humankind throughout all of the thousands of years of its existence. That relationship is now threatened by the advance of modern life.

Maybe advance is almost the wrong word, Madam Speaker. But nonetheless we are realizing more and more that this great creature of South Asia, the Asian elephant, represented a true symbiosis between humankind and the animal kingdom that is now threatened. The numbers are less than 10 percent of the numbers of African elephants in the wild. I think that that is a very sobering statistic.

The African elephant of course has received great publicity. It also of course is magnificent in its presentation of self in the wild and has attracted the imagination and admiration of people throughout the world. The Asian elephant being a blue collar animal, a working animal, a domesticated animal working in close proximity with human beings, has been ignored in the process.

So this legislation will help prevent the eventual extinction of the Asian elephant as an endangered species. The future of these magnificent animals in the wild is in clear jeopardy. H.R. 1787 authorizes $5 million to fund projects crucial to the survival of the species. Our goals are to assist and support the conservation of elephant range, as the gentleman from New Jersey [Mr. SAXTON] has enunciated so clearly and to support the United Nations Convention on International Trade in Endangered Species. Although wild Asian elephants are scattered across 13 Asian countries, there are only 4 remaining herds containing 1,000 or more animals.

Douglas H. Chadwick, a distinguished and honored scientist and author, wrote of these animals:

> Elephants are one of those animals by which we define the grandeur of creation. No larger life forms walk our earth and precious few are more intelligent. Elephants are more than just a part of the extraordinary variety of the plants and animals found in Asia's tropical forest. Elephants are one of the main reasons that the genetic bounty is there in the first place with the potential to provide humanity with new sources of food, fiber and pharmaceutical products. Elephants distribute seeds of perhaps one-third of all tropical trees. In some cases elephants are the only known agents of dispersal. To save Asian elephants is to save one of the principal shapers of biological diversity. To maintain habitat is to maintain the resources that enrich human communities over the long run.

I am absolutely certain, Madam Speaker, speaking parenthetically that with the expansion of the Asian elephant habitat and with their preservation and conservation, we will see enormous increases in travel and tourism and by extension the awareness of the items that I am speaking of. Going back, then, in my quotation, ''To pass an Asian Elephant Conservation Act would be one of the most foresighted and yet practical, cost-effective things we can do for the benefit of Americans, people throughout Asia, and the world we all share.''

H.R. 1787 received overwhelming support in the Committee on Resources, again under the leadership of the gentleman from New Jersey [Mr. SAXTON]. I was pleased to be an original cosponsor of the bill. Not only does H.R. 1787 enjoy strong bipartisan support in the House, Madam Speaker, but it has also been endorsed by such diverse groups that bears repeating, the American Zoological and Aquarium Association, the World Wildlife Fund, Wildlife Preservation Trust International, the Sierra Club, and Feld Entertainment, emphasizing the partnership we have in the private sector. Feld Entertainment is the owner of the Ringling Brothers and Barnum and Bailey Circus.

It is clear that if we are to prevent the extinction of the Asian elephant, a number of coordinated and visible activities must be undertaken by the international community and host-range nations. I believe it bears repeating, Madam Speaker, as to what they might be:

Protection of the remaining elephant populations and their habitat from further loss and degradation by establishing and managing special protected areas;

Promotion of coexistence between people and elephants by developing and implementing sound management practices that would prevent or reduce conflict;

Promotion of effective law enforcement through participation of local communities;

Reduction of captures from the wild, and extension of care and humane management of the remaining domesticated population;

Madam Speaker, I believe it has been stated but I believe again bears repeating that the Asian elephant as a participant in society as a domesticated work elephant, I was going to say workhorse, I guess is the equivalent, is now finding itself in the situation of being unemployed.

The work elements associated with the Asian elephant are disappearing much as the workhorse did, as the great workhorses that my grandfather was associated with as a teamster in Buffalo, NY, the great eight-horse hitches that the great beer wagons that we see advertised now with Budweiser, they were working animals. My grandfather was the manager of the stables that carried baked goods on great wagons throughout Buffalo for the then existing Hall's Bakery. So horses, great workhorses, were displaced by engines, by the internal combustion engine. The same thing is happening to the Asian elephant. The elephants who worked under these circumstances need to be taken care of, need humane management and treatment, and this bill will help agencies and individuals and groups interested in this in completing that task. Finally, restoration of the congenial relationship that previously existed between people and elephants through education and awareness programs. And of course this is where travel and tourism can play a great role.

Many groups and individuals contributed to the development of the bill. The Tiger and Rhinoceros Conservation Act is one to be cited. It would be administered by the Secretary of the Interior after consultation with the Administrator of AID. Instead of focusing on remedies appropriate for trade-related conservation issues, this bill emphasizes remedies that would address the human-elephant conflict resolutions that prevails throughout the Asian elephant's natural range. I think I have already made reference, Madam Speaker, to the African elephant and I am particularly grateful to the gentleman from Alaska [Mr. YOUNG], the chair of our committee, who has been instrumental in working with the preservation and conservation of the African elephant and who realized that the Asian elephant emphasis that we have in this bill is an appropriate next step to take.

The purpose then of H.R. 1787 is to assist initiatives in the Asian elephant range nations as well as regional and national agencies and organizations whose activities directly or indirectly promote Asian elephant habitat conservation. Then the bill would be funded in a manner so as not to affect funds currently earmarked for the African Elephant Conservation Act and the Rhino and Tiger Act. The legislation would specify that support would be provided for projects that would directly support and promote wild elephant management practices such as monitoring population trends of known populations, assessing the movement and the annual ranging patterns of known populations. We would emphasize law enforcement through community participation, develop management plans for managed elephant ranges, translocation of elephants, conflict resolution initiatives and community outreach and education. It specifically authorizes the Secretary of the Interior to fund projects addressing the use of domesticated elephants as such use relates to conservation of Asian elephants in the wild. It provides for multiplying the impact of funding by authorizing priority to be given projects which have matching funds from private sector sources.

In that instance I, too, want to add my congratulations and grateful thanks to our colleague Andy Ireland, who brought this issue to our attention in an extraordinarily comprehensive way and in that context, Madam Speaker, I want to conclude by urging all of our colleagues to take advantage of the pioneering work that was done in the Committee on Resources previously with respect to conservation of the great animals in Africa and Asia and add to it then this great and magnificent representation of the symbiotic relationship of humankind and the animal world in the Asian elephant.

Madam Speaker, I yield 3 minutes to the gentleman from American Samoa [Mr. FALEOMAVAEGA].

□ 1430

Mr. FALEOMAVAEGA. Madam Speaker, I thank the gentleman from Hawaii [Mr. ABERCROMBIE] for yielding me time.

Madam Speaker, I am delighted to be a cosponsor of this piece of legislation, and commend the gentleman from New Jersey [Mr. SAXTON], the chairman of the Subcommittee on Wildlife and Fisheries.

Madam Speaker, I would like to thank the gentleman from Hawaii [Mr.

ABERCROMBIE] for introducing H.R. 1787, the Asian Elephant Conservation Act of 1997. Like the similar African Elephant Conservation Act of 1988, and the Rhinoceros and Tiger Conservation Act of 1994, the fund created by this act should provide valuable financial assistance to programs protecting a keystone species which is greatly threatened throughout its range.

This bill will focus projects toward those problems which most threaten Asian elephants: habitat loss and human-elephant conflicts. This bill also supports conservation programs within range states, which is the best way to perpetuate healthy populations of Asian elephants in the wild.

Furthermore, this act will help provide the infrastructure necessary to limit Asian elephant poaching activity, which threatens the population that now numbers only one-tenth its previous level.

The Asian Elephant Conservation Act of 1997 also contains provisions that encourage efficiency and public participation in wildlife conservation programs. The act works to obtain the greatest leverage for U.S. taxpayer dollars by directing that preference for funding be given to those projects that will generate matching funds in cooperative projects.

Additionally, the Asian Elephant Conservation Act of 1997 promotes public involvement in our efforts to protect this species by permitting the Secretary of the Interior, through the Fish and Wildlife Service, to accept and use private donations to the fund.

This proposed bill, Madam Speaker, is but one example of the environmental leadership that is needed to protect threatened and endangered species, both at home and overseas. H.R. 1787 deserves our support, and I urge our colleagues' support for its adoption.

Mr. YOUNG of Alaska. Mr. Speaker, as a cosponsor of H.R. 1787, I rise in support of this legislation to create an Asian elephant conservation fund.

This measure is modeled after the highly successful African Elephant Conservation Act of 1988 and the Rhinoceros and Tiger Conservation Act of 1994. It will authorize up to $5 million per year to be appropriated to the Department of the Interior to fund various projects to conserve the African elephant.

This flagship species of the Asian continent is in grave danger of extinction. According to international experts, there are less than 45,000 Asian elephants living in the wild. On a daily basis, these animals face the loss of their forest habitat, poachers who kill them for their bones, hide, ivory, and meat, capture for use in Burma's timber industry, and conflicts between elephants and man. While Asian elephants are found in 13 countries in South and Southeast Asia, nearly half of the wild population reside in India. Unless immediate steps are taken to help conserve this species, it will continue to disappear from its historic habitat.

By enacting this legislation, it is my hope that projects will be funded to update census figures, assist in antipoaching efforts, translocate highly endangered elephants, and educate the public on why it is important to protect Asian elephants.

This small but critical investment of U.S. taxpayer money will be matched by private funds and will significantly improve the likelihood that wild Asian elephants will exist in the 21st century.

We should not allow this magnificent animal to disappear from this planet. H.R. 1787 will not solve all of the problems facing the Asian elephant but it is a positive step in the right direction.

I urge an aye vote on the Asian Elephant Conservation Act of 1997.

Mr. MILLER of California. Mr. Speaker, I would like to thank Mr. SAXTON and Mr. ABERCROMBIE for introducing H.R. 1787, the Asian Elephant Conservation Act of 1997. Unfortunately, it appears as if the programs this legislation will promote are needed now more than ever.

Many of us have expressed our concerns about the decision made at the recent Convention on International Trade in Endangered Species of Fauna and Flora [CITES] to downlist several populations of African elephants. At that meeting, which I attended, many representatives from elephant range states expressed their concern about the downlisting, fearing that it would send a signal to poachers that the ivory trade was about to resume. Sadly, it now seems their concerns were justified. Several of the elephant range states have experienced increased levels of poaching leading up to, and following the CITES decision, which is exactly why some of these range states opposed the downlisting proposal.

The Asian elephant has not escaped this slaughter. At the CITES conference, the representative from India stated his country's opposition to the downlisting because of the impact it would have upon the elephants in that country which is home to 50 percent of the Asian elephant population. In June and July of this year—following the CITES conference—poachers killed 20 Asian elephants in India, raising India's total poaching numbers to 52 for the first half of 1997. This is an increase in poaching activity over recent years, and when combined with habitat loss and other factors, does not bode well for the future of Asian elephants.

The Asian Elephant Conservation Act of 1997 deserves our support. H.R. 1787 will support projects that focus on protecting wild populations of Asian elephants against poaching, habitat loss, and human-elephant conflicts. This legislation promotes both fiscal efficiency and public participation by working to obtain the greatest leverage for U.S. taxpayer dollars by giving funding priority to those projects that will generate matching funds and cooperative projects. Furthermore, based upon the experiences of the similarly structured African Elephant Conservation Act of 1988 and the Rhinoceros and Tiger Conservation Act of 1994, the programs funded by this legislation should prove highly effective.

Our own Endangered Species Act recognizes the critical importance that protecting species' habitat plays in the long term survival of that species. Our goal should be to restore healthy populations of all animals in the wild by fighting poaching and protecting habitat—H.R. 1787 is a good start for doing this for Asian elephants.

Mr. CUNNINGHAM. Madam Speaker, I rise today in support of the Asian Elephant Conservation Act (H.R. 1787). This important piece of legislation will continue America's commitment to worldwide elephant conservation. I would also like to congratulate Chairman SAXTON for introducing and promoting this important legislation.

H.R. 1787 will authorize the Asian elephant conservation fund to receive $5 million each fiscal year from fiscal year 1998 to 2002. This contribution will be matched with private funds from outside interest groups committed to preserving Asian elephants. Our investment will coordinate and leverage private sector support for elephant conservation and fund projects that focus on antipoaching efforts, elephant population research, efforts to mitigate elephant-human conflict, habitat restorations, and identifying new techniques for elephant management. The creation of this important and successful program will continue to promote America's leadership to conserve and restore elephant herds in their native habitat. The future survival of Asian elephants depends upon America's leadership, and our small but crucial amount of financial support.

The Asian elephant conservation fund is based on the very successful African Elephant Conservation Act [AECA], which has been responsible for rescuing African elephants from the path to extinction. The AECA has stabilized elephant populations across Africa, tremendously slowed poaching, and provided important incentives to native people to preserve elephants.

The need for this legislation is clear. Asian elephant populations living in the wild have fallen dramatically. Right now only about 40,000 animals exist in the wild. The major cause for this decrease is shrinking habitat and expanding human populations. However, passage of this act will reverse the downward trend to elephant populations. This fund will help local villagers, who often live in fear of elephants, to coexist and benefit from the long-term conservation of elephants. This is an important step. Over time, this will reduce the high cost of conservation and save elephants from extinction.

Madam Speaker, the African Elephant Conservation Act has been a tremendous success. Let us now authorize the Asian elephant conservation fund and continue America's leadership to promote worldwide elephant conservation. I encourage all my colleagues to vote for H.R. 1787.

Mr. GILMAN. Madam Speaker, I rise in support of H.R. 1787, the Asian Elephant Conservation Act. I ask unanimous consent to revise and extend my remarks.

Mr. Speaker, this legislation was referred to our Committee on International Relations, but in the interest of advancing it to early passage we waived our right to consider it.

I want to thank the sponsor of the bill, the gentleman from New Jersey [Mr. SAXTON] and the gentleman from Hawaii [Mr. ABERCROMBIE] and the leadership of the Committee on Resources, the chairman, the gentleman from Alaska [Mr. YOUNG] and the ranking minority member, the gentleman from California [Mr. MILLER].

As has already been explained, this bill sets up a system whereby the Administrator of the Agency for International Development and the Secretary of the Interior shall look for ways to help preserve the precious heritage of Asian Elephants. Not only are Asian elephants endangered—and deserving of protection—but

they are especially important from a cultural and economic point of view to Americans and Asians alike.

I want to salute the many organizations that had a role in moving this bill, such as the World Wildlife Fund, Safari Club International, the Sierra Club, and our former colleague Andy Ireland of Feld Enterprises. The bill was supported by representatives of the Indian Institute of Science and the Wildlife Preservation Trust International. The model of protection in this bill is appropriate, flexible, and carries a reasonable cost.

Madam Speaker, I reiterate my support for this important legislation and yield back the balance of my time.

Mr. ABERCROMBIE. Madam Speaker, I believe everyone who wishes to speak on the issue has done so, and I yield back the balance of my time.

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

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from New Jersey [Mr. SAXTON] that the House suspend the rules and pass the bill, H.R. 1787, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SAXTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous material on H.R. 1787, as amended.

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

There was no objection.

CONCURRING IN THE SENATE AMENDMENTS TO H. CON. RES. 8, REGARDING CORAL REEF ECOSYSTEMS

Mr. SAXTON. Madam Speaker, I move to suspend the rules and concur in the Senate amendments to the concurrent resolution (H. Con. Res. 8) recognizing the significance of maintaining the health and stability of coral reef ecosystems.

The Clerk read as follows:

Senate Amendments:

Strike out all after the resolving clause and insert:

That the Congress recognizes the significance of maintaining the health and stability of coral reef ecosystems, by—

(1) promoting comprehensive stewardship for coral reef ecosystems;

(2) discouraging unsustainable fisheries or other practices that are harmful to coral reefs and human health;

(3) encouraging research, monitoring, and assessment of and education on coral reef ecosystems;

(4) improving the coordination of coral reef efforts and activities of Federal agencies, academic institutions, nongovernmental organizations, and industry; and

(5) promoting preservation and sustainable use of coral reef resources worldwide.

Strike out the preamble and insert:

Whereas coral reefs are among the world's most biologically diverse and productive marine habitats, and are often described as the tropical rain forest of the oceans;

Whereas healthy coral reefs provide the basis for subsistence, commercial fisheries, and coastal and marine tourism and are of vital economic importance to coastal States and territories of the United States including Florida, Hawaii, Georgia, Texas, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands;

Whereas healthy coral reefs function as natural, regenerating coastal barriers, protecting shorelines and coastal areas from high waves, storm surges, and accompanying losses of human life and property

Whereas the scientific community has long established that coral reefs are subject to a wide range of natural and anthropogenic threats;

Whereas a wide variety of destructive fishing practices, including the use of cyanide, other poisons, surfactants, and explosives, are contributing to the global decline of coral reef ecosystems;

Whereas the United States has taken measures to protect national coral reef resources through the designation and management of several marine protected areas, containing reefs of the Flower Garden Banks in the Gulf of Mexico, the Florida Keys in south Florida, and offshore Hawaii, Puerto Rico, the Virgin Islands, and American Samoa;

Whereas the United States, acting through its agencies, has established itself as a global leader in coral reef stewardship by launching the International Coral Reef Initiative and by maintaining professional networks for the purposes of sharing knowledge and information on coral reefs, furnishing near real-time data collected at coral reef sites, providing a repository for historical data relating to coral reefs, and making substantial contributions to the general fund of coral reef knowledge; and

Whereas 1997 has been declared the ''International Year of the Reef'' by the coral reef research community and over 40 national and international scientific, conservation, and academic organizations: Now, therefore, be it

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey [Mr. SAXTON] and the gentleman from Hawaii [Mr. ABERCROMBIE] each will control 20 minutes.

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

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

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

Mr. SAXTON. Madam Speaker, on April 23rd, the House of Representatives unanimously approved House Concurrent Resolution 8, a resolution that I introduced along with my colleague, the gentleman from Hawaii [Mr. ABERCROMBIE].

This measure expresses strong support for research, monitoring, and education related to the coral reef ecosystems. Healthy coral reefs help provide numerous benefits to the United States and other nations. For example, coral reefs support important commercial and recreational fisheries, as well as a large tourism and vacation industry, provide natural storm protection in coastal communities, and have recently become an important frontier for biomedical research.

The other body has now approved an amended version of House Concurrent Resolution 8. The amendment takes note of the alarming damage to coral reefs caused by destructive fishing practices, as unbelievable as the use of cyanide and dynamite in fishing in some areas of the globe. It further expresses the sense of Congress that international action to eliminate these unbelievably harmful practices is much needed.

I believe that this amendment is not only acceptable, but strengthens the resolution, and I am sorry that I did not think about it to begin with.

Madam Speaker, I urge the House to approve this measure as amended, and complete Congressional recognition of the importance of the coral reef ecosystems and the need to conserve them. I urge my colleagues to vote ''aye''.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, before I rise in strong support of the Senate amendments to House Concurrent Resolution No. 8, I want to assure the gentleman from New Jersey [Mr. SAXTON] that in the statement of the gentleman from California [Mr. MILLER], that I submitted on the Asian elephant resolution, that it did not contain a statement, as rumored, that while he was in favor of increasing the number of Asian elephants in South Asia, that he was for decreasing the number of elephants on the Committee on Resources.

Madam Speaker, this resolution brings much-needed attention to the crisis that coral reefs are facing worldwide. I commend yet once again the gentleman from New Jersey [Mr. SAXTON] for his leadership in introducing and passing House Concurrent Resolution No. 8, and for focusing on the subcommittee's attention on the value of and threats to coral reefs.

I also want to praise the efforts of the ranking member, the gentleman from California [Mr. MILLER] for his concern over cyanide fishing and the need to promote sustainable coral reef fisheries, ideas incorporated in the Senate amendments to the resolution.

Coral reefs, as I have every opportunity to observe, being from Hawaii, Madam Speaker, are vital to the environment and the economy of many islands and coastal States, territories, and nations. They are among the most biologically diverse and productive ecosystems on Earth, rivaling the tropical rain forests on land. The hard structure of the reef is built up over thousands of years by the secretions of tiny living coral animals, so a coral reef is truly a living structure. As a

living structure, thousands, perhaps millions, of individual coral animals are dying, and others are taking their place on the reef at any one time.

The problem now is that human activities have shifted that balance, and coral reefs are dying off at an alarming rate worldwide. Coral is very sensitive to water pollution, sedimentation, damage from boat groundings, or even simple physical contact by divers. These largely inadvertent injuries are a significant cause of the well-documented decline of coral reefs worldwide. Coral reefs are, in a sense, the canary in the coal mine of the ocean.

A great deal of injury is also being inflicted on coral reefs, mainly in Southeast Asia and the Indo-Pacific through largely illegal fishing techniques. Cyanide and other elements, such as dishwashing liquids, are being used to stun fish for capture for the aquarium trade and for the live food fish trade.

The demand for live food fish, fueled by increasing affluence in Asia, has resulted in widespread depletion of stocks of the preferred species. As a result, the live-capture boats are moving into even more remote and thus more pristine reefs. Most of the aquarium fish captured by these techniques end up in hobby tanks in the United States, I am sorry to say. Most of the live food fish end up on plates in the homes and restaurants of Southeast Asia.

More damaging than the depletion of coral reef fisheries, these chemicals kill nearby coral, and divers scrambling to get fish out of the nooks and crannies of the reef often cause substantial physical damage to the reef. In fact, research has shown that cyanide kills reef-building corals at concentrations many thousands of times less than that used by live-capture divers. While depletion of certain fish species threatens the ecological balance of the reef by removing key predators and grazers, the destruction of the reef building corals themselves tears at the very fabric of the ecosystem.

Although the State Department, NOA, the Department of the Interior and other agencies are working through the international coral reef initiative to identify and reduce threats to coral reefs, they need our help. Thus, this resolution before us today.

These kinds of unsustainable fishing practices would not be occurring if powerful market forces were not at work. The U.S. and Asian consumer demands for reef fish is, in part, driving its destruction of coral reefs. Yet, how many aquarium hobbyists would purchase a wild-caught reef fish if they truly understood that in doing so they were contributing to the destruction of the reef environment that they sought to reproduce in their tank?

Furthermore, if affordable alternatives to wild-caught fish were available, would the educated consumer not choose them? This has worked very well in the exotic bird trade, and we can do the same for reef aquarium species and specimens.

Many of the countries where the reefs are being destroyed, Indonesia, Malaysia, the Philippines, and others, have laws on the books that protect the reefs, but there is little money for enforcement, and the more lucrative the market, the more people are willing to risk the penalties in any case.

So the keys are information and education. Only by identifying these destructive practices and consumer demands that drive them can we begin to eliminate or modify them, and only through the development of sustainable coral reef fisheries can reefs be saved.

This concurrent resolution before us today, Madam Speaker, No. 8, brings the global plight of coral reefs before Congress. It is intended to raise the level of awareness of policymakers and asks us to do more.

The scientific and environmental communities have declared 1997 the International Year of the Reef. We cannot stop ships from running aground on reefs, and we may not be able to stop global warming at this stage, but what better time for us to pay attention to the many problems plaguing coral reefs and seek practical solutions to those threats that we can address? If we do not do something soon, there may not be any reefs left to save.

With these thoughts in mind, Madam Speaker, and again thanking the gentleman from New Jersey [Mr. SAXTON] for his leadership on this issue, I urge the House to adopt the resolution.

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

Mr. SAXTON. Madam Speaker, I would like to thank the ranking member, the gentleman from Hawaii, for his great cooperation and his leadership in helping to bring this coral reef bill to the floor today.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey [Mr. SAXTON] that the House suspend the rules and concur in the Senate amendments to House Concurrent Resolution 8.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SAXTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the Senate amendments to House Concurrent Resolution 8.

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

There was no objection.

DEVILS BACKBONE WILDERNESS BOUNDARY ADJUSTMENT

Mr. BLUNT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1779) to make a minor adjustment in the exterior boundary of the Devils Backbone Wilderness in the Mark Twain National Forest, MO, to exclude a small parcel of land containing improvements.

The Clerk read as follows:

H.R. 1779

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

SECTION 1. BOUNDARY ADJUSTMENT, DEVILS BACKBONE WILDERNESS, MARK TWAIN NATIONAL FOREST, MISSOURI.

The boundary of the Devils Backbone Wilderness established by section 201(d) of Public Law 96–560 (16 U.S.C. 1132 note) in the Mark Twain National Forest, Missouri, is hereby modified to exclude from the area encompassed by the Devils Backbone Wilderness a parcel of real property consisting of approximately two acres in Ozark County, Missouri, and containing a garage, well, mailbox, driveway, and other improvements, as depicted on a map entitled ''Devils Backbone Wilderness Boundary Modification'', dated June 1996. The map shall be retained with other Forest Service maps and legal descriptions regarding the Devils Backbone Wilderness and shall be made available for public inspection as provided in section 202 of Public Law 96–560 (94 Stat. 3274).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri [Mr. BLUNT], and the gentleman from Texas [Mr. STENHOLM], each will control 20 minutes.

The Chair recognizes the gentleman from Missouri [Mr. BLUNT].

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

Madam Speaker, I rise today to ask my colleagues to support H.R. 1779. This bill makes a minor adjustment in the boundary of the Devils Backbone Wilderness in the Mark Twain National Forest in the Seventh District in Missouri.

Don and Laverne McFarland of Pottersville, MO, purchased their home in 1979. At the time they purchased their home they relied on a neighbor who had been part of the original surveying team to help establish where their outside boundary was and where the boundary of the wilderness area was.

As it turned out, a later survey proved that his recollections from the 1930's were not accurate. That later survey left part of their improvements, a well, their garage, and their driveway, inside the boundary of wilderness land.

□ 1445

The McFarlands are now in their seventies. They would like to retire and sell their property and move closer to their children and grandchildren. It is

very difficult for them to do without this issue being settled. So I hope my colleagues will join me today in passing this resolution that will clarify this problem.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in support of H.R. 1779. It is exactly as the gentleman from Missouri [Mr. BLUNT] has explained it. I urge my colleagues to support this bill.

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

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

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from Missouri [Mr. BLUNT] that the House suspend the rules and pass the bill, H.R. 1779.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BLUNT. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1779, the bill just passed.

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

There was no objection.

REAUTHORIZING THE DAIRY INDEMNITY PROGRAM

Mr. POMBO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1789) to reauthorize the dairy indemnity program.

The Clerk read as follows:

H.R. 1789

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

SECTION 1. EXTENSION OF DAIRY INDEMNITY PROGRAM.

(a) EXTENSION.—Section 3 of Public Law 90–484 (7 U.S.C. 4501) is amended by striking ''1995'' and inserting ''2002''.

(b) TREATMENT OF EXISTING CLAIMS.—Section 2 of Public Law 90–484 (7 U.S.C. 450k) is amended by adding at the end the following new sentence: ''Funds appropriated pursuant to this section for fiscal year 1998 to carry out this Act may also be used to pay valid claims arising under this Act during fiscal year 1997 to the extent that such claims are not fully paid using fiscal year 1997 funds.''.

(c) ALTERNATIVE FINANCING OPTIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture shall submit to Congress a report identifying and evaluating alternative methods to finance the dairy indemnity program established under the first section of Public Law 90–484 (7 U.S.C. 450j).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. POMBO] and the gentleman from Texas [Mr. STENHOLM] each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. POMBO].

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

Today, Madam Speaker, we are considering H.R. 1789, the reauthorization of the dairy indemnity program. H.R. 1789 was introduced by the ranking member of the Committee on Agriculture, the gentleman from Texas [Mr. CHARLIE STENHOLM], and I am glad to be an original cosponsor.

In the overall scheme scheme of things, the dairy indemnity program is a modest undertaking which reimburses dairymen when they are directed to remove their products from the market because of harmful residues occurring through no fault of the producer or the processors. Although this may be a small program, it can be vitally important to some of America's dairymen facing possible bankruptcy.

Since 1964, the dairy indemnity program was routinely reauthorized without much notice or attention. Unfortunately, it seems that after the smoke cleared from deliberations of the last farm bill, this program had been overlooked, since no action was taken to reauthorize it.

The recent rise in aflatoxin contamination in several States, however, has refocused attention on the need for this program. Therefore, H.R. 1789, which itself spends no money, would simply provide the authorization for this important program, which has quietly helped dairymen in trouble for over 20 years. At a time when our dairy industry is facing major challenges and restructuring, I would hope that we could continue to authorize and support this as a fair and equitable program.

Madam Speaker, I urge my colleagues to pass this bill, and I reserve the balance of my time.

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

Madam Speaker, I rise in strong support of H.R. 1789, and I want to thank committee chairman, the gentleman from Oregon [Mr. SMITH], and Chairman POMBO, and the ranking member, the gentleman from Minnesota [Mr. PETERSON] of the Subcommittee on Livestock, Dairy, and Poultry for joining me in sponsoring and supporting this legislation. I am also grateful to the Secretary of Agriculture, Mr. Glickman, for his support of the bill.

Madam Speaker, H.R. 1789 authorizes appropriations for the dairy indemnity program through fiscal year 2002. Madam Speaker, on June 26, 1997, the subcommittee held a hearing on this bill and received testimony from the Department of Agriculture in support of the program and its objectives. The subcommittee also heard testimony from Mr. Calvin Buchanan, a constituent of mine who spoke on behalf of Associated Milk Producers. Mr. Buchanan is a lifelong dairy farmer, and he and his wife, Virginia, milk 500 cows in Decatur, TX.

During the hearing, Mr. Buchanan testified about the importance of the dairy indemnity program to a producer whose milk is ruined by contaminated feed. I quote:

> The Dairy Indemnity Program has been a small element of total agricultural policy over the years. It has, however, been the difference between many dairy farm families being able to continue in business and being forced to liquidate. . . .
>
> Not only do producers lose income from the market, they lose the value of the contaminated feed and often incur additional costs to clean up the problem. Given the current economic situation, there just is not room in the operation to absorb these costs.

Madam Speaker, at the time Mr. Buchanan testified, milk prices were very low, and the economic challenges facing every dairy producer in this Nation were enormous. Since that time conditions have improved only slightly, and dairy producers in Texas and many other parts of the Nation are constantly being forced to shut down their operations. Madam Speaker, passage of H.R. 1789 will be a small but important step which will help to preserve certainty of payment for dairy producers, and a safe and stable milk supply for consumers.

Madam Speaker, during fiscal year 1997 there were insufficient funds available to meet claims filed under the program. Appropriations and carryover funds provided $257,000 for the program, but that amount was depleted in February. There still are pending and unpaid applications for fiscal year 1997 funds in Georgia, Illinois, Louisiana, Mississippi, Montana, North Carolina, Tennessee, and Texas in the amount of $230,635.

I am grateful that the House and Senate have agreed to provide sufficient appropriations to meet these unpaid claims. Even in good times, a dairy farmer faces difficulties resulting from revenue lost because contaminated milk is withdrawn from the market. Many of my colleagues are well aware that now is a particularly bad time for a producer to remain unpaid for his or her milk. Passage of H.R. 1789 will help provide financial security for our Nation's hard working dairy farmers. I urge all of my colleagues to support the passage of this bill.

Madam Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. POMBO] that the House suspend the rules and pass the bill, H.R. 1789.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. POMBO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1789, the bill just passed.

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

There was no objection.

CENSUS OF AGRICULTURE ACT OF 1997

Mr. GOODLATTE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2366) to transfer to the Secretary of Agriculture the authority to conduct the census of agriculture, and for other purposes.

The Clerk read as follows:

H.R. 2366

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 ''Census of Agriculture Act of 1997''.

SEC. 2. AUTHORITY OF SECRETARY OF AGRICULTURE TO CONDUCT CENSUS OF AGRICULTURE.

(a) CENSUS OF AGRICULTURE REQUIRED.—In 1998 and every fifth year thereafter, the Secretary of Agriculture shall take a census of agriculture.

(b) METHODS.—In connection with the census, the Secretary may conduct any survey or other information collection, and employ any sampling or other statistical method, that the Secretary determines is appropriate.

(c) YEAR OF INFORMATION.—The information collected in each census taken under this section shall relate to the year immediately preceding the year in which the census is taken.

(d) ENFORCEMENT.—

(1) FRAUD.—A person over 18 years of age who willfully gives an answer that is false to a question, which is authorized by the Secretary to be submitted to the person in connection with a census under this section, shall be fined not more than $500.

(2) REFUSAL OR NEGLECT TO ANSWER QUESTIONS.—A person over 18 years of age who refuses or willfully neglects to answer a question, which is authorized by the Secretary to be submitted to the person in connection with a census under this section, shall be fined not more than $100.

(3) SOCIAL SECURITY NUMBER.—The failure or refusal of a person to disclose the person's social security number in response to a request made in connection with any census or other activity under this section shall not be a violation under this subsection.

(4) RELIGIOUS INFORMATION.—Notwithstanding any other provision of this section, no person shall be compelled to disclose information relative to the religious beliefs of the person or to membership of the person in a religious body.

(e) GEOGRAPHIC COVERAGE.—A census under this section shall include—

(1) each of the several States of the United States;

(2) as determined appropriate by the Secretary, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, and Guam; and

(3) with the concurrence of the Secretary and the Secretary of State, any other possession or area over which the United States exercises jurisdiction, control, or sovereignty.

(f) COOPERATION WITH SECRETARY OF COMMERCE.—

(1) INFORMATION PROVIDED TO SECRETARY OF AGRICULTURE.—On a written request by the Secretary of Agriculture, the Secretary of Commerce may provide to the Secretary of Agriculture any information collected under title 13, United States Code, that the Secretary of Agriculture considers necessary for the taking of a census or survey under this section.

(2) INFORMATION PROVIDED TO SECRETARY OF COMMERCE.—On a written request by the Secretary of Commerce, the secretary of Agriculture may provide to the Secretary of Commerce any information collected in a census taken under this section that the Secretary of Commerce considers necessary for the taking of a census or survey under title 13, United States Code.

(3) CONFIDENTIALITY.—Information obtained under this subsection may not be used for any purpose other than the statistical purposes for which the information is supplied. For purposes of sections 9 and 214 of title 13, United States Code, any information provided under paragraph (2) shall be considered information furnished under the provisions of title 13, United States Code.

(g) REGULATIONS.—A regulation necessary to carry out this section may be promulgated by—

(1) the Secretary of Agriculture, to the extent that a matter under the jurisdiction of the Secretary is involved; and

(2) the Secretary of Commerce, to the extent that a matter under the jurisdiction of the Secretary of Commerce is involved.''.

SEC. 3. REPEAL OF SUPERSEDED PROVISION.

(a) REPEAL.—Section 142 of title 13, United States Code, is repealed.

(b) CLERICAL AMENDMENTS.—

(1) Subchapter II of chapter 5 of title 13, United States Code, is amended by striking the subchapter heading and inserting the following:

''SUBCHAPTER II—POPULATION, HOUSING, AND UNEMPLOYMENT''.

(2) The analysis of chapter 5 of title 13, United States code, is amended—

(A) by striking the item relating to section 142; and

(B) by striking the item relating to the heading for subchapter II and inserting the following:

''SUBCHAPTER II—POPULATION, HOUSING, AND UNEMPLOYMENT''.

(C) CROSS REFERENCE.—Section 343(a)(11)(F) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(11)(F)) is amended by striking ''taken under section 142 of title 13, United States Code''.

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect October 1, 1998.

SEC. 4. CONFIDENTIALITY OF INFORMATION.

(a) INFORMATION PROVIDED TO SECRETARY OF AGRICULTURE.—

(1) AUTHORITY TO PROVIDE INFORMATION.—Section 9(a) of title 13, United States Code, is amended by inserting after ''chapter 10 of this title'' the following: ''or section 2(f) of the Census of Agriculture Act of 1997''.

(2) CONFIDENTIALITY OF INFORMATION.—Section 1770(d) of the Food Security Act of 1985 (7 U.S.C. 2276(d))is amended—

(A) by striking ''or'' at the end of paragraph (8);

(B) by striking the period at the end of paragraph (9) and inserting ''; or''; and

(C) by adding at the end the following:

''(10) section 2 of the Census of Agriculture Act of 1997.''.

(b) INFORMATION PROVIDED TO THE SECRETARY OF COMMERCE.—Section 1770 of the Food Security Act of 1985 (7 U.S.C. 2276) is amended by adding at the end the following:

''(e) INFORMATION PROVIDED TO SECRETARY OF COMMERCE.—This section shall not prohibit the release of information under section 2(f)(2) of the Census of Agriculture Act of 1997.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia [Mr. GOODLATTE] and the gentleman from Texas [Mr. STENHOLM] each will control 20 minutes.

The Chair recognizes the gentleman from Virginia [Mr. GOODLATTE].

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

Madam Speaker, H.R. 2366 is a short bill. It simply transfers the authority to conduct the census of agriculture from the Secretary of Commerce to the Secretary of Agriculture, and eliminates this authority from the Secretary of Commerce as of October 1, 1998. In order to cope with the continuing move to streamline and downsize Federal agencies, it has become apparent that moving the authority to conduct the census of agriculture from the Census Bureau in the Commerce Department to the USDA makes sense from both an administrative and cost-effective point of view.

In fact, the fiscal years 1997 and 1998 agriculture appropriations bills have already shifted funding for the census of agriculture to the USDA rather than the Department of Commerce. By moving the authority to conduct the census over to the USDA, it allows the Department of Commerce to free up funds otherwise obligated for this census, eliminates the need for a specific line item in the Commerce Department's appropriation, and locates the census at the agency with the biggest interest in information collected from the census, without precluding the U.S. Department of Agriculture from working with the Commerce Department on actually getting the work done.

Madam Speaker, I would like to acknowledge the assistance of the Department of Agriculture in producing this transfer, and I would also like to thank the Committee on Government Reform and Oversight for their cooperation in developing this legislation.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, H.R. 2366, the Census of Agriculture Act of 1997, is, as has been explained, legislation that would shift the authority to carry out a census of agriculture from the Commerce Department to the Department of Agriculture. Similar legislation, H.R. 3665, passed the House last year.

The interest in shifting the agriculture census from the Commerce Department to USDA has occurred because of budget pressures being felt by the Census Bureau, and USDA's interest in including the agriculture census

responsibilities with the data collection and dissemination which they already carry out. The Secretary of Agriculture has indicated that the National Agriculture Statistics Service, which is already responsible for gathering statistics in the agriculture arena, will be the agency charged with carrying out the agriculture census. I also expect the Secretary to utilize the other agencies within the Department who also have a field structure.

Last year's agriculture appropriation bill moved funding for the agriculture census from the Commerce Department to the USDA in order to ensure that no additional cost burden would be imposed on USDA by undertaking this task. Funding has also been included in the fiscal year 1998 agriculture appropriation bill.

As a final step, the Committee on Agriculture and the Committee on Government Reform and Oversight have agreed to legislative language that provides for the transfer of authority to carry out the agriculture census. Staff from both committees worked out language with the Census Bureau and USDA, and the result is H.R. 2366, which I introduced on July 31.

I am pleased that 16 of my colleagues have cosponsored the bill, which was reported out favorably by the full Committee on Agriculture on September 24. I would hope that my colleagues would support this effort to streamline reporting requirements on agricultural producers while saving the taxpayer several dollars.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia [Mr. GOODLATTE] that the House suspend the rules and pass the bill, H.R. 2366.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GOODLATTE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2366, the bill just passed.

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

There was no objection.

□ 1500

AMENDING THE IMMIGRATION AND NATIONALITY ACT TO EXEMPT INTERNATIONALLY ADOPTED CHILDREN UNDER AGE 10 FROM IMMUNIZATION REQUIREMENT

Mr. SMITH of Texas. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2464) to amend the Immigration and Nationality Act to exempt internationally adopted children under age 10 from the immunization requirement, as amended.

The Clerk read as follows:

H.R. 2464

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

SECTION 1. EXEMPTION FOR INTERNATIONALLY ADOPTED CHILDREN 10 YEARS OF AGE OR YOUNGER FROM IMMUNIZATION REQUIREMENT.

Section 212(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(1)) is amended—

(1) in subparagraph (A)(ii), by inserting ''except as provided in subparagraph (C),'' after ''(ii)''; and

(2) by adding at the end the following:

''(C) EXCEPTION FROM IMMUNIZATION REQUIREMENT FOR ADOPTED CHILDREN 10 YEARS OF AGE OR YOUNGER.—Clause (ii) of subparagraph (A) shall not apply to a child who—

''(i) is 10 years of age or younger,

''(ii) is described in section 101(b)(1)(F), and

''(iii) is seeking an immigrant visa as an immediate relative under section 201(b),

if, prior to the admission of the child, an adoptive parent or prospective adoptive parent of the child, who has sponsored the child for admission as an immediate relative, has executed an affidavit stating that the parent is aware of the provisions of subparagraph (A)(ii) and will ensure that, within 30 days of the child's admission, or at the earliest time that is medically appropriate, the child will receive the vaccinations identified in such subparagraph.''.

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to the rule, the gentleman from Texas [Mr. SMITH] and the gentleman from Massachusetts [Mr. DELAHUNT] each will control 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. SMITH].

GENERAL LEAVE

Mr. SMITH of Texas. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

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

There was no objection.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I was pleased to support the efforts of the gentleman from Florida [Mr. MCCOLLUM] last year to include a vaccination requirement for all new immigrants in the Illegal Immigration Reform Act of 1996. This revision, section 341 of the 1996 act, is an important measure to protect the public health.

In recent months, adoptive parents have become concerned about whether implementation of the new vaccination requirements will compromise the health of their foreign-born adopted children. These parents have raised legitimate arguments that the administration of vaccines to their adopted or prospective adopted children should take place here in the United States.

We have every confidence that these parents will see to the immunization needs of their new children. The amendment made in committee will require parents to attest to their intention to fulfill the vaccination requirements in an appropriate time after their children have been admitted into the United States.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, when the 104th Congress amended the Immigration and Nationality Act in 1996, they unintentionally denied American parents who were adopting orphans from other countries the right to decide where their child would be vaccinated.

That amendment required applicants for immigrant status, including children who will be adopted by American parents, to present evidence of numerous vaccinations for diseases ranging from mumps to hepatitis B before they can be admitted to the United States. This, despite the fact that there has never been a single documented case of an adopted child from another country posing any public health risk.

This unintended consequence of the 1996 act has provoked major concerns among adoptive parents and for good reason. It is important to note that every year, American families adopt some 12,000 orphaned and abandoned children living in countries that cannot care for them. These adoptive parents and families endure innumerable bureaucratic obstacles and delays that frequently take many months or even years to overcome.

International adoption is an expensive process. It is time consuming and it is often frustrating and can certainly be an emotional roller coaster for many, many parents. I know from personal experience, as my younger daughter Kara came from Vietnam. The daughter of the gentleman from Louisiana [Mr. LIVINGSTON], came from Taiwan, and the gentleman from North Dakota [Mr. POMEROY] has a son and a daughter from Korea. I certainly want to acknowledge the help and support of these Members for this proposal before the Congress.

Madam Speaker, the new requirement that I referred to only serves to impede the process of intercountry adoptions and may very well create potential health risks to the children themselves.

I would simply ask a rhetorical question: Would any parent want to be required to rely on the medical care

available in such nations as Bosnia, Afghanistan, Romania, Haiti, or a long list of other war-torn or Third World countries? I am confident that their preference, like mine, would be to have their child vaccinated by their family doctor here at home in the United States.

Let me tell my colleagues about one of the families affected by the bill, the Collins family of Hingham, MA. In September 1995, before the current requirements went into effect, they adopted a child from China who experienced a severe reaction to a DPT vaccination she received after arriving in the United States.

While such reactions can be serious wherever they occur, Judy and Richard Collins were relieved and grateful to be able to ensure that their daughter, Brittany, had the very best of care here at home.

They are now about to complete the adoption process for another child from China, and I sincerely hope that they will be able to provide him or her with that same level of care.

Additionally, there is evidence that vaccinations in some countries can be unsafe or ineffective promoting adverse reactions and that unsterile needles and syringes have been used. These are real health threats, especially for the many children raised in orphanages who may be malnourished or sickly and whose medical records are often incomplete or are inaccurate.

Madam Speaker, as I said, there is not a single case documented of a child placed for adoption who came to this country and created a public health risk. It is only common sense that parents who have been through the rigorous international adoption process will do anything they can to assure that their adopted child will receive the best possible medical care as soon as they arrive here, home in America.

Remember, they are not unwanted children. To the contrary. They are often the children who bring great joy to childless couples.

This bill, sponsored by myself and the gentleman from Florida [Mr. MCCOLLUM], restores common sense in the case of adoptive children immigrating to the United States. It would exempt foreign-born orphans aged 10 and younger who are adopted by American families from this vaccination requirement.

It has, as has been indicated, the full support of the gentleman from Texas [Mr. SMITH], chair of the Subcommittee on Immigration and Claims, and was passed unanimously by the Committee on the Judiciary.

Madam Speaker, I want to acknowledge the time and thoughtful review given to this proposal by both the gentleman from Florida and the gentleman from Texas, as well as the support of Chairman HYDE and our ranking members, the gentleman from Michigan [Mr. CONYERS] and the gentleman from North Carolina [Mr. WATT].

I also want to acknowledge the priority given to the swift passage of this measure by both the gentleman from Florida and the gentleman from Texas, as it is important to remember that this requirement is now in effect and may very well be impeding the entry of orphaned children into the United States where their American families are anxiously awaiting them.

This bill is strongly supported by the adoption community, parents groups, and physicians with expertise in the medical aspects of international adoption. These groups include the Joint Council on International Children's Services, Adoptive Families of America, the National Council for Adoption, the American Academy of Pediatrics, and the Child Welfare League.

I strongly agree with them and enthusiastically support this proposal and urge its passage.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I thank the gentleman from Massachusetts [Mr. DELAHUNT] for his comments and also for his help in shepherding the bill to the point where we are at today.

Madam Speaker, I yield 2 minutes to the gentlewoman from Kentucky [Mrs. NORTHUP], and also in the process I want to thank the gentlewoman for being a longtime proponent of the changes that we propose in this bill as well.

Mrs. NORTHUP. Madam Speaker, I would just like to add my voice to the very reasonable voices of the sponsors of this bill and comment from a personal perspective as the mother of two adopted children and children that were at risk.

Many of the orphans from overseas that come into this country come in here to this country in a weakened state. They come from communities and countries that do not have the opportunity for immunization and for medical records that we have in this country.

□ 1515

From a very loving perspective, these opportunities represent real families, real lives, real children. These families may be the only chance that these children have to grow up in a stable, healthy, loving family. For many of the parents, it is the only chance that they have to actually become parents, to create families and to have the wonderful joy that children bring into our lives.

I think considering that each year American families provide 12,000 foreign-born orphan children with a home, that we should do everything we can in Congress to make that continue, to make that opportunity ever possible and to create the welcoming, generous opportunity that so many families want to create. I think what we do today is remove an obstacle so that we can continue to have this opportunity for children and parents in this country.

Mr. SMITH of Texas. Madam Speaker, I reserve the balance of my time.

Mr. DELAHUNT. Madam Speaker, I yield 4 minutes to the gentleman from North Dakota [Mr. POMEROY], who has done so much in the area of the adopted children of this Nation.

Mr. POMEROY. Madam Speaker, I want to begin my remarks by congratulating the gentleman for the leadership he has brought to this task. As a first-year Member of this body, I think that Representative DELAHUNT has shown remarkable tenacity as well as ability in bringing this bipartisan accord to the floor of the House today.

I also want to thank the Members of the majority, particularly the committee chairmen of jurisdiction, for their assistance in bringing this bill up.

I have got a personal perspective; I would like to tell my colleagues a little bit about it.

I was a Member of the 103d Congress when, as a Member on the Hill on a busy day, I got a note that said, ''Time to go to National Airport.'' Our daughter, Kathryn, had arrived that day from Korea, my wife and I anxiously awaited her departure from the airplane to begin our life together as a family. It was a moment that I will never ever forget.

Within 24 hours, we had Kathryn to her first visit to the physician. While it was painful watching her being poked and prodded that day, there was no way in the world that we as new parents were going to accept as adequate the uncertain medical records of a foreign country. We began the whole business right here in this country. We did that as parents but, in addition, the agency through which we adopted Kathryn had immediate U.S. medical evaluation as the basic requirement. I think that is pretty much the universal experience of adoptive parents of children from another country. We try to get them here as fast as possible; get them to the doctor immediately and start the childhood vaccination and inoculations.

Existing law needs correcting because we have now a requirement that the inoculations take place in the foreign country prior to their arrival here. There are many uncertainties in terms of basic things like sanitary needles, strength of the vaccine, in addition, the untenable delay that can be caused by this requirement.

Delay is really the enemy of getting families together. As we learn about the biological developments of adoption of any infants, we know that delay is something to be avoided. We need to get children as soon as possible into families and start the development in their new homes.

I routinely speak on behalf of all of the citizens of North Dakota when I take to the well, but today I want to cite two in particular, Dan and Laurel, as I speak to my colleagues this afternoon. They are in Fargo, ND, eagerly awaiting a little girl who happens to be across the world in China. They cannot

wait to get their little girl into their home. They, and all similarly situated soon-to-be adoptive parents, need this legislation so that this delay can be avoided.

Again, this is a great moment for bipartisan cooperation to fix something that needs fixing. I thank everyone for participating and getting this done today and conclude my remarks.

Mr. DELAHUNT. Madam Speaker, I yield 3 minutes to the gentleman from New York [Mr. NADLER].

Mr. NADLER. Madam Speaker, I congratulate the gentleman from Massachusetts [Mr. DELAHUNT], for his leadership on this bill. I am proud to be a part of this effort to exempt internationally adopted children from the vaccination requirements of the INA. I want to thank my colleagues who have worked together in a bipartisan manner to correct this problem.

Internationally adopted children face serious and unnecessary health risks as a result of this new law that went into effect last July. The provision requires immunization of all immigrants, even newborn infants adopted by U.S. parents. Forced immunization of children abroad in conditions that may be substandard exposes children to health risks from nonsterile needles, from out-of-date or improperly stored vaccines and from foreign doctors who may not follow recommended pediatric guidelines on vaccination. It should also be noted that vaccinations given to children who are malnourished or unhealthy, as are many children living in orphanages abroad, can actually create health problems.

As a representative from the New York City area, where there are at least 1,000 adopted girls from China alone, I have heard directly from my constituents about the difficulties in getting a medical exemption from this requirement for their adopted children. I have letters from the State Department that specifically state that ''the law as it now stands does not allow an adopted child to receive a waiver due to concerns about the safety of vaccines in a given country or because they have made plans to be immunized upon their arrival in the United States.''

This bill would allow the children to be vaccinated here in the United States once they have arrived under the supervision of their adoptive parents in safe and clean environments instead of forcing them to undergo potential health risks abroad.

I hope the action we take here today will address these concerns and correct this problem.

It should also be noted that this bill simply represents a return to the policy that existed before July 1 of this year. The administration has indicated its support for exempting internationally adopted children from this provision and, in fact, would like to see the exemption expanded to all children. However, we have an opportunity today to correct a glaring problem and ease the fears of adoptive parents by passing this bill today, and I am hopeful the administration will sign this bill into law without delay.

Finally, I want to thank families with children from China and the National Council for Adoption for all the hard work they have done on behalf of adopted children and their families to further this legislation. Their efforts were critical to building support for this measure. Again, I want to thank those of my colleagues who worked on this in a bipartisan manner.

Mr. BLILEY. Madam Speaker, as cochairman of the bipartisan Congressional Coalition on Adoption, I rise today in support of H.R. 2464, a commonsense solution to a problem facing adoptive parents and their new kids. My office has received letters from all over the country in this matter and I want to thank these parents for their efforts. As an adoptive parent, I know there is no greater love than the bond between the child and their new parents. Adoptive parents will take all the steps necessary to protect their children from undue health dangers inside and outside of the country.

This bill is necessary to protect children's health because incomplete medical histories and background information are routine occurrences for overseas adoptions. Adoptive parents rightful uncertainty about their child's medical care received overseas makes it very hard to determine their child's immunization status. Disposable needles and syringes and substandard sterilization processes compound the problem.

At the minimum, Congress should do no harm. Last year, we properly addressed public safety concerns by requiring immigrants to be immunized against specified communicable diseases in order to gain lawful entry into the country. This bill today still requires young orphans to be vaccinated, however, it gives adoptive parents the right to have their children immunized in this country. Adoptive parents have already undergone significant expense and it is unthinkable to surmise they won't promptly tend to their new child's medical needs.

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

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

The SPEAKER pro tempore [Mrs. EMERSON]. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 2464, as amended.

The question was taken.

Mr. SMITH of Texas. Madam 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. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

PRESIDENTIAL AND EXECUTIVE OFFICE FINANCIAL ACCOUNTABILITY ACT OF 1997

Mr. HORN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1962) to provide for the appointment of a chief financial officer and deputy chief financial officer in the Executive Office of the President, as amended.

The Clerk read as follows:

H.R. 1962

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 ''Presidential and Executive Office Financial Accountability Act of 1997''.

SEC. 2. CHIEF FINANCIAL OFFICER IN THE EXECUTIVE OFFICE OF THE PRESIDENT.

(a) IN GENERAL.—Section 901 of title 31, United States code, is amended by adding at the end the following:

''(c)(1) There shall be within the Executive Office of the President a Chief Financial Officer, who shall be designated or appointed by the President from among individuals meeting the standards described in subsection (a)(3). The position of Chief Financial Officer established under this paragraph may be so established in any Office (including the Office of Administration) of the Executive Office of the President.

''(2) The Chief Financial Officer designated or appointed under this subsection shall, to the extent that the President determines appropriate and in the interest of the United States, have the same authority and perform the same functions as apply in the case of a Chief Financial Officer of an agency described in subsection (b).

''(3) The President shall submit to Congress notification with respect to any provision of section 902 that the President determines shall not apply to a Chief Financial Officer designated or appointed under this subsection.

''(4) The President may designate an employee of the Executive Office of the President (other than the Chief Financial Officer), who shall be deemed 'the head of the agency' for purposes of carrying out section 902, with respect to the Executive Office of the President.''.

(b) PLAN FOR IMPLEMENTATION.—Not later than 90 days after the date of the enactment of this Act, the President shall communicate in writing to the Chairman of the Committee on Government Reform and Oversight of the House of Representatives and the Chairman of the Committee on Governmental Affairs of the Senate a plan for implementation of the provisions of, including the amendments made by, this Act.

(c) DEADLINE FOR APPOINTMENT.—The Chief Financial Officer designated or appointed under section 901(c) of title 31, United States Code (as added by subsection (a)), shall be so designated or appointed not later than 180 days after the date of the enactment of this Act.

(d) PAY.—The Chief Financial Officer designated or appointed under such section shall receive basic pay at the rate payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(e) TRANSFER OF FUNCTIONS.—(1) The President may transfer such offices, functions, powers, or duties thereof, as the President determines are properly related to the functions of the Chief Financial Officer under section 901(c) of title 31, United States Code (as added by subsection (a)).

(2) The personnel, assets, liabilities, contracts, property, records, and unexpended

balances of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available or to be made available, of any office the functions, powers, or duties of which are transferred under paragraph (1) shall also be so transferred.

(f) SEPARATE BUDGET REQUEST.—Section 1105(a) of title 31, United States Code, is amended by inserting after paragraph (3) the following new paragraph:

''(31) a separate statement of the amount of appropriations requested to carry out the provisions of the Presidential and Executive Office Financial Accountability Act of 1997.''.

(g) TECHNICAL AND CONFORMING AMENDMENTS.—Section 503(a) of title 31, United States Code, is amended—

(1) in paragraph (7) by striking ''respectively.'' and inserting ''respectively (excluding any officer designated or appointed under section 901(c)).''; and

(2) in paragraph (8) by striking ''Officers.'' and inserting ''Officers (excluding any officer designated or appointed under section 901(c)).''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. HORN], and the gentlewoman from New York [Mrs. MALONEY], each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. HORN].

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

H.R. 1962, the Presidential and Executive Office Financial Accountability Act of 1997 will apply the Chief Financial Officers Act of 1990 to the Executive Office of the President. The substance of H.R. 1962 passed the House of Representatives with overwhelming support last fall. It was part of H.R. 3452, the Presidential and Executive Office Accountability Act, which passed the House by a vote of 410 to 5 on September 24, 1996.

That important measure was authored by the gentleman from Florida [Mr. MICA], a distinguished Member of this House and chairman of the Subcommittee on Civil Service. Unfortunately, as the 104th Congress raced to a close, the chief financial officer provision did not make it into law. We now have an opportunity to advance this important reform.

The Chief Financial Officers Act of 1990 was landmark legislation. It was inspired by the realization that billions of dollars are lost through waste, fraud, abuse and mismanagement throughout the Federal Government. The waste stems in part from the obsolete and inefficient financial management systems that fail to produce consistent and reliable information. The Chief Financial Officers Act was designed to improve management and to coordinate internal controls and financial accounting.

The act installed a chief financial officer in every major department and agency. Chief financial officers oversee all financial management activities in their agencies and they report directly to the head of the agency on financial matters. This high-level reporting is crucial if financial management issues are going to have a voice at the leadership table in Federal agencies.

Chief financial officers also develop and maintain an integrated agency accounting and financial management system, including financial reporting and internal controls. Furthermore, the chief financial officers provide guidance and oversight of financial management personnel activities and operations in these agencies. This ensures in-house expertise on financial management.

It also establishes a point of responsibility for all financial operations.

Given the importance of the Chief Financial Officers Act, it must surprise some Members to learn that the law was never applied to the Executive Office of the President. The Presidential and Executive Office Financial Accountability Act of 1997 will do so in a way that recognizes the unique circumstances of the Presidency. The chief financial officer will review and audit financial systems and records of the Executive Office of the President. This type of control has worked well in other Federal agencies, including the Department of Justice and the Central Intelligence Agency.

The Subcommittee on Government Management, Information and Technology marked up H.R. 1962 on September 4, 1997. The subcommittee considered an amendment in the nature of a substitute that was based on negotiations with the Democratic minority on the subcommittee and with the White House. The purpose of these changes is to provide the White House with maximum flexibility in meeting the requirements of the Chief Financial Officers Act due to its special circumstances. The subcommittee voted unanimously to forward H.R. 1962 with the amendment in the nature of a substitute to the full Committee on Government Reform and Oversight for consideration.

The full Committee on Government Reform and Oversight marked up H.R. 1962 on September 30, 1997. The committee adopted the amendment in the nature of a substitute reported by the subcommittee and voted unanimously to report the bill, as amended, to the full House of Representatives.

Madam Speaker, ''The Administration has no objection to House passage of H.R. 1962.'' We have received today, a Statement of Administration Policy which I include in the RECORD at this point.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, October 21, 1997.

STATEMENT OF ADMINISTRATION POLICY

(This statement has been coordinated by OMB with the concerned agencies.)

H.R. 1962—Presidential and Executive Office Financial Accountability Act of 1997

(Reps. Horn (R) CA and 7 others)

The Administration has no objection to House passage of H.R. 1962.

I urge all of my colleagues to join in supporting this very important reform. I thank the ranking Democrat on the Subcommittee on Government Management, Information, and Technology, the gentlewoman from New York [Mrs. MALONEY], for the support that she has given us and the advice she has given us on this legislation.

Madam Speaker, I reserve the balance of my time.

Mrs. MALONEY of New York. Madam Speaker, I yield myself such time as I may consume.

H.R. 1962, the Presidential and Executive Office Financial Accountability Act, was originally included as a provision of H.R. 3452, the Presidential and Executive Office Accountability Act, which is now Public Law 104–331. The provision was deleted from H.R. 3452 prior to final passage by the other body.

□ 1530

H.R. 3452 extended certain labor and civil rights laws to the White House, much as the Congressional Accountability Act did for Congress. H.R. 1962, the Presidential and Executive Office Financial Accountability Act, as amended, would require the appointment of a chief financial officer in the Executive Office of the President.

The Chief Financial Officers Act of 1990 was landmark legislation which brought needed improvements to the executive branch by requiring sound financial management practices, automated financial systems, and annual reports to Congress. This law has resulted in substantial savings, probably billions of dollars, by eliminating waste, fraud, and abuse in the 24 major agencies in the executive branch.

Putting a chief financial officer in the Executive Office of the President is an improvement, and one which the White House supports. As was the case last year with H.R. 3452, the chairman has worked with the minority and with the White House to improve this legislation.

I thank the gentleman from California [Mr. HORN] for the bipartisan spirit with which he has approached this issue. The amendment in the nature of a substitute adopted by our committee addressed our concerns with the original bill. It eliminated the requirement for a deputy chief financial officer for the Executive Office of the President as an unnecessary provision given the small size of that office.

That amendment also provides the President significant discretion in implementing the act required due to the special nature of that office.

In addition, that amendment provided for a separate budget request to pay for implementation. Under this legislation, the President may designate someone already employed in the Executive Office of the President as the chief financial officer. The chief financial officer may also be established in any office of the Executive Office of the President, including the Office of Administration.

The most logical place for the Executive Office of the President's chief financial officer is in the Office of Administration, since the financial management division of that office already

performs 90 percent of the duties required by the Chief Financial Officers Act.

The chairman has worked constructively with the minority and with the administration to perfect this bill and has committed to continue working in a bipartisan manner to address any remaining concerns in report language. I support H.R. 1962 and urge my colleagues to vote for this legislation.

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

Mr. HORN. Mr. Speaker, I yield myself such time as I may consume to thank the gentlewoman from New York for her helpful comments in rounding out this legislation.

I might say, Mr. Speaker, this legislation, when we talk about the Executive Office of the President, currently includes the White House Office, the executive residence of the White House, the Office of the Vice President, the Council of Economic Advisers, the Council on Environmental Quality, the National Security Council, the Office of Administration, the Office of Management and Budget, the Office of National Drug Control Policy, the Office of Policy Development, the Office of Science and Technology Policy, and the Office of United States Trade Representative.

The current structure of the White House first began with Franklin Roosevelt in 1939, after the Brownlow committee report, which gave the President really the first staff and support system in this particular century. Now, different Presidents, either by Executive order or Congress, by statute on the recommendation of the President, has set up various offices over time to help the Presidency in terms of legislation, budget, policy development of one sort or the other, and this chief financial officer would be available to the President for various special assignments having to do with fiscal affairs, as it is for the normal use that comes under the Chief Financial Officers Act. And I believe that we have had very strong support from all people that have looked at this from the standpoint of government organization.

Mr. Speaker, I provide for the RECORD a document from the Congressional Budget Office on H.R. 1962.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H.R. 1962—Presidential and Executive Office Financial Accountability Act of 1997

CBO estimates that, subject to the availability of appropriated funds, enacting H.R. 1962 would increase cost of the Office of Administration (OA) within the Executive Office of the President (EOP) by no more than $250,000 a year. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. H.R. 1962 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 and would not affect the budgets of state, local, or tribal governments.

H.R. 1962 would require the President to appoint a chief financial officer (CFO) for the 12 agencies and offices that comprise the EOP. The bill would require the CFO to comply with those provisions of the CFO Act that the President determines to be appropriate and in the interest of the United States. Based on information provided by the Office of Management and Budget and the Office of Administration, CBO expects that the President would appoint as CFO someone within the OA, which already provides centralized financial management and accounting services to the EOP. As a result of enacting H.R. 1962, the OA might require an additional employee or two to coordinate activities within the EOP. In addition, the OA would need to contact with a private firm to audit the consolidated annual financial statements of the EOP. We estimate that the annual audit would cost around $100,000.

In total, assuming no major problems exist in the financial management and systems of the EOP, CBO estimates that enacting H.R. 1962, would increase annual cost of the OA by no more than $250,000. In addition, it is possible that by improving financial systems and communication within the EOP, the legislation could lead to a reduction in losses from waste and abuse, buy CBO cannot estimate and amount of such potential savings.

The CBO staff contact for this estimate is John R. Righter, who can be reached at 226–2860. The estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

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

Mrs. MALONEY of New York. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GILCHREST). The question is on the motion offered by the gentleman from California [Mr. HORN] that the House suspend the rules and pass the bill, H.R. 1962, as amended.

The question was taken.

Mr. HORN. 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. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

NATIONAL NARCOTICS LEADERSHIP ACT AMENDMENTS OF 1997

Mr. HASTERT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2610) to amend the National Narcotics Leadership Act of 1988 to extend the authorization for the Office of National Drug Control Policy until September 30, 1999, to expand the responsibilities and powers of the Director of the Office of National Drug Control Policy, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2610

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

SECTION 1. SHORT TITLE; AMENDMENT REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the ''National Narcotics Leadership Act Amendments of 1997''.

(b) AMENDMENT REFERENCES.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1501 et seq.).

SEC. 2. DEPUTY DIRECTORS.

(a) ESTABLISHMENT.—Section 1002 (21 U.S.C. 1501) is amended—

(1) in subsection (b)—

(A) by amending paragraph (2) to read as follows:

''(2) There shall be in the Office of National Drug Control Policy a Deputy Director of the Office of National Drug Control Policy, a Deputy Director for Demand Reduction, a Deputy Director for Supply Reduction, a Deputy Director for State and Local Affairs, and a Deputy Director of Intelligence.''; and

(B) by amending paragraph (3) to read as follows:

''(3) The Deputy Director of the Office of National Drug Control Policy, the Deputy Director for Demand Reduction, the Deputy Director for Supply Reduction, the Deputy Director for State and Local Affairs, and the Deputy Director of Intelligence shall assist the Director in carrying out the responsibilities of the Director under this Act.''; and

(2) by amending subsection (c)(2) to read as follows:

''(2) The Deputy Director for State and Local Affairs shall be the head of the Bureau of State and Local Affairs.''.

(b) APPOINTMENT.—

(1) IN GENERAL.—Section 1003(a) (21 U.S.C. 1502(a)) is amended—

(A) in each of paragraphs (1) and (2), by inserting ''the Deputy Director of the Office of National Drug Control Policy,' after ''The Director,'';

(B) in each of paragraphs (1) and (2), by striking ''and the Associate Director for National Drug Control Policy'' and inserting ''the Deputy Director for State and Local Affairs, and the Deputy Director of Intelligence''; and

(C) in paragraph (2), by striking '', a Deputy Director, or Associate Director'' and inserting ''or as a Deputy Director''.

(2) DEADLINE FOR NOMINATION.—The President shall submit to the Senate nominations of individuals for appointment as the Deputy Director of the Office of National Drug Control Policy, the Deputy Director for Demand Reduction, the Deputy Director for Supply Reduction, the Deputy Director for State and Local Affairs, and the Deputy Director of Intelligence of the Office of National Drug Control Policy by not later than 90 days after the date of the enactment of this Act.

(3) CONTINUED SERVICE OF ASSOCIATE DIRECTOR.—The individual serving on the date of the enactment of this Act as Associate Director for National Drug Control Policy may act as the Deputy Director for State and Local Affairs until such time as an individual is appointed to that position in accordance with the amendments made by this Act.

(4) CLERICAL AMENDMENT.—The heading of section 1003 (21 U.S.C. 1502) is amended to read as follows:

''SEC. 1003. APPOINTMENT AND DUTIES OF DIRECTOR AND DEPUTY DIRECTORS.''.

(c) COMPENSATION.—

(1) IN GENERAL.—Chapter 53 of title 5, United States Code, is amended—

(A) in section 5314, by inserting after the item relating to the Deputy Director for Supply Reduction, Office of National Drug Control Policy, the following:

''Deputy Director for State and Local Affairs, Office of National Drug Control Policy.

''Deputy Director of Intelligence, Office of National Drug Control Policy.''; and

(B) in section 5313, by adding at the end the following:

''Deputy Director of the Office of National Drug Control Policy.''; and

(C) in section 5315, by striking the item relating to the Associate Director for National Drug Control Policy, Office of National Drug Control Policy.

(2) CLERICAL AMENDMENT.—Section 1003(a) (21 U.S.C. 1502(a)) is amended by striking paragraph (4)(C).

SEC. 3. EXPANSION OF RESPONSIBILITIES OF DIRECTOR.

(a) EXPANSION OF RESPONSIBILITIES.—Section 1003(b) (21 U.S.C. 1502(b)) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) establish Federal policies, objectives, goals, priorities, and performance measures (including specific annual agency targets expressed in terms of precise percentages) for the National Drug Control Program and for each National Drug Control Program agency, which include targets for the following:

''(A) reduction of unlawful drug use to 3 percent of the population of the United States or less by December 31, 2001 (as measured in terms of overall illicit drug use during the past 30 days by the National Household Survey), and achievement of at least 25 percent of such reduction during each of 1998, 1999, 2000, and 2001;

''(B) reduction of adolescent unlawful drug use (as measured in terms of illicit drug use during the past 30 days by the Monitoring the Future Survey of the University of Michigan or the National PRIDE Survey conducted by the National Parents' Resource Institute for Drug Education) to 3 percent of the adolescent population of the United States or less by December 31, 2001, and achievement of at least 25 percent of such reduction during each of 1998, 1999, 2000, and 2001;

''(C) reduction of the availability of cocaine, heroin, marijuana, and methamphetamine in the United States by 80 percent by December 31, 2001;

''(D) reduction of the respective nationwide average street purity levels for cocaine, heroin, marijuana, and methamphetamine (as estimated by the interagency drug flows assessment led by the Office of National Drug Control Policy, and based on statistics collected by the Drug Enforcement Administration and other National Drug Control Program agencies identified as relevant by the Director) by 60 percent by December 31, 2001, and achievement of at least 25 percent of each such reduction during each of 1998, 1999, 2000, and 2001;

''(E) reduction of drug-related crime in the United States by 50 percent by December 31, 2001, and achievement of at least 25 percent of such reduction during each of 1998, 1999, 2000, and 2001, including—

''(i) reduction of State and Federal unlawful drug trafficking and distribution;

''(ii) reduction of State and Federal crimes committed by persons under the influence of unlawful drugs; and

''(iii) reduction of State and Federal crimes committed for the purpose of obtaining unlawful drugs or obtaining property that is intended to be used for the purchase of unlawful drugs; and

''(F) reduction of drug-related emergency room incidents in the United States (as measured by data of the Drug Abuse Warning Network on illicit drug abuse), including incidents involving gunshot wounds and automobile accidents in which illicit drugs are identified in the bloodstream of the victim, by 50 percent by December 31, 2001;'';

(2) by amending paragraph (3) to read as follows:

''(3) coordinate, oversee, and evaluate the effectiveness of the implementation of the policies, objectives, goals, performance measures, and priorities established under paragraph (1) and the fulfillment of the responsibilities of the National Drug Control Program agencies under the National Drug Control Strategy;'';

(3) in paragraph (5), by inserting ''and nongovernmental entities involved in demand reduction'' after ''governments'';

(4) by striking ''and'' at the end of paragraph (7);

(5) by striking the period at the end of paragraph (8) and inserting a semicolon; and

(6) by adding at the end the following new paragraphs:

''(9) require each National Drug Control Program agency to submit to the Director on a semi-annual basis (beginning with the first 6 months of 1998) an evaluation of progress by the agency with respect to drug control program goals using the performance measures referred to in paragraph (1), including progress with respect to—

''(A) success in reducing domestic and foreign sources of illegal drugs;

''(B) success in protecting the borders of the United States (and in particular the Southwestern border of the United States) from penetration by illegal narcotics;

''(C) success in reducing violent crime associated with drug use in the United States;

''(D) success in reducing the negative health and social consequences of drug use in the United States; and

''(E) implementation of drug treatment and prevention programs in the United States and improvements in the adequacy and effectiveness of such programs;

''(10) submit to Congress on a semi-annual basis, not later than 60 days after the date of the last day of the applicable 6-month period, a summary of—

''(A) each of the evaluations received by the Director under paragraph (9); and

''(B) the progress of each National Drug Control Program agency toward the drug control program goals of the agency using the performance measures described in paragraph (1);

''(11) require the National Drug Control Program agencies to submit to the Director not later than February 1 of each year a detailed accounting of all funds expended by the agencies for National Drug Control Program activities during the previous fiscal year, and require such accounting to be authenticated by the Inspector General for each agency prior to submission to the Director;

''(12) submit to Congress not later than April 1 of each year the information submitted to the Director under paragraph (11);

''(13) submit to Congress not later than August 1 of each year a report including—

''(A) the budget guidance provided by the Director to each National Drug Control Program agency for the fiscal year in which the report is submitted and for the other fiscal years within the applicable five-year budget plan relating to such fiscal year; and

''(B) a summary of the request of each National Drug Control Program agency to the Director under this Act (prior to review of the request by the Office of Management and Budget) for the resources required to achieve the targets of the agency under this Act;

''(14) act as a representative of the President before Congress on all aspects of the National Drug Control Program;

''(15) act as the primary spokesperson of the President on drug issues;

''(16) make recommendations to National Drug Control Program agency heads with respect to implementation of Federal counterdrug programs;

''(17) take such actions as necessary to oppose any attempt to legalize the use of a substance (in any form) that—

''(A) is listed in schedule I of section 202 of the Controlled Substances Act (21 U.S.C. 812); and

''(B) has not been approved for use for medical purposes by the Food and Drug Administration; and

''(18) ensure that drug prevention and drug treatment research and information is effectively disseminated by National Drug Control Program agencies to State and local governments and nongovernmental entities involved in demand reduction by—

''(A) encouraging formal consultation between any such agency that conducts or sponsors research, and any such agency that disseminates information in developing research and information product development agendas;

''(B) encouraging such agencies (as appropriate) to develop and implement dissemination plans that specifically target State and local governments and nongovernmental entities involved in demand reduction; and

''(C) developing a single interagency clearinghouse for the dissemination of research and information by such agencies to State and local governments and nongovernmental agencies involved in demand reduction.''.

(b) SURVEY OF DRUG USE.—(1) The University of Michigan shall not be prohibited under any law from conducting the survey of drug use among young people in the United States known as the Monitoring the Future Survey.

(2) The National Parents' Resource Institute for Drug Education in Atlanta, Georgia, shall not be prohibited under any law from conducting the survey of drug use among young people in the United States known as the National PRIDE Survey.

SEC. 4. EXPANSION OF POWERS OF DIRECTOR.

Section 1003(d) (21 U.S.C. 1502(d)) is amended—

(1) in paragraph (9), by striking the period and inserting a semicolon; and

(2) by adding at the end the following new paragraphs:

''(10) require the heads of National Drug Control Program agencies to provide the Director with statistics, studies, reports, and any other information regarding Federal control of drug abuse;

''(11) require the heads of National Drug Control Program agencies to provide the Director with information regarding any position (before an individual is nominated for such position) that—

''(A) relates to the National Drug Control Program;

''(B) is at or above the level of Deputy Assistant Secretary; and

''(C) involves responsibility for Federal counternarcotics or anti-drug programs; and

''(12) make recommendations to the National Drug Intelligence Center on the specific projects that the Director determines will enhance the effectiveness of implementation of the National Drug Control Strategy.''.

SEC. 5. SUBMISSION OF NATIONAL DRUG CONTROL STRATEGY.

(a) IN GENERAL.—Section 1005(a) is amended—

(1) by amending paragraph (2)(A) to read as follows:

''(A) include comprehensive, research-based, specific, long-range goals and performance measures (including specific annual targets expressed in terms of precise percentages) for reducing drug abuse and the consequences of drug abuse in the United States;'';

(2) by striking ''and'' at the end of paragraph (2)(C);

(3) by striking paragraph (2)(D);

(4) by adding at the end of paragraph (2) the following new paragraphs:

''(D) include 4-year projections for National Drug Control Program priorities (including budget priorities); and

''(E) review international, Federal, State, local, and private sector drug control activities to ensure that the United States pursues well-coordinated and effective drug control at all levels of government.'';

(5) in paragraph (3)(A), by striking clauses (iv) and (v) and inserting the following:

''(iv) private citizens and organizations with experience and expertise in demand reduction;

''(v) private citizens and organizations with experience and expertise in supply reduction; and

''(vi) appropriate representatives of foreign governments.'';

(6) in paragraph (4)—

(A) in subparagraph (B), by amending clauses (i) through (vi) to read as follows:

''(i) the quantities of cocaine, heroin, marijuana, methamphetamine, ecstasy, and rohypnol available for consumption in the United States;

''(ii) the amount of cocaine, heroin, marijuana, ecstasy, rohypnol, methamphetamine, and precursor chemicals entering the United States;

''(iii) the number of hectares of marijuana, poppy, and coca cultivated and destroyed domestically and in other countries;

''(iv) the number of metric tons of marijuana, cocaine, heroin, and methamphetamine seized;

''(v) the number of cocaine and methamphetamine processing labs destroyed domestically and in other countries;

''(vi) changes in the price and purity of heroin and cocaine, changes in price of methamphetamine, and changes in tetrahydrocannabinol level of marijuana;'';

(B) by striking ''and'' at the end of subparagraph (C);

(C) by striking the period at the end subparagraph (D) and inserting ''; and''; and

(D) by adding at the end the following new subparagraph:

''(E) assessment of the cultivation of illegal drugs in the United States.''; and

(7) in paragraph (5)—

(A) in the matter preceding subparagraph (A), by striking ''February 1, 1995'' and inserting ''February 1, 1998'';

(B) in the matter preceding subparagraph (A), by striking ''second'';

(C) by striking ''and'' at the end of subparagraph (C);

(D) by striking the period at the end of subparagraph (D) and inserting ''; and''; and

(E) by adding at the end the following new subparagraph:

''(E) a description of the National Drug Control Program performance measures described in subsection (a)(2)(A).''.

(b) GOALS AND PERFORMANCE MEASURES FOR NATIONAL DRUG CONTROL STRATEGY.—Section 1005(b) is amended—

(1) in the heading, by striking '', OBJECTIVES, AND PRIORITIES'' and inserting ''AND PERFORMANCE MEASURES'';

(2) in the matter after the heading, by inserting ''(1)'' before ''Each National Drug Control Strategy'';

(3) by redesignating paragraphs (1) through (6) as subparagraphs (A) through (F);

(4) in subparagraph (A) (as redesignated by paragraph (3)), by striking ''and priorities'' and inserting ''and performance measures'';

(5) in subparagraph (C) (as redesignated by paragraph (3)), by striking ''3-year projections'' and inserting ''4-year projections''; and

(6) by adding at the end the following new paragraph:

''(2) In establishing the performance measures required by this subsection, the Director shall—

''(A) establish performance measures and targets expressed in terms of precise percentages for each National Drug Control Strategy goal and objective;

''(B) revise such performance measures and targets as necessary, and reflect such performance measures and targets in the National Drug Control Program budget submitted to Congress;

''(C) consult with affected National Drug Control Program agencies;

''(D) identify programs and activities of National Drug Control Program agencies that support the goals of the National Drug Control Strategy;

''(E) evaluate in detail the implementation by each National Drug Control Program agency of program activities supporting the National Drug Control Strategy;

''(F) monitor consistency between the drug-related goals of the National Drug Control Program agencies and ensure that drug control agency goals and budgets fully support, and are fully consistent with, the National Drug Control Strategy;

''(G) coordinate the development and implementation of national drug control data collection and reporting systems to support Federal policy formulation and performance measurement;

''(H) ensure that no Federal drug control funds are expended for any study or contract relating to the legalization (for a medical use or any other use) of a substance listed in schedule I of section 202 of the Controlled Substances Act (21 U.S.C. 812); and

''(I) ensure that no Federal funds appropriated for the High Intensity Drug Trafficking Program are expended for the expansion of drug treatment programs.''.

SEC. 6. REPORT ON DESIGNATION OF HIGH INTENSITY DRUG TRAFFICKING AREAS.

Section 1005(c)(3) is amended to read as follows:

''(3) Not later than March 1 of each year, the Director shall submit to Congress a report—

''(A) on the effectiveness of, and need for, the designation of areas under this subsection as high intensity drug trafficking areas; and

''(B) that includes any recommendations of the Director for legislative action with respect to such designation.''.

SEC. 7. REPROGRAMMING AND TRANSFER OF FUNDS.

(a) EXPANSION OF TRANSFER AUTHORITY.—Section 1003(d)(8) (21 U.S.C. 1502(d)(8)) is amended to read as follows:

''(8) except to the extent that the Director's authority under this paragraph is limited in an annual appropriations Act, and with the concurrence of the head of the affected agency and upon advance approval of the Committees on Appropriations and the authorizing committees of the House of Representatives and the Senate, transfer funds appropriated to a National Drug Control Program agency program, activity, or function designated by the Director pursuant to subsection (c) to a different National Drug Control Program agency program, activity, or function designated by the Director pursuant to such subsection in an amount that does not exceed 5 percent of the amount appropriated to either program, activity, or function;''.

(b) REPORT.—Section 1003(c)(7) (21 U.S.C. 1502(c)(7)) is amended to read as follows:

''(7)(A) The Director shall report to Congress on a quarterly basis (beginning with the first quarter of 1998) on—

''(i) the need for any reprogramming or transfer of funds appropriated for National Drug Control Program activities; and

''(ii) any funds appropriated for National Drug Control Program activities that were reprogrammed or transferred during the quarter covered by the report.

''(B) The Director shall report to Congress as required by paragraph (A) not later than 30 days after the last day of each applicable quarter.''.

SEC. 8. LONG-TERM PLAN FOR REDUCTION OF DRUG USE.

Section 1003 (21 U.S.C. 1502) is amended by adding at the end the following new subsection:

''(g) LONG-TERM PLAN FOR REDUCTION OF DRUG USE.—Not later than March 1, 1998, the Director shall submit to Congress a long-term plan for reducing the population of illegal drug users in the United States by December 31, 2001, to 3 percent of the population of the United States or less. Such plan shall include—

''(1) a request for funds and other resources necessary to achieve such reduction within the guidelines of the balanced budget agreement of 1997; and

''(2) the justifications for each such request.''.

SEC. 9. DRUG POLICY COUNCIL.

The National Narcotics Leadership Act of 1988 (21 U.S.C. 1501 et seq.) is further amended by adding at the end of chapter 1 the following new section:

''SEC. 1013. DRUG POLICY COUNCIL.

''(a) ESTABLISHMENT.—There is established in the Executive Office of the President a Drug Policy Council, which shall be composed of the members of the President's cabinet, and the purpose of which shall be to make cabinet-level decisions regarding national drug policy.

''(b) CHAIRMAN.—The President shall be the Chairman of the Drug Policy Council established by subsection (a).

''(c) EXECUTIVE DIRECTOR.—The Director of the Office of National Drug Control Policy shall be the Executive Director of the Drug Policy Council established by subsection (a).''.

SEC. 10. DEFINITION OF NATIONAL DRUG CONTROL PROGRAM AGENCY.

Section 1010(6) (21 U.S.C. 1507(6)) is amended to read as follows:

''(6) the term 'National Drug Control Program agency' means any agency that is responsible for implementing any aspect of the National Drug Control Strategy, including any agency that receives Federal funds to implement any aspect of the National Drug Control Strategy;''.

SEC. 11. EXTENSION OF DATE FOR TERMINATION OF OFFICE OF NATIONAL DRUG CONTROL POLICY.

Section 1009 is amended by striking ''September 30, 1997'' and inserting ''September 30, 1999''.

SEC. 12. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS.

Section 1011 is amended by striking ''8 succeeding fiscal years'' and inserting ''10 succeeding fiscal years''.

SEC. 13. REPORT REQUIRED.

Not later than November 1, 1997, the Director of the Office of National Drug Control Policy shall submit to Congress a report including—

(1) proposed goals, targets, performance measures (as described in section 1003(b)(1) of the National Narcotics Leadership Act of 1998 (21 U.S.C. 1502(b)(1)), and specific initiatives with respect to the National Drug Control Program, including the High Intensity Drug Trafficking Area Program; and

(2) proposals to coordinate the efforts of all National Drug Control Program agencies.

SEC. 14. APPOINTMENT OF TEMPORARY ADMINISTRATOR FOR DRUG-FREE COMMUNITIES SUPPORT PROGRAM.

(a) IN GENERAL.—Section 1031(c) (21 U.S.C. 1531(c)) is amended—

(1) by inserting ''(1)'' after ''(c) ADMINISTRATION.—''; and

(2) by adding at the end the following new paragraph:

''(2) The Director shall appoint an individual to act as Administrator until such time as an individual is appointed to such position under paragraph (1).''.

(b) DEADLINE FOR APPOINTMENT.—The Director of the Office of National Drug Control Policy shall appoint an individual to act as Administrator of the Drug-Free Communities Support Program under section 1031(c)(2) of the National Narcotics Leadership Act of 1988 (as added by subsection (a)) not later than 30 days after the date of the enactment of this Act.

SEC. 15. CONSISTENCY WITH NATIONAL SECURITY ACT OF 1947.

Section 1004 (21 U.S.C. 1503) is amended—

(1) in subsection (a)—

(A) by striking ''(1)'';

(B) by striking ''(2)(A)'' and inserting ''(b) CONSISTENCY WITH NATIONAL SECURITY ACT OF 1947.—(1)'';

(C) by striking ''(B)'' and inserting ''(2)''; and

(D) by striking ''subparagraph (A)'' and inserting ''paragraph (1)''; and

(2) by redesignating subsections (b) and (c) as subsections (c) and (d) respectively.

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to the rule, the gentleman from Illinois [Mr. HASTERT] and the gentleman from Wisconsin [Mr. BARRETT] each will control 20 minutes.

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

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

Madam Speaker, H.R. 2610 amends the National Narcotics Leadership Act to reauthorize the Office of National Drug Control Policy and fundamentally restructure the way the drug war is fought.

In many ways, this is the most significant antidrug bill since the original authorization of the drug czar in 1988, with the possible exception of the Drug-Free Communities Act, which Congress passed earlier this year.

This bill is built around one basic goal, a virtual drug-free America by the year 2001. To achieve this goal, the bill has two basic points: First, it empowers the Nation's drug czar to improve interagency coordination; second, it adds significant accountability mechanisms to ensure that the American taxpayer is getting maximum results from the drug czar's office and all of the national drug control policy program agencies.

H.R. 2610 includes additions from both Democrats and Republicans. Although we do not agree on everything, I believe the basic concern for America's future, especially our shared interest in achieving a virtually drug-free America, is certainly a bipartisan goal.

I thank my colleague across the aisle, the gentleman from Wisconsin, [Mr. BARRETT], and the gentleman from California [Mr. CONDIT], for being an original cosponsor of the bill, as well as my Republican colleagues, the gentlemen from Indiana [Mr. SOUDER], the gentleman from Georgia [Mr. BARR], the gentleman from Indiana [Mr. BURTON], the gentleman from Texas [Mr. SESSIONS], the gentleman from Florida [Mr. GOSS], the gentleman from Ohio [Mr. PORTMAN], and the gentleman from Florida [Mr. MCCOLLUM] for their cosponsorship.

I will briefly summarize the major provisions. First, H.R. 2610 gives new coordination authority to the White House drug czar's office, including allowing the drug czar to shift up to 5 percent of the counternarcotics funding among the national drug control program agencies upon concurrence of the agency head. It also requires that performance measures be established to give Congress a way to test the effectiveness of each and every drug control program.

Additionally, agencies are asked to identify precisely where each dollar of the $16 billion drug budget is going.

Other new powers include: Requiring the director to review agency budgets prior to OMB approval in order to find out the real needs of our agencies; acting as the President's chief spokesman on drug policy; and monitoring consistency between agency budgets, performance measures, and results.

This bill also creates deputy directors for intelligence coordination and for State and local affairs, both of which are badly needed.

At the request of the ONDCP, we also included a deputy for the office to facilitate transitions in the absence of a director.

To assure the utmost accountability in our war on drugs, this bill sets forth, for the first time ever, hard targets and goals and precise percentages to be achieved by the year 2001. They are premised on a collection of Federal, State, and private studies and hearing testimony dating back to 1995.

These goals are expected to form the basis of a growing national expectation that the drug war must be well coordinated and the national drug control agencies be held accountable for meeting the ONDCP's performance measures. The aim of this bill also is to establish the ONDCP, through semiannual reporting, as a central coordinating entity in the drug war and not as a mere bully pulpit or paper tiger.

Finally, this bill contains a manager's amendment, the purpose of which is to reaffirm that the authorities conferred on the Office on National Drug Control Policy, and its director, by this act shall be exercised in a manner consistent with the provisions of the National Security Act of 1947.

In the end, there are certain to be differences of opinion about how high or how low the bar should be set in this fundamentally reengineered approach to our national drug control policy, but the important point about this bill is that for the first time ever Congress is actually setting a standard, a bar, and empowering the drug czar's office to promulgate aggressive performance measures for the agencies which will provide results.

In closing, let me say that we reauthorized the Office of National Drug Control Policy for 2 years, the midpoint between now and the year 2001, which will allow a review of the foregoing innovations 2 years into the 4-year goals.

Madam Speaker, I reserve the balance of my time.

Mr. BARRETT of Wisconsin. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in opposition to this bill. Although it is named the National Narcotics Leadership Act Amendments of 1997, it would be more appropriately called the Drug Control Failure Act for the year 2000.

I say failure because this bill has never been designed to give the Office of National Drug Control Policy the tools and direction to succeed, rather the bill establishes unattainable drug control targets, requires the administration to report twice yearly on its failure to meet those targets, and provides for only a 2-year authorization requiring reauthorization during a Presidential campaign.

Judging by its major provisions, the bill appears designed to achieve political advantage in the 1998 and 2000 elections, all at a cost to ONDCP and its efforts to fight drugs at the Federal level.

In case there is any doubt about this, the bill is opposed by the administration, and General McCaffrey, the drug czar, has stated he has serious reservations about the bill.

I have had the pleasure of working and serving with the gentleman from Illinois [Mr. HASTERT] as the ranking member of the Subcommittee on National Security, International Affairs, and Criminal Justice. I know of his commitment to the fight against drugs in this country, a commitment shared by all members of the subcommittee, and I am sure by all Members of this House. It is because of this commitment and because of the hard work we have done on a broad range of drug-related issues that I am dismayed by this bill and the process leading up to its consideration today.

Although the subcommittee has held many hearings on a variety of drug-related topics, we have not conducted a single hearing on this piece of legislation, either in subcommittee or full committee. General McCaffrey gave testimony on the administration's proposed bill, but neither he nor any other administration official has had the opportunity to testify about this bill or any of its major provisions.

Although the majority in committee made vague references to statistics from various sources, there is not a single study or report from any source, government or private sector, that recommends or even directly supports the targets set forth in this bill. In view of ONDCP, which has spent thousands of hours developing performance measures and drug control objectives, these targets are arbitrary and flatly unattainable by the year 2001.

The target for overall drug use is illustrative. The bill establishes an arbitrary target to reduce drug use from the current level of 6.1 percent to 3 percent by year 2001, a goal we all share. However, this would require ONDCP to reduce drug use to a rate 60-percent lower than at any time in the last three decades. The greatest reduction in drug use ever recorded in this country was from 14.1 percent in 1979 to 5.8 percent in 1992.

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That was a 59 percent reduction and it took 13 years. The other targets in this bill are similarly unrealistic and unsupported by any scientific evidence. The point here is to make the administration fail and to embarrass Democratic candidates in the 1998 and 2000 elections.

Madam Speaker, if this were a serious bill and not an exercise in partisan politics, we would take our example from the other body. There Democrats and Republicans are working together on a 4-year authorization that supports ONDCP's extensive work on performance measures and targets. This bill, which authorizes ONDCP for only 2 years, takes the agency only halfway in time to the very goals that it seeks to establish. It also falls woefully short of the 10-year plan outlined in the 1997 National Drug Control Strategy.

Finally, I would only note that despite its willingness to establish arbitrary and unrealistic drug control targets, this House appears unwilling to put its money where its mouth is. A review of appropriations bills in the House shows drug control budgets significantly below the President's request in several key areas:

In education, appropriations fall short by $68 million. Sixty-four million dollars of this is for safe and drug-free school grants. Appropriations for drug courts fall $45 million below the President's request. Appropriations for the U.S. Customs Service will likely fall by $18 million, resulting in a significant reduction in interdiction efforts along the southwest border. And appropriations for the Bureau of Alcohol, Tobacco and Firearms are likely to fall by $17 million. About 40 percent of ATF's programs are related to drug enforcement.

Madam Speaker, instead of setting up ONDCP for failure, we should act responsibly and in a bipartisan way to give General McCaffrey the tools and the flexibility he needs to get this job done. I urge my colleagues to defeat this bill on suspension so that we may have a full debate and an opportunity to offer amendments.

Madam Speaker, I reserve the balance of my time.

Mr. HASTERT. Madam Speaker, I yield myself 1 minute. Madam Speaker, I have worked with the gentleman from Wisconsin for a number of years and certainly appreciate his hard work. The fact is that we have had over 40 hearings on the ONDCP and the drug czar. We have had a dozen hearings this year. We have had General McCaffrey up on the Hill himself. We have talked about these issues.

The fact is we are setting goals for this country and for the drug czar to wipe out one of the most dreaded things that can approach this country and our children, and that is drug addiction. We want to make sure that we significantly reduce it and we want to be sure by the year 2001 that we have significantly reduced it to a point that it is not a threat in this country anymore. I do not think that is partisan. It was never set up to be partisan. We want to win this fight against drugs. We have to take an extraordinary effort to get it done. The fact is the drug czar has gotten 7 of the 8 things that he wanted in this bill. He got the flexibility that he needs.

Madam Speaker, I yield 2¼ minutes to the gentleman from Florida [Mr. GOSS].

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

Mr. GOSS. Madam Speaker, I thank the distinguished gentleman for yielding me the time. Despite a decade of steady progress in combating drug use and drug abuse during the 1980's, the situation appears to have taken somewhat of a dramatic turn for the worse since the early 1990's, and that is why we are here.

In my view, that is because the administration has accepted stalemate in the war on drugs rather than pressing on for the victory that everybody in America wants. So now Congress is going to take charge. We are going to set some tough goals for the Office of National Drug Control Policy. I am very concerned and I know many parents and all Americans are concerned about the permissive attitude toward drug use that once again seems to be spreading out across our country. We need to have leadership that says drugs are not cool, drug use is not acceptable, it will not be tolerated.

That is what this bill is about. We set some performance measures to judge the success of the administration's efforts. Let me ask, if we are willing to set performance measures for our kids in schools, why are we reluctant to set performance measures for how well the bureaucrats are doing on the war on drugs? It seems to me to be a curious question.

By 2001 under our program, we expect drug use to be at 3 percent of the population or lower. We expect an 80 percent reduction in the supply of illegal drugs. We expect a reduction of 50 percent in drug-related crime and drug-related emergency room visits. And we expect drug use by young people to be down to 3 percent, because one of the most effective strategies for decreasing the overall use of drugs is to convince young people to disapprove of them. The war on drugs has many facets, as we all know, treatment, prevention, law enforcement, interdiction. ONDCP was created to develop an overall strategy, coordinate Federal efforts and channel resources. That was a good idea.

While this bill will improve the drug czar's ability to effectively manage and win the drug war, we are not giving him a blank check. There are certain very strict reporting requirements that go along with this, so we know what is working and what is not.

I am also very pleased to be able, through the efforts of the gentleman from Illinois [Mr. HASTERT] to be able to provide ONDCP with new tools without upsetting the balance that now exists between ONDCP and the intelligence community. It took a lot of workout and compromise to get that done. I urge Members to support this bill. It is time we had a plan to win the war. This is a good one.

Mr. BARRETT of Wisconsin. Madam Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. DAVIS].

Mr. DAVIS of Illinois. Madam Speaker, I rise today in strong opposition to this bill in its current form. This bill is anything but noncontroversial. This bill deals with one of the great issues of our day, what type of drug policy will we have.

Any effective drug policy in America or any nation must include at least 3 components: Treatment, education, and prevention. This bill does not include in a real way these 3 components.

An effective drug control policy must embody the principle of treatment because through treatment people are healed of their addictions. Through treatment we can reduce the number of addicts. However, this bill prohibits the use of HIDTA funds for treatment of people who are chemically dependent. In fact, this bill provides no real ideas for treatment strategies. This is the first reason it should be rejected.

The second principle that must be a part of any effective drug control policy is education. Education gives people an opportunity to understand how to move away from that which they are using. However, this bill does not provide any real component of education. It sets up grandiose targets for reductions in drug use that are unrealistic and unachievable. This bill lacks the serious components of education and therefore must be opposed for that reason.

Finally, the third principle that must be a part of any effective drug control strategy is prevention. An ounce of prevention goes a long way toward reducing the number of people addicted to drugs. Prevention comes in many forms. It could be a job, it could be hope for someone who was hopeless, it could be interdiction, reducing the supply. This bill provides no real prevention strategies other than the old ''lock them up, throw away the key,'' which we already know does not, will not, and cannot work.

This bill is too important to not debate. I urge that we oppose it on the

suspension calendar and have a full debate so that we can really get at the issues.

Mr. HASTERT. Madam Speaker, I yield myself 30 seconds. To my good friend from Chicago, I just want to say that we devote $2 billion on treatment to HHS and initially $90, $100 million to Justice. We also add and allow $3 million for treatment out of the $140 million for HIDTA's, something that is happening now, especially in areas like Baltimore. And we are strong on prevention. We even have $195 million for media prevention and passed the prevention act this year. So I beg to differ with the gentleman from Chicago but that is the fact.

Madam Speaker, I yield 4 minutes to the gentleman from Florida [Mr. SHAW].

Mr. SHAW. Madam Speaker, I thank the gentleman for yielding me this time. Back in 1988 I was one of the prime sponsors, along with the gentleman from New York [Mr. GILMAN] and others, that worked so hard in this area of drug prevention of the original so-called drug czar bill, which was then watered down considerably in conference. This would reestablish much of the power that many of us back then, in a very bipartisan way, were supporting in order to try to get a handle on this Nation's growing drug problem.

What has happened in the last 10 years? In the last 10 years we have spent $103 billion on the war on drugs. I will tell my colleagues that in the last 10 years, we have seen a bipartisan failure in the war on drugs. Neither party can say that they have been successful.

Now, what are we doing with this bill? We are setting up expectations. We are setting up goals. We are setting up flexibility. We are setting up more power within the drug czar's office. We are doing all of the right things in order to try to get to what we all want to accomplish, both Democrats and Republicans, and that is to finally start winning some battles in the war against drugs.

This country has had absolutely no resolve. Our war on drugs has been a blueprint for failure. We have not actually gone to war with the objective of winning. We have gone to the war on drugs with a Vietnam mentality, and that is the status quo. We talk about putting more resources, even more than this bill does, in education and in treatment. Sure, that is necessary. But if that is all you are going to talk about, it is like bailing the boat out and not plugging the hole, and that is ridiculous.

This bill finally sets accountability and responsibility. I personally have a great deal of faith in the present drug czar, General McCaffrey. But if he cannot do it, then step aside and let somebody in that can do it. It is about time that we set our resolve to winning the war on drugs. The greatest possible gift that we can give to the next century, and the President is always talking about the bridge into the next century, the biggest gift that we can give is to cut back addiction in this country, to cut the supply of illegal drugs coming into this country, and to at last, get a grip on this thing that is absolutely killing neighborhoods. It is creating poverty, it is a disaster, it is a national disgrace. This bill fires a shot and it is not just a shot across the bow, this is real progress. I would hope that we do get a bipartisan vote on this, and I hope we get some speakers up on the Democrat side to speak in favor of this bill. It is a good bill and it is the way to go.

Mr. BARRETT of Wisconsin. Madam Speaker, I yield 3 minutes to the fine gentleman from Baltimore, MD [Mr. CUMMINGS].

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

Mr. CUMMINGS. Madam Speaker, I first of all want to thank the gentleman from Wisconsin for his leadership as the ranking member of our subcommittee. I urge my colleagues to vote against this legislation. This bill is indeed controversial. A number of amendments, including one that was offered by myself, was offered by Democratic Members but rejected by the Committee on Government Reform and Oversight. This bill should not be on the suspension calendar. At the very least it should be placed on the House calendar and be considered under regular order where issues surrounding the reauthorization can be debated.

I object to a provision within the bill that does not allow high intensity drug treatment areas, HIDTA's, to expand their drug treatment programs. The Washington-Baltimore HIDTA is the only 1 of 17 federally funded HIDTA projects nationwide that uses drug treatment as one of its strategies. The success of the Baltimore-Washington HIDTA treatment program has been remarkable. Analysts have found that arrest rates plunge for drug-addicted nonviolent criminal offenders when they are forced to participate in sanctions-based drug treatment programs. After 9 months of experience in the treatment programs, only 12 percent of HIDTA's clients were rearrested. Only 13 percent of HIDTA's clients tested positive for illegal substances in a typical month. This should be contrasted with the fact that 100 percent tested positive prior to entering the HIDTA program.

□ 1600

The Washington-Baltimore HIDTA is the only HIDTA that operates a program of this kind, and it should serve as a model for the remaining 16.

Under this bill, the expansion of this successful program approach is not possible. The bill sets a series of unrealistic and unworkable goals to reduce drug use. According to Barry McCaffrey, the requirements in this bill are arbitrary targets, goals and timetables, and contain unachievable goals.

I agree with the gentleman from Illinois, Chairman HASTERT, that the HIDTA's primary focus should be law enforcement. However, I firmly believe there should be a partnership with a proven drug treatment program, which the Baltimore-Washington HIDTA drug treatment program provides. I regret this bill hamstrings the HIDTA drug treatment program.

Mr. HASTERT. Madam Speaker, I yield 2½ minutes to the gentleman from New York [Mr. GILMAN].

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

Mr. GILMAN. Madam Speaker, I have been pleased to work with my friend and colleague, the gentleman from Illinois [Mr. HASTERT], in this vital battle against illicit drugs. He has given new meaning to the term ''war on drugs.'' I share his desire and that of many others in the Congress to get greater accountability from this administration in its less-than-effective efforts in the battle, our battle, against illicit drugs.

We surely need accountability from the drug czar now, more than ever, as our youth use soars. We also have 141,000 new heroin addicts in 1995, and those statistics keep growing. Heroin use among the young has reached historic levels.

I was distressed last week that not one piece of equipment or supplies to the Colombian National Police or military had been delivered under date under the President's 614 waiver of last August. We are losing that nation to narcoguerrillas. Witness the attacks on both their Joint Chiefs of Staff and the killings and executions of 17 National Police. More soldiers and judges are being killed or maimed as a result of their war.

The income for these narcoguerrillas is nearly $1 billion a year, and we are asking our friends in the CMP to fight this war on the cheap. ONDCP's reauthorization is a good legislative vehicle for reform and accountability for these shortcomings.

I fully support the efforts of the gentleman from Illinois [Mr. HASTERT]. I was pleased the gentleman was able to accommodate my concerns about section VII of the bill entitled, ''Reprogramming and Transfer of Funds.'' ONDCP now has reprogramming or transfer authority of over 2 percent of all the Governments and antidrug budgets, for example, the FBI's and DEA's.

The transfer authority has long created fear that substantial funds from law enforcement or interdiction could not be moved and later be used by this administration for treatment or media campaigns to the detriment of these equally important enforcement efforts.

To raise the ONDCP Director's transfer authority even higher to up to 5 percent of the budget of these agencies needs more counterbalance, checks and controls.

By providing the authorizing committees' as well as the appropriations

committees' approval for any such reprogramming, we built in strong protections, and I am pleased that the bill now provides for notice of approval under this provision to the Committee on International Relations, for example. We and other authorizing committees could then have some real meaningful input.

Mr. BARRETT of Wisconsin. Madam Speaker, I yield three minutes to the gentlewoman from Michigan [Ms. KILPATRICK].

Ms. KILPATRICK. Madam Speaker, I thank the distinguished ranking member from Wisconsin for this opportunity to address the House.

Madam Speaker, I rise in opposition to this legislation, primarily because I am not a member of the committee that reported this, and, as a result, because it is on the suspension calendar, I do not have an opportunity to offer amendments.

How can we put on the suspension calendar a bill so important to this Nation as the one before us this afternoon? Did you know that 850 tons of drugs leave Mexico, Peru, Colombia, and a couple other places in this world, destined to America, and that 600 tons of those drugs get into our country?

Drugs are the cancer of America. It is creating a cancer in our families and our communities and across this Nation. How then can we put this legislation on the suspension calendar and not allow 435 elected Representatives to debate the issue?

I oppose this legislation, mainly on that ground. I have a HIDTA in my district, high intensity drug trafficking area. I work with the community and the people who are part of that in my district.

But what we found in HIDTA is, yes, it is good on law enforcement, but it is poor on community input. It is poor on having proven programs participate in the HIDTA. The board of the HIDTA is law enforcement.

Yes, we need law enforcement, but we also need community input into the cancerous drug trade hampering America, and which, in my opinion, will really restrict America from being the fine country we have been as we move to the 21st century.

There have been no hearings on this legislation. How can a cancer such as drugs, 600 tons of it into our country, come before this Congress, with no hearings, and then be put on the suspension calendar?

I urge my colleagues to vote against this. Let it go to the Committee on Rules. Let it be debated before the full House of Representatives. We can cure this program, I am convinced of that, but not when we try to hoodwink Americans, not when we do not give our communities the support that they need.

This bill must go to the Committee on Rules. It must come on the Floor for open debate, so we can all debate it and amend it, and then send it on to the President.

I urge the defeat of this legislation. Let us come back and debate it. Until we deal with the drug problem in America, our seniors are not safe, our children have no opportunity, and this Congress will not be as effective as it ought to be.

Please defeat this legislation.

Mr. HASTERT. Madam Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. BARR].

Mr. BARR of Georgia. Madam Speaker, I thank the distinguished gentleman, the chairman of the Subcommittee on National Security, for yielding me time.

Madam Speaker, I would enlighten the previous speaker and just indicate that there have been extensive hearings on this legislation, as there should have been, with regard to reauthorizing such a major component of our war against drugs, the Office of National Drug Control Policy.

The vote on this bill, H.R. 2610, is very simple: Any Member who is serious about getting tough in the war against drugs should vote for it. Anybody satisfied with the status quo or desiring to move backwards should vote against it. It is that simple.

The legislation did not all of a sudden develop. It was the result of extensive negotiations with the executive branch, both parties in this Congress, and the Senate. It reflects very extensive hearings that were held, including hearings with the GAO.

The GAO, which is a nonpartisan watchdog agency of our Government, has told us that long study has indicated to it that the current drug policy under the leadership of the ONDCP is not clear, it is not coordinated, it is not comprehensive, and it is not consistent. Therefore, it comes as no surprise that it has been largely ineffective.

This legislation, on the other hand, is clear, it is coordinated, it is comprehensive, and it is consistent; in short, a recipe for success where we have had failure in the past.

This is perhaps the most important vote to come before this body with regard to coordinating our war against mind-altering drugs since the original enabling legislation setting up the Office of National Drug Control Policy was passed in 1988.

Every Member here who is serious and wants to put their vote where their words are should vote for this piece of legislation. It is the by-product of extensive hearings, extensive material, and it will work.

Mr. BARRETT of Wisconsin. Madam Speaker, I yield 2½ minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Madam Speaker, I thank the gentleman for yielding me time.

Madam Speaker, I would say I reject the simplistic choices set forth by the gentleman from Georgia. They are not, in fact, the choices that are being made. I regret the gentleman is not listening to me, but to set up such a simplistic choice between A and B, and with the hypothesis if you are not for this bill, you are not for the drug fight, is absolutely incorrect. The gentleman is still not listening to me. C'est la guerre.

Madam Speaker, as ranking member of the Subcommittee on Treasury, Postal Service and General Government, I rise to urge my colleagues to oppose H.R. 2610. This bill does not simply reauthorize the Office of National Drug Control Policy, an office I strongly support, headed by Gen. Barry McCaffrey, who I think is doing an outstanding job. And we need to do more. There is no doubt about it, and he would be the first to say so.

It does, however, contain several controversial provisions affecting national drug policy. My colleague from Michigan is correct, we should have had an opportunity to offer amendments to this critically important legislation. Therefore, it should not be on the suspension calendar.

I want to address one provision, Madam Speaker, which would undermine the effectiveness of the high intensity drug trafficking areas. H.R. 2610 would prohibit the use of HIDTA funds to expand drug treatment programs.

There is not a law enforcement official I have talked to in the United States of America, and I would imagine the U.S. attorney from Georgia at one point in time did not have a law enforcement official that did not say if we could not get people off drugs, we are not going to win this war, period. That is the bottom line, and every law enforcement official I have talked to agrees with that.

The Washington-Baltimore HIDTA, created in 1994, is one of the most successful in the Nation. Check the statistics, one of the most successful in the Nation. One important reason is the program's tough sanctions-based drug treatment component.

Last year, that component caused the rearrest rate for drug-addicted notviolent offenders to plummet 38 percent below the national HIDTA average. Hear me, it is the only one that has the drug prevention, and it is 38 percent better in preventing recidivism than any other HIDTA program in America.

The program forces addicts into treatment, holds them responsible for staying clean, and continually checks their state of sobriety.

Madam Speaker, I would hope we would not defeat this bill. I would hope that temporarily we send it back to commit, give us the opportunity to address the shortcomings in this bill. Obviously, there is a lot of good in this bill. But in its current state, I will be unable to support it and would urge my colleagues not to support it in its current state.

Mr. HASTERT. Madam Speaker, I yield myself 10 seconds to address the gentleman from Maryland.

Madam Speaker, there is $2.9 billion dedicated to treatment and an extra $1

billion more than there were 3 years ago. The Baltimore-Washington HIDTA will continue. It is there. It can still coordinate that treatment. We have made sure that that treatment will flow into that area.

Madam Speaker, I yield two minutes to the gentleman from Florida [Mr. MCCOLLUM].

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

Mr. MCCOLLUM. Madam Speaker, I thank the gentleman for yielding me time.

I rise in strong support of this bill. I think it is a tremendous improvement over current law and a reauthorization for the next 2 years of the National Drug Policy Office. I think, Madam Speaker, that we are not only not winning the war on drugs, we do not even have a war on drugs, not in the sense that most Americans would believe. We have not set up the kind of goals and missions and objectives that the military would fight if they were fighting a war.

This bill tries to go to some measure to do that. I think General McCaffrey has discussed doing it, is working on doing it. I would like to believe much of what is in here he would embrace and will ultimately do so. But we are charged as legislators with the responsibility of setting goals and objectives, and we are charged with putting this war on drugs on a real wartime footing, and that is what this bill does.

First of all, yes, there is 600 metric tons of cocaine coming into this country every year, and because of that, thousands of more young people's lives are being damaged by that result. The drugs that are coming in are purer and cheaper than ever.

In order to stop that, we have to have a balanced approach. We have to have interdiction, we have to have drug treatment, we have to have a supply and demand, education, all those things. But on the interdiction side alone, I would like to point out this bill sets a goal of interdicting at least 80 percent of the cocaine coming into this country every year.

We do not have a goal right now. They tell us that at least 60 percent has to be interdicted before the price will be driven up. If you drive the price of the cocaine up on the streets, far fewer kids are going to get the narcotics. That is the way it was 5 or 6 years ago. We were driving the price up, interdicting enough.

Now we are interdicting at best estimates 20 to 30 percent of the cocaine coming our way, not anywhere near the 60 percent. So the bill sets, among other things, a goal of 80 percent interdiction; 80 percent is a real goal. We then should know from the Drug Policy Office in a short duration what are the requirements to achieve that. What does it take? How many planes, how many ships, how much military involvement? Where do we draw the line? How do we proceed, and then this Congress should come back and provide whatever assistance it takes to do that, to win the war on drugs. I urge a yes vote for this bill. It is a good bill.

□ 1615

Mr. BARRETT of Wisconsin. Madam Speaker, I yield 4 minutes to the gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. Madam Speaker, I thank the gentleman for yielding me the time.

It is with a great deal of regret that I come to the floor to oppose this bill. It has never been a partisan issue to fight against drugs in this country. But the Republican majority is politicizing this whole effort, and by this legislation today, the essence of it, it is a political one and it is a partisan one. Let me explain it on two grounds.

First of all, there were no hearings in the committee on this legislation. There were not discussions with the administration to try to work out the bill that is now being presented to us. There were no processes where we could offer amendments on the floor today. This is being put on the suspension calendar to preclude any amendments to the bill.

Second, this takes an agency that struggled to stay out of partisan politics and imposes upon it a standard which dooms it to failure, sets it up for ridicule during the election cycle in the year 2000. The bill has targets for drug reduction. I am not against targets. But the targets have to be realistic, and the targets in this legislation are doomed to failure because the targets are set so unrealistically.

The bill requires the drug office to reduce adolescent drug use by 90 percent in 4 years. This chart that is before me shows that the largest reduction in teen use achieved in any 4-year period in the past was just 33 percent, not the 90 percent required in this bill.

What happens if we do not get a 90 percent reduction? Nothing, except the Republicans in the election year for President can say, look at the failure to achieve a 90 percent reduction in drug use by kids.

I would suppose that when we get to the tobacco issue my Republican colleague will support a 90 percent reduction in tobacco use in 4 years. There we have an easier time to deal with the problem, because we have a domestic manufacturer we can hold accountable. They control the distribution of their product. But I do not think anybody would say a 90 percent reduction is going to be achieved in illicit drugs in 4 years when it is so diffuse, it is so illegal, and with all the ramifications of distribution and use.

I feel that what we have here is a bill that is so unrealistic that we are being set up on a partisan basis for a failure, and then to politicize the effort by trying to have the Republicans attack the Democrats for that failure, this has never happened in the Congress before. We have always had opposition to drugs, the illicit traffic in drugs, opposition to drug use on a bipartisan basis, after hearings, after discussions, after votes, where amendments were offered and agreed to.

So I regret this, and urge my colleagues to oppose this legislation, and to insist that we go back to the regular order and have a realistic appraisal of what ought to be in a bipartisan effort to stamp out drug use.

Mr. HASTERT. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, my good friend, the gentleman from California, I am dismayed at what he has said. This is not a partisan issue. It should never be a partisan issue, and we should not try to put up a partisan smoke screen to say this is why we should vote against this bill.

We had more than a dozen meetings with the White House. We had the drug czar's office included, and two personal meetings with the drug czar. We asked and complied with the drug czar on seven out of eight requests. The only request that he wanted is a 12-year reauthorization. We said, that is too long, nobody is responsible for 12 years, because the drug czars especially are not here for 12 years.

We are saying, let us look at 2 years and then go another 2 years, and let us get the job done. Let us hold ourselves and this administration and the law enforcement and treatment to tough standards in this country. Let us say that we are going to do this, we are going to cut teenage drug use in half. Is that too much? The 20,000 kids who die in this country in hospitals because of ODing and on street corners because of drug violence, to cut drug use in half in 4 years, is that too much? I do not think so.

An example, in 1985 to 1992 we cut by 79 percent the amount of cocaine used in this country. Why can we not cut by 50 percent by the year 2000, so we can start in the 21st century with less than we have now, half the amount of kids on drugs? This deserves a yes vote, and I ask for Members' support.

Mr. BARRETT of Wisconsin. Madam Speaker, I yield myself 30 seconds.

Madam Speaker, this reminds me of a press conference where there is a new football coach hired, and there is a lot of hoopla where they say, this coach is going to bring us to the Superbowl in 4 years. We are going to give him the tools to do it. Then the question is, how long is his contract? And the answer is 2 years. No one thinks they are serious. No one can say this is a serious attempt to end drug usage in this country, if you are not going to give General McCaffrey the time he needs to do it.

Madam Speaker, I yield the remainder of my time to the gentleman from Michigan [Mr. LEVIN].

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from Michigan [Mr. LEVIN] is recognized for 1 minute.

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

Mr. LEVIN. Madam Speaker, I deeply believe we have to do much better in the antidrug area, much better. I have spent, I think, more time in my district on this issue than any other, working with coalitions. If any issue needs a bipartisan approach, it is this one. This bill violates that, violates it. It extends the office tenure for only a couple of years. General McCaffrey does not support this bill. We should be working with him. Goals are set without relationship to what the office thinks is realistic. Let us not make this into a political football. Let us work together on this issue. Give us a chance to debate this on the floor with amendments, where we can improve it.

I urge a no vote, not so that we stop this bill but so that we can amend it, debate it, and pass it with the seriousness this problem deeply deserves.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois [Mr. HASTERT] that the House suspend the rules and pass the bill, H.R. 2610, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HASTERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2610, the bill just passed.

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

There was no objection.

PROVIDING FOR THE CONSIDERATION OF H.R. 2204, COAST GUARD AUTHORIZATION ACT OF 1997

Mr. DIAZ-BALART. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 265 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 265

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 consideration of the bill (H.R. 2204) to authorize appropriations for fiscal years 1998 and 1999 for the Coast Guard, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 401 of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with clause 7 or rule XVI or section 401 of the Congressional Budget Act of 1974 are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of 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. Any Member may demand a separate vote in the House of 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. The gentleman from Florida [Mr. DIAZ-BALART] is recognized for 1 hour.

Mr. DIAZ-BALART. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Madam Speaker, House Resolution 265 is an open rule providing for the consideration of the Coast Guard Authorization Act of 1997. The purpose of this legislation is to authorize the activities and the programs of the Coast Guard for fiscal years 1998 and 1999.

The rule provides for 1 hour of general debate, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation. The rule also contains a minor waiver of the Budget Act, waiving section 401 of the Budget Act of 1974 against consideration of the bill.

Section 401 prohibits consideration of legislation providing new entitlement authority which becomes effective during the current fiscal year. This waiver is needed because the bill removes the cap on severance pay for Coast Guard and warrant officers. The provision is meant to conform the Coast Guard with the other services; no other Coast Guard officer or other service's warrant officer has a cap on severance pay.

The rule also makes in order the Committee on Transportation's amendment in the nature of a substitute as an original bill for the purpose of amendment, which shall be considered as read.

There are two minor waivers needed for the committee substitute. The rule waives clause 7 of rule XVI relating to germaneness, and section 401 of the Congressional Budget Act of 1974 against the committee amendment in the nature of a substitute.

The germaneness waiver is needed for an amendment adopted during full committee consideration of the bill which recognizes the community of Grand Haven, MI as Coast Guard City, U.S.A., and the budget waiver is needed because the committee substitute retains the severance pay cap removal that is in the original bill.

Further, the Chair, Madam Speaker, is authorized to grant priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. In addition, the rule allows for the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce votes to 5 minutes on a postponed question if the vote follows a 15-minute vote. In addition, the rule provides for one motion to recommit, with or without instructions.

The Coast Guard is the primary Federal agency with maritime authority for the United States. It is a complex organization of ships, aircraft, boats, and shore stations. Title 14 of the United States Code provides that the Coast Guard is at all times an armed force of the United States.

I believe the Coast Guard has a very difficult task in carrying out its main missions of law enforcement, maritime safety, marine environmental protection, and national security. An average day for the Coast Guard includes, among other things, saving 32 lives, assisting 308 people, saving $8 million in property value, conducting 142 search and rescue missions, responding to 34 oil or hazardous chemical spills, conducting 128 maritime law enforcement boardings, identifying 97 violations of law, seizing 84 pounds of marijuana, and 148 pounds of cocaine. That is an average day for the Coast Guard.

The Committee on Rules hearing on this bill I think was extremely cordial. It was bipartisan. I am told that that is an accurate reflection, Madam Speaker, of the manner in which the Committee on Transportation and Infrastructure handled the legislation, as well.

The bill was reported to the House by voice vote, as was the rule. I would like to commend both the chairman of the committee, the gentleman from Maryland [Mr. GILCHREST], as well as the ranking member, the gentleman from Tennessee [Mr. CLEMENT], for their hard work on the bill.

Madam Speaker, House Resolution 265, I believe, is a fair rule. It is completely open. I would urge its adoption.

Madam Speaker, I reserve the balance of my time.

□ 1630

Mr. MOAKLEY. Madam Speaker, I yield myself such time as I may consume, and I thank the gentleman from Florida [Mr. DIAZ-BALART] for yielding me the customary half-hour.

Madam Speaker, I am pleased to rise in support of this very noncontroversial bill and this open rule. As Members know, the Coast Guard was established in 1915. Today 82 years later, the Coast Guard is still protecting people at sea and enforcing U.S. law. It is a great organization and it is well worth funding.

Today's bill authorizes $3.9 billion for the Coast Guard's operation this year, which is the President's request plan plus an additional $70 million for drug interdiction activities.

The 37,000 members of the U.S. Coast Guard provide this Nation with invaluable maritime service for everything from search and rescue to drug interdiction, and this $3.9 billion, Madam Speaker, will support their good work.

I would like to commend the gentleman from Pennsylvania [Mr. SHUSTER], the chairman, and the gentleman from Minnesota [Mr. OBERSTAR], ranking member, for putting together a truly bipartisan bill which should pass this House with very little opposition.

Madam Speaker, I have heard very few complaints on either side of the aisle about the bill, which will provide for marine safety, waterway safety, and maritime safety. This bill will also clarify the rules about oilspill liability and provides $5.5 million for the new ports and waterways safety system which is replacing the vessel traffic service 2,000 program.

Madam Speaker, this bill also provides funds for drug interdiction, ice breaking on the Great Lakes, repairs of buoys, and operation or removal of bridges that impede boat traffic.

Madam Speaker, this bill will enable the Coast Guard to continue its great work, and I urge my colleagues to support it.

Madam Speaker, I reserve the balance of may time.

Mr. DIAZ-BALART. Madam Speaker, I yield such time as he may consume to the distinguished gentleman from Florida [Mr. GOSS] a member of the Committee on Rules and chairman of the Select Committee on Intelligence.

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

Mr. GOSS. Madam Speaker, I want to speak briefly on the subject of the Coast Guard because it is an agency of great importance and great concern to the quality of life of our Nation and particularly to the people in Florida.

The Coast Guard is very well known for the good work it does. It is a wonderful agency. In times of war, the Coast Guard plays an integral role in the defense of our country. In times of peace, it has got so many missions it is hard to account for them all, but basically the safety of our boaters up and down our coastlines, well-being of our fisheries, providing for navigational aids, and emergency assistance. Those types of things are well understood and necessary, and they do a good job on it.

Madam Speaker, less well known, and the reason I wanted to speak today, is the vital role that the Coast Guard plays in the war on drugs. In a recent congressional hearing we heard about the reemergence of Florida as a drug transshipment route. We are sorry to hear it. This is not good news, and it is something that demands an immediate response.

I was encouraged to hear of the greater coordination we have now among the Coast Guard, the DEA, and our Customs folks in dealing with this problem. If we are going to be effective, we need to have everybody working from the same page in the war on drugs. It is certainly not going to be enough to settle for a stalemate in the war on drugs. We just had that debate, and we are not going to settle for a stalemate. We are going to need to get serious about winning that war, and the Coast Guard is going to be a major player in that.

The Coast Guard does fight in the frontlines in the war on drugs, and for that reason this particular bill is very important. I commend the gentleman from Maryland [Mr. GILCHREST] for his leadership.

Madam Speaker, I urge my colleagues to support this very fair and open rule and get on with the business of making this in order.

Mr. MOAKLEY. Madam Speaker, I yield 8 minutes to the gentleman from California [Mr. MILLER].

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

Mr. MILLER of California. Madam Speaker, I rise in opposition to the rule because it does not allow for the consideration of campaign finance reform on the House floor. I ask my colleagues to vote to defeat the previous question so that the Committee on Rules can make in order the consideration of a debate on campaign finance reform.

Madam Speaker, I do not oppose this bill and would not otherwise oppose this rule. But I do not believe that we should move forward with other legislation without a commitment on campaign finance reform by this House.

My colleagues and members of the public who have been watching the House floor in the past month or two by now are familiar with the problem. The Republican leadership in this House, Speaker GINGRICH and Majority Leader ARMEY, refuse to allow us to debate and to vote on campaign finance reform legislation. Apparently, they like the system the way they have it and they refuse to allow us to consider bills to reduce the amount of money spent on campaigns.

Because of their refusal to allow debate on campaign finance reform, we are forced to take extraordinary measures. We are forced to do what we are doing today, to debate campaign finance reform on a rule dealing with the Coast Guard. But the nature of campaign finance reform is such that we must act. If we do nothing, simply let the current system continue. And we know that that system is repugnant to the American people, and, in fact, threatens the public interest and our Democratic institutions.

And with each passing day that the Republican leadership blocks reform, the influence of money over legislation, over elections, over what committee Members sit on or are allowed to serve on, every decision made in Washington grows worse and worse. Money, politics, and influence becomes tighter and tightly controlled.

This week, for example, it is reported that the Senate Republican leaders gathered to discuss their legislative agenda for 1998. A normal meeting. One would expect them to plan ahead. It was reported that one of the key issues for the Senate Republican leaders would be whether or not to design a legislative agenda that would stand a chance of winning approval by the President or whether to use next year to raise issues that would galvanize the core Republican constituencies, even if they stood no chance of approval.

Madam Speaker, foremost in the minds of that group was to use this legislative agenda for the purpose of generating money for the Republican Party. Now, that is a little bit different. Now we are not just talking about issues; we are talking about whether or not the agenda can be used to raise money, as if to erase any question over the influence that fundraising is to have on setting the agenda.

The meeting reportedly was held at the Republican fundraising offices here in Washington. Here is what was reported by Congressional Quarterly Monday morning. Quote, ''A prime topic of discussion is whether to devote the early months of 1998 to legislative priorities that have no chance of winning President Clinton's signature, but would energize the GOP's conservative base as the primary season begins and Senate incumbents try to beef up their bankrolls for the fall.''

They try to beef up their bankrolls? We are going to use the Senate floor and the Senate agenda and the time of the Senate and the House and the people's Congress, to beef up the bankrolls of Republican Members of the Senate? That is why the Senate majority leader, that is why Mr. MCCONNELL, the Senator from Kentucky, went there. They went there to decide how to put together an agenda that would allow the Republican Senators to raise money? That is what the House of Representatives and the Senate has come to? We are not talking about doing the people's business; we are talking about doing the business of people who give

money in large chunks to the Republican Party?

Madam Speaker, that is why we need campaign finance reform. That is why we are having to debate this issue on a bill dealing with the Coast Guard, because the Republican leadership in either House will not allow this debate to take place.

I find it rather interesting that the same people who were in the meeting talking about setting the agenda to raise campaign money for Republican Senators were the same Senators who engineered the defeat of the McCain-Feingold bill, a bipartisan bill to reform this system. These same leaders in the Senate engineered the defeat of that legislation over the last 2 weeks.

Madam Speaker, we are here to tell our colleagues that campaign finance reform is not dead either in the House or in the Senate. We are going to continue to pursue the Republican majority in the House and in the Senate to give us a vote, to give us the debate on this issue.

If necessary, we will resort to a discharge petition. We will have to force them. We will have to get a bipartisan coalition in this House, 218 signatures to force this leadership to give us a debate. What we are asking for is a debate and a vote on campaign finance reform.

That is what the House of Representatives is supposed to be about. That is what the Congress is supposed to be about. It is about the people's House. The people have spoken now in opinion poll after opinion poll. They are disgusted. They are disgusted with the way that elections are financed in this country. They are disgusted with the fact that now soft money means access. It not only means access to the White House; it means access to committee chairmen who are making multibillion dollar decisions about telecommunications, about energy deregulation, about clear air, about global warming. It is all about access. And if a contributor can write a $100,000 check, they can get it and the rest of the American public cannot.

Madam Speaker, that is why we are forced to debate this, but we are not going to let the people who engineer on one day the death of campaign finance reform and then run downtown to the Republican headquarters and talk about using the people's legislative body as a fundraising tool. We thought it was bad enough the other day when the Republicans sent out a letter and said for $10,000 a contributor could have lunch, breakfast, or dinner with the 10 most important Senators who are interested in meeting for $10,000. It is more than about ham and eggs. It is about the legislative agenda. Now they have gone from sending out letters to designing the legislative agenda for the purposes of fundraising.

Madam Speaker, I thought that if making a phone call is a problem, what about designing an entire agenda and using the Senate of the United States for the purposes of raising money and doing it with forethought? That is why we need campaign finance reform.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. EMERSON). The Chair must caution the Member against improper references to the Senate or its members.

Mr. MILLER of California. Madam Speaker, if my time has not expired, the problem is when I look at the polling numbers, if I said ''the Senate majority leader'' no one in the country knows who I am talking about.

The SPEAKER pro tempore. The gentleman must refrain from such references.

Mr. DIAZ-BALART. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, we have brought to the floor a rule that is completely open, that permits all amendments. While we were in the minority it was very rare to get the majority, then the Democrats, to permit an open rule so that all amendments could be introduced, on a subject, by the way, as important as the Coast Guard, where the distinguished gentleman from Massachusetts [Mr. MOAKLEY], ranking member of the Committee on Rules, admitted that that function is a primary function of national security and law enforcement.

So, Madam Speaker, we come to the floor today with a totally open rule to permit any and all amendments from any Member of this House on a subject as critical to the national security of the United States as the authorization of the Coast Guard and what are we confronted with? We are confronted with what we just heard. No one could ever accuse the distinguished gentleman from California [Mr. MILLER] of lack of imagination, because even on a bill as necessary to the national security as this one, even on a rule totally open, which permits amendment by any Member of this House, we have heard what we have heard today on an issue that has nothing to do with the Coast Guard.

Madam Speaker, I remind all our distinguished Members that we are debating an open rule to authorize that critically important organism of this country, institution of this country, which is the Coast Guard. That is what we are on today, Madam Speaker. I do not want to get confused. We are not going to let ourselves get confused by these arguments which seek to confuse, apparently, people who are not Members of this House and they will not get confused either. We are bringing an open rule permitting all debate on this critically important piece of legislation to this country.

Madam Speaker, I yield 4 minutes to the distinguished gentleman from Maryland [Mr. GILCHREST].

Mr. GILCHREST. Madam Speaker, I am going to make reference to the previous speaker, the gentleman from California, saying that the leadership of both Houses of Congress are discussing at this time anything else, discussing the issue of campaign finance reform when they should be discussing the issues of the Nation.

I want to say emphatically that the issue that the leadership has been discussing in recent times are the issues of what the Coast Guard needs in the Arctic Ocean in February. They are discussing how the Coast Guard has more influence and can more effectively deal with the pollution problems of the coastal waters of the United States and the inland seas of the United States. The leadership of both Houses is discussing the major problem of cargo ships bringing in enslaved immigrants by criminal thugs and how they can get to the shores of the United States and perform more effectively their criminal activity.

□ 1645

And how does the Coast Guard, made up of very young men and women, stop that? We are talking about a whole range of issues that deal with the Coast Guard. The leadership of both Houses of Congress are talking about welfare reform. They are talking about IRS reform. They are talking about how to improve agricultural practices. They are talking about a lot of things.

Last, Madam Speaker, I would like to remind the gentleman from California, when we are talking about campaign finance reform, each and every Member of this House, as individuals, as representatives of their district, have always the option of how they are going to run their campaign and how they are going to raise their money. So if the gentleman from California does not like the present legal system of the way campaigns are funded, he can simply do what he wants. He could stop taking PAC money. He could stop taking money from anybody from his district. He could do what he wants.

Each of us, as Members of this House, should tell our constituents, this is what I am going to do as a person, regardless of what Congress can or cannot do, I am going to stop taking all money except for those people who can vote for me. I will stop taking PAC money. I will stop taking money from outside of my district. I will stop taking special interest money. I will stop accepting soft dollars into my district. I will only take money from someone who is registered in my district to vote in my district, regardless of what the Congress does.

The leadership of this Congress has been talking about issues relating to the American people and, I might add, in the last 2 or 3 years, doing a fine job. I would remind the American people that sometimes the rhetoric on the floor would make a Shakespearean play look pretty dull, but look through the rhetoric at some of the details. We are talking about how to protect the coastal waters of the United States.

This rule, as the gentleman from Florida has suggested, is open. All amendments are possible on this particular rule.

I urge my colleagues to support the rule.

Mr. MOAKLEY. Madam Speaker, I yield 8 minutes to the gentleman from Michigan [Mr. BONIOR], majority whip of the Democratic Party.

Mr. BONIOR. Madam Speaker, I thank my colleague for yielding me the time.

Madam Speaker, I want to commend the Committee on Rules, both parties, for providing us with a rule that is open and allows us to do the things that my friend from Maryland talked about and that is help with the exploring and science and fighting pollution, dealing with the immigration problems and that our national defense needs, those are all very good things. But I think my friend from Florida may have just a wee bit stretched the procedural argument that he made that this has nothing to do with political campaign reform.

We have no objections to dealing with the Coast Guard issue. It is an important issue for the country and for all of us. But what we will attempt to do is allow that to happen, but at the same time, when that is finished in our rule here, we will ask that the House consider campaign finance reform and the variety of proposals that have emanated from both political parties.

There have been some very good suggestions on this side of the aisle, as well as on our side of the aisle. What the gentleman from California [Mr. MILLER] is objecting to, what I am objecting to, and if I may dare say so, the American people have been objecting to, is the fact that this system is broke and this Congress, in both House and Senate, is not willing to face up to the broken system and fix it. In fact, we have not even faced up to the fact that we want it to be debated, debated.

This is not the first time that we have come to the floor to do this. This is the sixth time in this session that we are demanding a vote on campaign finance reform. We asked that the same procedure be initiated on the 7th of January, 13th of March, 19th of April, 16th of April and, I think, the 21st of May.

We will attempt to defeat the previous question in order to bring finance reform to the bill, campaign finance reform. It is not about a specific proposal. It is about having a debate so we can come to some conclusion to try to fix what I think is a rotten system, a rotten system. Every one of us knows in our hearts that we spend too much time, too much energy seeking campaign contributions in order to stay here and do not devote enough time to the work at hand.

It is a system that has gotten both political parties in enormous trouble. It is a system which has caused the people of this country to lose faith in this institution. It is a system in which Members of both bodies would prefer not to have. And yet I must say, I watched that handshake between the President and Speaker GINGRICH, when was it, a couple, 3 years ago. They were going to do something about it.

Well, nothing is being done. The Speaker says that the problem is not too much money, but too little money. We ought to be spending more. Well, that is nonsense. That is absolute nonsense and it is not a prerequisite in a democracy today. Nine out of ten of the American people think we spend too much and we spend too much time raising it and it is corrupting this institution and our democracy. We need to fix this system, Madam Speaker. And we need to limit the amount of money, stop this negative advertising and get the American people voting once again.

If other democratic nations can do it, we can do it. Just across the border from my district in Canada, the political season is much shorter, the airwaves are free. Campaigns are publicly financed, Great Britain, Ireland. We ought to be able to craft something that is fair to both sides.

I would say to my Republican colleagues, you should not be afraid to have this debate. Voter cynicism does not just hurt us, it hurts you as well. It undermines our democratic institutions and who we are as a people and why we came here to serve. I suspect that we will lose once again today. It is the nature of the situation here. But as my friend from California said, campaign finance reform will not die. And we will attempt to bring it to the floor of the House of Representatives with a discharge petition. That means every Member of this body will have the opportunity to walk over to the Clerk here and sign a petition that says, we want all the issues related to this most important issue on how we run our democracy and how we finance it, we want it on the floor of the House of Representatives. And we will have a list of those who want to reform the system and those who want the status quo.

Finally, in just one word to my friend from Maryland, who I have a deep respect for for his work on the environment and education and some other issues, I admire him as well as the gentleman from Florida. But he makes the argument, well, you know, if you really want reform, do it yourself. That ignores the situation where someone will unilaterally disarm, limit their campaign contributions while their opponent is able to play by the present, I think, rotten and corrupt system and raise so much money that the scales are not balanced nor are the elections. We have to have a level playing field where we are playing by the same rules.

To suggest to us on the floor today that you ought to just take it right out of your district, the fact of the matter is, if some of my colleagues decided to just take contributions out of their own districts and their opponent decides to take it out of the country, there are districts in this country that are so poor that it would not be a contest financially.

I could make a lot of arguments

Mr. GILCHREST. Madam Speaker, will the gentleman yield?

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

Mr. GILCHREST. Madam Speaker, the comment about taking money just from one's district, I do that now. I do not take any PAC money, no money unless a person can vote for me. I did that in 1992, when I ran against an opponent, an incumbent of this House, who spent a lot more money than I did. It is still possible to win.

Mr. BONIOR. Madam Speaker, it is possible to win and the gentleman is an example of that happening. But there are districts, and the gentleman, I think, will concede this, where it is extremely difficult to raise the money to be competitive in a congressional race within that district itself. I think the gentleman understands that. That is the dilemma that we face if we are not all playing by the same rules.

So let me just conclude, Madam Speaker, by suggesting that our colleagues vote against the previous question so we can bring this issue to the floor and we can have a full and honest and fair debate so our Republican colleagues, as well as our Democratic colleagues, can offer the suggestions to reform the system so we know where we are. Maybe we will not resolve it. Maybe we will not come to a conclusion. Maybe we will not have the votes to pass anything. But at least we will have some sense of where we are in this debate and where the center of gravity is in terms of where this Congress wants to go and where the public wants us to go. We owe that to the American people. We owe that to the institution that we serve in and we certainly owe it to the people who sent us here.

Mr. DIAZ-BALART. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Madam Speaker, I thank my colleague from Florida for yielding me the time.

It is with great interest that I listen to the minority whip as we talk about what our priorities should be as those who are duly elected representatives of the citizens of the United States. In fact, Madam Speaker, I am sure that my colleagues on the other side of the aisle would join me in this realization, that those who aspire to public office should obey existing law. And unfortunately, the scenario that is played out here, listening to the whip, my friend from Michigan, listening to my colleague from California, is one akin to a speeder pulled over by a traffic cop.

Now, I know many policemen who patrol the highways and byways hear all sorts of excuses. But never have I heard them relate to me that when they pull over a speeder, the speeder says to the

officer, well, you may have a posted speed limit of 55 or 65, but that is just not adequate. That law should be changed. That law should now be 95 miles an hour. And sadly what is going on in this Chamber, Madam Speaker, and going on, I regret to say, at the other end of Pennsylvania Avenue is a massive effort to misdirect the attention of the American people.

Campaign finance reform, indeed, that is a subject that should be discussed. But not to sacrifice, indeed, some, Madam Speaker, might use the word ''obstruct,'' not to sacrifice the legitimate priorities of funding our Coast Guard, of maintaining the integrity of our borders and indeed to maintain the integrity of our electoral process, Madam Speaker. This should be the framework under which we operate, obedience to existing statute.

Sadly, Madam Speaker, what this is about, I regret to say, is the presence of some in the White House. And here we see the President and First Lady in this picture with one Johnny Chung who seems to be unavailable to come before committees in this House and in the other body and freely explain to the American people his role in the 1996 campaign. So let me say candidly, Madam Speaker, to my friends on the other side, to all of my colleagues in this Chamber and indeed to the citizens of the United States, let us first exercise our legitimate oversight to find out exactly what went on in 1996, to find out exactly what went on within the executive branch, to find out when this gentleman is so pleased to be standing with the first couple, to get to the bottom of these very disturbing questions.

If we are to prioritize, it would seem to me that we would start with the numerous concerns, suspicions and allegations sadly confronting this administration. Madam Speaker, there are many lessons to be learned from history. I lament the fact that some of my colleagues have drawn the wrong conclusions from what transpired nearly a quarter century ago.

□ 1700

Because in that era there were those who talked of stonewalling, there were those who talked of the absurdity of the limited modified hangout. And in stark contrast, quite frankly, to the behavior we see displayed today from Members of the minority, two people from my State had the guts and the gumption to go to the White House in 1974 and request that President Richard Nixon resign. Oh, for a true spirit of bipartisanship, not borne out of temporary convenience but of constitutional conviction.

This is not a game. Serious questions remain. Yes, we should take a look at campaign finance reform from stem to stern, but first we must find out who violated, who is under suspicion of violating the rules that now apply in everyday law.

And, moreover, Madam Speaker, we should not try to turn this question of a legitimate security question to our national boundaries, to a branch of our service, to funding of the Coast Guard for the preening and posing of partisanship in the hopes that those allied with those who would obfuscate and try to run away from the problem might find temporary advantage.

Let us adopt the rule.

Mr. MOAKLEY. Madam Speaker, I yield 2½ minutes to the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Madam Speaker, I thank the gentleman for yielding me this time.

Madam Speaker, we can all parade up to the well of the House and present our favorite photo of a political leader who we may disagree with because of some alleged impropriety. I suspect Members on this side of the aisle could, and have I suspect, done the same thing with the Speaker of the House [Mr. GINGRICH], with his improprieties that found him sanctioned by his Republican colleagues as well as our Democratic colleagues.

I suspect we on this side of the aisle could do the same thing where the former chairman of the Republican Party, Haley Barbour, who was engaged in raising foreign funds in the last campaign. I suspect we could even do that with members of the Republican Party who are presently engaged in similar problems as Members of the House of Representatives. But that really does not get us to where we need to go. Where we need to go is to have a full and honest debate about the ways to reform the system.

I would invite the gentleman from Arizona, who just spoke, to join his Senator, Senator MCCAIN, in sponsoring the McCain-Feingold bill, and join those of us in the House who want to bring this debate to the American people. We know how that argument goes, how it plays out in the end, the one that the gentleman propounded on the floor just a minute ago: Let's find out before we do anything.

We have had really 20 years of this system and we have found out. It has gotten many, many people in trouble. It has reduced the number of people in this country who have faith in the system and who have voted. It has in many ways had a very, very negative influence on how people operate in public life.

And so I encourage my friend from Arizona to get on board. We are going to have a line out here on Friday of people signing a discharge petition. I assume we maybe even will have a few Republicans, and we encourage the gentleman to be right in front of the line and he can be that running back that I never was.

I played at the University of Iowa, and I was a kind of a small guy, but I was always looking for somebody to plough that hole open. He can plough that hole open for his party by getting in line and joining us in signing the petition.

Mr. DIAZ-BALART. Madam Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Madam Speaker, I thank the gentleman for yielding me this time, and I appreciate the reminiscences of the distinguished minority whip as to his athletic career, a great athletic career that continues even today, as we have seen him on the baseball diamond and on the basketball court.

Let me also invite the minority whip, Madam Speaker, and others on that side of the aisle, to join with me, with my own campaign finance reform bill, the nickname is ERIC, election reform in campaigns, and let them also, Madam Speaker, join with me to reaffirm the basic first amendment rights of members of voluntary associations, trade associations, and union associations not to have their dues taken from them against their will to be used for political causes in campaigns with which those members may not agree.

I would hope that we would move forward in that debate. But for now, and the question before this House now, we dare not turn a deaf ear or a blind eye to the funding requirements of the U.S. Coast Guard and the legitimate national security concerns therein.

And, Madam Speaker, on the subject of national security concerns, it entirely proves my point that we should assess just exactly what has transpired when foreign nationals, indeed with suspected representatives of foreign governments coming to peddle their influence in Washington and sadly in the last cycle allegedly at 1600 Pennsylvania Avenue.

Oh yes, let the committees, Madam Speaker, conduct their oversight. Let the chips fall where they may. Let us end the obfuscation and what sadly has become the misdirection. Let us put our priorities in order.

Campaign finance? Sure. But legitimate constitutional congressional oversight first for very disturbing questions of national security and alleged improprieties that cannot be erased no matter how fond the athletic reminiscences.

Mr. MOAKLEY. Madam Speaker, may I inquire what is the remaining time on each side?

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from Massachusetts [Mr. MOAKLEY] has 11½ minutes remaining and the gentleman from Florida [Mr. DIAZ-BALART] has 12 minutes remaining.

Mr. MOAKLEY. Madam Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. DAVIS].

Mr. DAVIS of Illinois. Madam Speaker, I thank the gentleman for yielding me this time.

Like all my colleagues who have spoken, I too would like to see campaign finance reform brought to the floor of this House and done so immediately. I rise, however, to raise another issue.

I think that the Coast Guard bill is a good one, but I raise a concern that has

adversely affected the Chicago area, which I represent. For many years the Coast Guard Air Station helicopter facility located in Glenview, IL, patrolled southern Lake Michigan, an area with a high volume of recreational traffic. Recently that facility was relocated to Muskegon, MI, more than 100 miles away.

Under the current setup, it takes a helicopter twice as long to get from Muskegon to the Chicago area as it did from Glenview. Some authorities have contended that moving the unit out of the Chicago area has dramatically compromised the safety margin for those persons who frequent the lakefront.

A recent Chicago Sun Times article reported that during the past year, 26 people have died on southern Lake Michigan as compared to 4 deaths during the previous year. It has been observed that the number of deaths on southern Lake Michigan have continued to spiral upward since the Coast Guard's decision to relocate to Muskegon.

Mr. Speaker, it is my hope that the U.S. Coast Guard will reevaluate this move, which is possibly responsible for a number of senseless deaths. I would also request that the Subcommittee on Coast Guard and Maritime Transportation review this location site. A site closer to the Chicago metropolitan area could save many lives.

Mr. DIAZ-BALART. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland [Mr. GILCHREST].

Mr. GILCHREST. Mr. Speaker, I thank the gentleman for yielding me this time.

I would like to respond to the gentleman who spoke about the transfer of the helicopter in the Chicago region. I do not see him on the floor now, but I do want to say that this is an area that we have considered. We certainly will try to obtain more funding so the Coast Guard can have more helicopters.

It is my judgment that the Coast Guard, for the past several years, has been, in fact, underfunded. So we are going to correct this in the next cycle, so that we hope with that increase in funding the helicopters can be in more areas than they are now.

Now, one of the reasons that the Coast Guard helicopter was moved from this gentleman's particular area to another area is because of the assessment of where most of the accidents occur. Most of the accidents, clearly over 90 percent of the accidents that the Coast Guard responds to, they respond with small boats, not helicopters. There is only a small percentage of the accidents where they actually use helicopters, but the helicopters are moved to those areas that need that type of assistance more, and that is a judgment by the Coast Guard. But I assure the gentleman it is an area that we are taking under serious consideration.

Mr. Speaker, if I can just go back to our favorite subject, I suppose at least for some Members, campaign finance reform, I would like to remind my colleagues on the House floor that each of us, regardless of what the regulations are regarding the Federal Election Commission, and regardless of whatever regulations there are out there for campaign finance fundraising, each of us, as individuals, can eliminate the entire system at the snap of a finger.

What is good about this country is that it thrives on individual initiative and individual responsibility. So if a Member thinks the system is bad or corrupt, or whatever they think about the system, I would like to remind my colleagues that they can simply stop taking money from everybody; from PAC's, from interest groups, from unions, from trade unions. Just name it. Just stop taking all those dollars that might be tainted or might be corrupted and run the campaign without taking any money or just from people that vote in the district.

In 1990 I won an election. I was very honored to come to the House of Representatives. And I defeated an incumbent. I was a candidate and I defeated a 10-year incumbent who had a lot of money. I figured if I wanted to get to Congress, I had to create a strategy where I could meet as many people as possible and convince them that I would be a better Member of the House of Representatives.

It takes a lot of work, a lot of courage, a lot of planning as an individual, using one's own initiative. So if we do not like the system, then we can change it ourselves.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Maine [Mr. ALLEN].

Mr. ALLEN. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, talk, talk, talk. That is what we have been doing about campaign finance reform. It is time to vote, vote, vote. That is what we need to do in this House. We would not need to talk so much about campaign finance reform if the Republican leadership of this House would bring this matter to a vote.

And if I could just respond briefly to what the gentleman from Maryland was just saying, about we can always do it our own way. When we play tennis, we play by the rules. When we play football, we play by the rules. We do not make up individual rules for individual players.

What we need in this body is, we need a vote on a bipartisan campaign finance reform bill. We know enough about what went on in the 1996 elections to know that we need to do something different.

I am a member of the Committee on Government Reform and Oversight, chaired by the gentleman from Indiana [Mr. BURTON]. We have spent $3 million for 1 day of hearings; $3 million for 1 day of hearings.

And when I was back in my home State of Maine this past week, I heard over and over again the same refrain: We are tired of these investigations. We want to get to the bottom, but we are tired of investigations with no legislation. We want to see Members of Congress do something for us people back home.

Now, there are not many Republicans who are on a bipartisan campaign finance reform bill, but my friend, the gentleman from Arkansas, Mr. ASA HUTCHINSON, is cochair with me of our freshman bipartisan group. We produced a bill. We went through a 5-month process. It was a bipartisan effort. We ban soft money. We take the biggest of the big money out of this system.

We have put together a bill with no poison pills. We took the poison pills out. And I think that is the kind of legislation that ought to come to the floor of this House; that we ought to give every Member of this House a chance to stand up and vote, not just talk about campaign finance reform.

□ 1715

I believe that if we do that, if we ban soft money, if we take the biggest of the big money out and we make sure that the parties have enough money to keep going so they can fulfill a role, if we make sure that every group, every group that wants to participate in this system by way of a third-party advertisement has to disclose who they are, has to disclose how much money they are spending. Then the American people will know more about what is going on in this political system and they will be able to deal with it.

I sense in my home State a crisis of confidence in this political system. I also sense a real impatience with this Congress for all of the talk and no action. The fact is that if we bring this matter to a vote, then we can move this question ahead. For that reason, Mr. Speaker, I urge Members to vote against the previous question and bring campaign finance reform to the floor for a vote.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume. May I remind the House that this is the rule to bring the Coast Guard authorization bill to the floor?

We do not have other speakers on this side, but my understanding is that the other side wants to talk about issues that have nothing to do with the Coast Guard. Of course it is a democracy that we live in, Mr. Speaker. People when they rise can speak about anything they wish. That is one of the beauties of the system, Mr. Speaker. But I think it is important for the Members who may be trying to find out what the debate is about, what we are on here, dealing with, what we are on the floor dealing with.

This is the rule, which is an open rule, and during the many years before we acquired the majority, Mr. Speaker, there were very few open rules. Open rules are rules that bring bills to the

floor with the opportunity for all Members to offer amendments on that legislation. That is something that we cherish, that is something that we fought for. Since we are in the majority, we are able to do it. We are able to bring legislation to the floor with what are known as open rules, which are guidelines that permit any and all amendments, any and all amendments by any Member to the legislation that is brought to the floor. What we are bringing to the floor with this open rule is the authorization of the Coast Guard, which is critically important to the national security of the United States, which is critically important to law enforcement, which is critically important to drug interdiction, issues that are obviously essential for the American people.

So we are bringing to the floor the Coast Guard authorization law, bill, legislation with an open rule. I wanted to remind Members of the fact that that is what we are doing, Mr. Speaker. Of course since it is the United States of America, since it is this wonderful free Nation of laws, people can come to the floor and talk about whatever they wish when they are given time by the Speaker. But I wanted to remind any colleagues who may be watching on their screens in their offices or the American people what it is that we are seriously doing here today, and it is serious, reauthorizing the Coast Guard, protecting the American people from narcotics, helping the national security. That is what we are doing by bringing forth the Coast Guard authorization and we are bringing it forth, we are bringing it to the floor with a rule that permits any and all amendments obviously that have something to do with the Coast Guard; in other words, that are germane.

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

The SPEAKER pro tempore. The Chair would inform both Members that the gentleman from Massachusetts [Mr. MOAKLEY] has 6½ minutes remaining and the gentleman from Florida [Mr. DIAZ-BALART] has 6½ minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. CLEMENT].

Mr. CLEMENT. Mr. Speaker, I have listened to what everyone said. I heard what the gentleman from Michigan [Mr. BONIOR] said and the gentleman from California [Mr. MILLER] and all. I must admit I do not see anything wrong with it. I have voted no on most of the parliamentary motions that the gentleman from California [Mr. MILLER] has made concerning campaign finance reform, but I think it comes to a time that we have to make up our mind, are we going to have a debate? Are we going to have a vote on campaign finance reform? I think I have waited long enough. I think most of the other Members have.

You turn on TV, you listen to the radio, you read the newspaper, and the entire country is talking about campaign finance reform. They are not just talking about what has happened at the White House. They are talking about what has happened in all congressional districts, in all States in the United States. They know what other countries have done when it comes to campaign finance reform, and they know what we have not done in the United States of America. And the American people know the influence of big money on political campaigns. It has gotten to the point in time where people buy elections. They do not earn elections anymore. They buy elections.

We also know the disparity of income between the haves and the have-nots. We know that that is growing daily. We know that the middle class is being squeezed now. And we know also that a lot of people are not even participating in the electoral process anymore. Why are they not participating? I think they are not participating because of the influence of big money.

I say to the Republicans and I say to the Republican Party, let us have a vote, let us have a debate, let us have it now, not later, because it is in the best interests of the American people.

Mr. DIAZ-BALART. Mr. Speaker, I do not have any other speakers at this time. I would just remind the Members who may be tuning in that this is the Coast Guard authorization, the open rule.

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

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York [Mrs. Maloney].

Mrs. MALONEY of New York. Mr. Speaker, I rise in opposition to this rule because it does not allow for the consideration of campaign finance reform on the House floor. I do not oppose this bill and I would otherwise not oppose this rule, but I do not believe that we should move forward with other legislation without a commitment to campaign finance reform by this House.

More than 300 Members of this House have signed on to various campaign finance reform bills. Nearly everyone has an idea and they have worked hard to turn those ideas into legislation. The evidence is before this House. There are 87 different campaign finance reform bills before this House. But not a single one of these bills has made it to the floor for debate, not a single one of these bills, not one of the 87 has even been considered in a committee hearing this year. Mr. Speaker, there are 435 Members of Congress and 311 of them have signed on to various campaign finance bills. That is 72 percent, a majority of the Members. And a majority of Americans are pleading for reform. Yet these pleas are not being heard by the majority party.

Our counterparts in the Senate, they did not have much success but at least they tried. At least they brought it to the floor. Let us do the same here, Mr. Speaker. Let us bring some of these 87 bills to the floor for debate. Nearly three-quarters of this House is asking for it. Nearly three-quarters of this House is a sponsor of a campaign finance bill.

I urge all of my colleagues to join the gentleman from Michigan [Mr. BONIOR] in calling for and signing a discharge petition so that we can get the issue before this body for debate and before this body for a vote. We certainly owe it to our constituents to have a vote on campaign finance before we adjourn and go back to our districts.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume. I include for the RECORD an explanation of the previous question, as follows:

THE PREVIOUS QUESTION VOTE: WHAT IT MEANS

House Rule XVII (''Previous Question'') provides in part that: There shall be a motion for the previous question, which, being ordered by a majority of the Members voting, if a quorum is present, shall have the effect to cut off all debate and bring the House to a direct vote upon the immediate question or questions on which it has been asked or ordered.

In the case of a special rule or order of business resolution reported from the House Rules Committee, providing for the consideration of a specified legislative measure, the previous question is moved following the one hour of debate allowed for under House Rules.

The vote on the previous question is simply a procedural vote on whether to proceed to an immediate vote on adopting the resolution that sets the ground rules for debate and amendment on the legislation it would make in order. Therefore, the vote on the previous question has no substantive legislative or policy implications whatsoever.

Mr. Speaker, I think the gentleman from Arizona [Mr. HAYWORTH] was really on point in this debate which was brought up by our distinguished friends on the other side of the aisle in this open rule on Coast Guard; in other words, on nothing that had to do with the Coast Guard. But the gentleman from Arizona [Mr. HAYWORTH], in setting the record straight, I think had a very interesting point and that is the analogy of the policeman who stops someone who is speeding because the speed limit is 50 miles an hour and then when the person is stopped, the person wants to change the law. This law is very bad, yes, it is true I was going 70 miles an hour, but I think it should be a 30-mile-an-hour speed limit. That is an excellent point because that is exactly what we are dealing with here.

The allegations that are being made and that are being substantiated on a day-in and day-out basis are very serious. These allegations have to do with selling of influence to enemy dictatorships. I think few allegations can be more serious. And so when we have an analogy about stopping someone for going 50 miles an hour, remember the 50 miles an hour that we are talking about. We are talking about selling influence to enemies of the United States being the 50 miles an hour. And yet saying, oh, no, no, the law is bad, make it 30 miles an hour.

So yes, we can debate and we will very happily debate this issue, but the bottom line is that today what we are doing is something else that is very important to the United States; by the way, very important, Mr. Speaker, to the national security of the United States as well. And that is authorizing the Coast Guard.

And so we bring forth to the floor the legislation to authorize the Coast Guard with the opportunity for all Members of this House under what we call in this House an open rule, an opportunity for any and all Members to bring forth any amendment that is germane, that is relevant to that legislation. That is what we are doing, Mr. Speaker. That is what we ask at this moment, that the resolution, the rule be accepted.

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

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

Mr. Speaker, the majority argues that our attempt to defeat the previous question is futile because our proposed amendment is not germane. The fact of the matter is that the Chair has not made a ruling nor heard our arguments as to the germaneness of our amendment. The only way to make that determination is to allow us to offer the amendment by defeating the previous question.

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote.

A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan.

It is a vote about what the House should be debating.

The vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

I include the following material for the RECORD.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's ''Precedents of the House of Representatives,'' (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership ''Manual on the Legislative Process in the United States House of Representatives,'' (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual:

''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

Deschler's ''Procedure in the U.S. House of Representatives,'' the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues:

''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

The vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

H. RES. 265—PREVIOUS QUESTION AMENDMENT TEXT

At the end of the resolution add the following new section:

''Section 2. Before the House adjourns sine die for the first session of the 105th Congress, it shall consider campaign finance reform legislation under an open amendment process.''

Mr. Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. QUINN). The question is on ordering the previous question.

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

Mr. MILLER of California. 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.

Pursuant to clause 5 of rule XV, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of agreeing to the resolution.

The vote was taken by electronic device, and there were—yeas 223, nays 196, not voting 14, as follows:

[Roll No. 515]

YEAS—223

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (OH)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Serrano
Sessions
Shaw
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Strickland
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NAYS—196

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello

Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Goode
Gordon
Green
Gutierrez
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Nadler
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Shays
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—14

Bono
Cubin
Dellums
Foglietta
Ford
Gillmor
Gonzalez
Jefferson
Lantos
McIntosh
Neal
Schiff
Shadegg
Watts (OK)

□ 1748

Mr. HALL of Texas changed his vote from ''yea'' to ''nay.''

Mrs. MORELLA and Mr. SCARBOROUGH changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. DICKEY). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

H.R. 2464, de novo; and

H.R. 1962, de novo.

The Chair will reduce to 5 minutes the time for each electronic vote in this series.

AMENDING THE IMMIGRATION AND NATIONALITY ACT TO EXEMPT INTERNATIONALLY ADOPTED CHILDREN UNDER AGE 10 FROM THE IMMUNIZATION REQUIREMENT

The SPEAKER pro tempore. The pending business is the question de novo of suspending the rules and passing the bill, H.R. 2464, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. SMITH] that the House suspend the rules and pass the bill, H.R. 2464, as amended.

The question was taken.

RECORDED VOTE

Mr. DIAZ-BALART. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a five-minute vote.

The vote was taken by electronic device, and there were—ayes 420, noes 0, not voting 13, as follows:

[Roll No. 516]

AYES—420

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOT VOTING—13

Bono
Cubin
Dellums
Ford
Gillmor
Gonzalez
Hyde
Jefferson
Lantos
McIntosh
Neal
Schiff
Watts (OK)

□ 1801

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to amend the Immigration and Nationality Act to exempt internationally adopted children 10 years of age or younger from the immunization requirement in section 212(a)(1)(A)(ii) of such Act.''.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. FORD. Mr. Speaker, on rollcall Nos. 515 and 516, I was unavoidably detained.

On rollcall 515 I would have voted: ''no'';

On rollcall 516 I would have voted: ''yes''.

ANNOUNCEMENT OF THE CONFIRMATION OF REPRESENTATIVE THOMAS FOGLIETTA AS AMBASSADOR TO ITALY

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

Mr. MURTHA. Mr. Speaker, it is my pleasure to announce to the House of Representatives that the gentleman from Pennsylvania [Mr. FOGLIETTA] has now been confirmed by the other body, the Senate, as the Ambassador to Italy. The gentleman from Texas [Mr. DELAY] says, ''Make your reservations early.''

PRESIDENTIAL AND EXECUTIVE OFFICE FINANCIAL ACCOUNTABILITY ACT OF 1997

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1962, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. HORN] that the House suspend the rules and pass the bill, H.R. 1962, as amended.

The question was taken.

RECORDED VOTE

Mr. LINDER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 413, noes 3, not voting 17, as follows:

[Roll No. 517]

AYES—413

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOES—3

Coble
Manton
Paul

NOT VOTING—17

Barrett (NE)
Bono
Cubin
Dellums
Doggett
Fowler
Gillmor
Gonzalez
Hyde
Jefferson
Lantos
McIntosh
Neal
Schiff
Talent
Watkins
Watts (OK)

□ 1813

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to provide for a Chief Financial Officer in the Executive Office of the President.''.

A motion to reconsider was laid on the table.

PARTIAL-BIRTH ABORTION BAN ACT—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105–158)

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am returning herewith without my approval H.R. 1122, which would prohibit doctors from performing a certain kind of abortion. I am returning H.R. 1122 for exactly the same reasons I returned an earlier substantially identical version of this bill, H.R. 1833, last year. My veto message of April 10, 1996, fully explains my reasons for returning that bill and applies to H.R. 1122 as well. H.R. 1122 is a bill that is consistent neither with the Constitution nor sound public policy.

As I stated on many occasions, I support the decision in *Roe* v. *Wade* protecting a woman's right to choose. Consistent with that decision, I have long opposed late-term abortions, and I continue to do so except in those instances necessary to save the life of a woman or prevent serious harm to her

health. Unfortunately, H.R. 1122 does not contain an exception to the measure's ban that will adequately protect the lives and health of the small group of women in tragic circumstances who need an abortion performed at a late stage of pregnancy to avert death or serious injury.

I have asked the Congress repeatedly, for almost 2 years, to send me legislation that includes a limited exception for the small number of compelling cases where use of this procedure is necessary to avoid serious health consequences. When Governor of Arkansas, I signed a bill into law that barred third-trimester abortions, with an appropriate exception for life or health. I would do so again, but only if the bill contains an exception for the rare cases where a woman faces death or serious injury. I believe that Congress should work in a bipartisan manner to fashion such legislation.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 10, 1997.*

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal, and the message and bill will be printed as a House document.

□ 1815

Mr. CANADY of Florida. Mr. Speaker, I ask unanimous consent that the message of the President and the bill be referred to the Committee on the Judiciary.

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

Mr. SCOTT. Reserving the right to object, Mr. Speaker, I yield to the gentleman from Florida [Mr. CANADY] to explain his request.

Mr. CANADY of Florida. Mr. Speaker, I thank the gentleman for yielding to me. This unanimous-consent request would send the veto message of the President and the bill to the Committee on the Judiciary.

Mr. SCOTT. Further reserving the right to object, Mr. Speaker, considering that this bill was vetoed because it lacked a health exception, does the subcommittee chairman intend to process similar legislation which exempts from the bill's coverage cases where it is necessary to protect the health of the mother, which provision, of course, is necessary in order for the bill to meet constitutional muster so that we can actually have a bill?

Mr. CANADY of Florida. Mr. Speaker, if the gentleman will continue to yield, the legislation which the President has again vetoed seeks to ban the procedure known as partial-birth abortion. The procedure is performed several thousand times each year, primarily in the fifth and sixth months of pregnancy, on healthy babies of healthy mothers. To the victims of partial-birth abortion, this is no rhetorical campaign statement, as some have said. Instead, it is a means, partial-birth abortion is a means to a brutal death.

According to the American Medical Association, which supports H.R. 1122, partial-birth abortion is not an accepted medical practice. Hundreds of obstetricians and gynecologists and fetal maternal specialists, along with former Surgeon General C. Everett Koop have come forward to unequivocally state that partial-birth abortion is never medically necessary to protect the mother's health or her future fertility.

In fact, the procedure can significantly threaten a mother's health or ability to carry future children to term. In conclusion, the health exception sought by the President would be both unnecessary and dangerous. We want to enact a meaningful ban on partial-birth abortions that will protect innocent babies from a brutal death. That is exactly what the bill does. No changes in the bill are necessary.

Mr. SCOTT. Mr. Speaker, further reserving the right to object, since it is clear that the constitutionally required health exception will probably not be included and so that we can determine the effect of the motion to refer and because it would seem useless to have this bill just gathering dust in the Committee on the Judiciary until we engage in another futile political exercise during next year's campaign, I would ask the gentleman when we could expect a bill to be considered by the House?

Mr. CANADY of Florida. Mr. Speaker, again, if the gentleman will continue to yield, I reject certain premises contained in the gentleman's question. I believe that this bill is constitutional. It does not fall within the scope of Roe v. Wade. Roe v. Wade dealt with the status of the unborn child. I disagree with the court's decision in Roe v. Wade, but I do not believe that that decision covers the case of a partially born child. This is different in that regard.

I think it is clearly distinguishable from what the court dealt with in Roe v. Wade. On the question of timing, it would be the intention of the committee to bring this back to the floor for a vote on overriding the veto sometime next year before the conclusion of this Congress. We do not have a date established for action.

Mr. SCOTT. Further reserving the right to object, Mr. Speaker, I would just say that we disagree on the constitutionality of a bill without the health exception and several State bills very similar to this have been already thrown out just this year.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The SPEAKER pro tempore. The veto message and the bill will be referred to the Committee on the Judiciary.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2595

Mr. BERRY. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 2595.

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

There was no objection.

COAST GUARD AUTHORIZATION ACT OF 1997

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 265 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2204.

□ 1822

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. 2204) to authorize appropriations for fiscal years 1998 and 1999 for the Coast Guard, and for other purposes, with Mr. DICKEY 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 Maryland [Mr. GILCHREST] and the gentleman from Tennessee [Mr. CLEMENT], each will control 30 minutes.

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

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

Mr. Chairman, I rise in strong support of H.R. 2204. Before I discuss this bill, I would like to thank the distinguished chairman of the full committee, the gentleman from Pennsylvania [Mr. SHUSTER], our ranking minority member, the gentleman from Wisconsin [Mr. OBERSTAR], and the ranking minority member of the Subcommittee on Coast Guard and Maritime Transportation, the gentleman from Tennessee [Mr. CLEMENT], and their staff for their help and cooperation on this legislation. H.R. 2204 was developed in a bipartisan manner and deserves the support of all the Members.

The primary purpose of H.R. 2204 is to authorize funds for the United States Coast Guard for fiscal years 1998, 1999. Title I of this bill authorizes $3.9 billion for Coast Guard activities in fiscal year 1998 and $4 billion in fiscal year 1999. The fiscal year 1998 authorization contains an increase over the level requested by the President for the Coast Guard of approximately $97 million. These funds primarily support additional Coast Guard efforts to interdict illegal drugs before they reach the United States.

The fiscal year 1999 authorization contains additional funds for drug interdiction and for other Coast Guard

operating and acquisition costs. Specifically, this legislation includes approximately $2.79 billion in fiscal year 1998, and $2.85 billion in fiscal year 1999 for Coast Guard operating expenses, $401 million in fiscal year 1998, and $444 million in fiscal year 1999 for acquisition of vessels, aircraft and shore facilities, and $652 million in fiscal year 1998, and $692 million in fiscal year 1999 for Coast Guard retired pay.

I strongly support the increase in funds for drug interdiction because cuts in resources devoted to drug interdiction in the early 1990s have greatly hindered Coast Guard efforts to fight the war on drugs. The evidence is clear that effective drug interdiction raises the price of drugs driving use down especially among casual users.

A study released last January by the Institute on Defense Analysis confirmed this point. Interdiction is especially significant as we focus on ways to eliminate teenage drug use. We must mount an aggressive attack on drug smugglers if we intend to win the war on drugs. The funds authorized in this bill will restore cuts to the Coast Guard drug interdiction program and provide the level of drug interdiction we need to keep drugs from reaching the shores of the United States.

There are many things we as a Nation together can do to fight the drugs and to participate in the war on drugs. There is treatment programs, there is educational programs, there is a whole range of things that we can do. Interdiction is an important part, an important piece of that puzzle.

Title II of H.R. 2204 deals with several internal Coast Guard personnel management matters. Title III of the bill addresses issues related to navigation safety. This title amends the Ports and Waterways Safety Act and subtitle II of title XLVI, United States Code, by extending the territorial sea for these laws from 3 to 12 nautical miles from shore. These amendments will enhance the Coast Guard's ability to fully implement its port State control program and protect U.S. waters and substandard foreign vessels.

Title IV of the legislation contains several miscellaneous provisions, including enhancements to the Coast Guard vessel identification system, several Coast Guard property transfers, classification of financial responsibility requirements for oil spill response vessels and several specific wavers of the U.S. coastwise trade laws.

Finally, Mr. Chairman, as we go through the authorization of the Coast Guard, we would like, the gentleman from Tennessee [Mr. CLEMENT], and I, and the staff would like Members, when they think about the Coast Guard, to think about the Arctic Ocean at midnight in February in a driving storm, the Coast Guard is there.

Think of the environmental enforcement of our shores, our coastal waters and our inland seas, the Coast Guard is there. Think of the illegal immigrants enslaved in cargo ships by criminals from all around this globe intercepted by young Coast Guard men and women on the high rough seas in all kinds of weather.

Think about the protection of the coastal waters and the fisheries which provide an abundance of food for this United States. Think about the search and rescue missions that are taken throughout the entire year, day and night, winter and summer, calm seas and rough seas, that is what the Coast Guard does.

At the appropriate time, I will offer an en bloc amendment which makes several technical corrections and includes several noncontroversial amendments to the bill. I urge Members to support this legislation.

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

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

Mr. Chairman, I rise in strong support of H.R. 2204, the Coast Guard Authorization Act of 1997. Members on both sides of aisle support the Coast Guard in this very bipartisan bill. The Coast Guard is on the front lines every day saving lives and stopping drugs from entering our country. They are the lead agency in the clean up of oil spills and protect our fisheries within our 200-mile exclusive economic zone.

Mr. Chairman, these are not partisan issues. The gentleman from Maryland [Mr. GILCHREST], and I have worked closely with the gentleman from Pennsylvania [Mr. SHUSTER] and the ranking member, the gentleman from Wisconsin [Mr. OBERSTAR], to craft a bill that will meet the needs of the Coast Guard for fiscal year 1998.

H.R. 2204 authorizes approximately $3.9 billion for the Coast Guard for fiscal year 1998, including $2.8 billion for their operations, $401 million for acquisition and construction of new ships and facilities, $19.5 million for research and development and $21 million for environmental compliance and restoration at Coast Guard facilities.

□ 1830

The only difference between the amounts authorized in this bill and the budget proposed by the President is that we have added approximately $97 million for increased drug interdiction operations.

We have also worked closely with the administration to include much of its legislative program for this year, including extending the territorial sea from 3 miles to 12 miles.

We have also included a number of recommendations made by the maritime industry, such as prohibiting people from interfering with the safe operation of commercial vessels.

I urge all my colleagues to support H.R. 2204, the Coast Guard Authorization Act of 1997.

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

Mr. GILCHREST. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey [Mr. LOBIONDO].

Mr. LOBIONDO. Mr. Chairman, I would like to voice my strong support for H.R. 2204, the Coast Guard Authorization Act.

In addition to funding for critical drug interdiction activities, this bill contains a significant increase in the Coast Guard operating expense account. This boost will allow the Coast Guard to do their job more effectively.

In my district, Mr. Chairman, this will benefit the Coast Guard's training center in Cape May, which is the only recruit training center in our Nation. In addition, the completion of the new air station in Atlantic City will ensure better and faster search and rescue missions along the east coast.

I want to thank the Coast Guard for the important service that they are performing in southern New Jersey and throughout our Nation. Their small boat stations have been a great help to fishermen and recreational boaters. Their rapid response saved the lives of two Air National Guard pilots forced to eject into the Atlantic in a recent accident.

In general, Mr. Chairman, the Coast Guard personnel have proven to be very welcome members of the community in southern New Jersey and, in fact, throughout our Nation where the Coast Guard has a presence.

And I would like to, Mr. Chairman, in conclusion, congratulate and to thank the Coast Guard for the great job that they are doing in so many different ways. As the gentleman from Maryland has stated, they are putting their lives on the line day in and day out, very often without recognition, and I want to say how very proud we are of the great job that they are doing.

Mr. CLEMENT. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. JOHNSON.]

Mr. JOHNSON of Wisconsin. Mr. Chairman, I too join in support of this Coast Guard Authorization Act. As a Representative who lives and works on the Great Lakes, and as a member of the Subcommittee on Coast Guard and Maritime Transportation, I am pleased to see that this great investment in the Coast Guard is being made today not only with the full support of people here but the full support of a lot of people in our districts.

Every day, as has been noted before, the Coast Guard is patrolling our lakes and shores aiding navigation, performing search and rescue missions, protecting the coastal resources, and fighting drug trafficking.

The Coast Guard performs vital services for Great Lake States and across the Nation. And as a member of the Great Lakes States, and of particular importance to all of us who live along the coastline of the Great Lakes, the bill includes nearly $5 million in the fiscal year ahead for continued operation and maintenance of what is vital to our area and to the Great Lakes, the ice-breaking cutter, the *Mackinaw*.

For as long as I have been on this Earth, for some 54 years, the *Mackinaw*

has sailed the Great Lakes breaking ice so other ships may travel safely and bring goods in and out of the ports, including the port of Green Bay.

The bill also provides funding to explore future options to the now aging icebreaker *Mackinaw*, and I am pleased to see this endeavor take shape as we plan for the Coast Guard and with the Coast Guard for the years ahead.

Mr. Chairman, I look forward to the passage of this bill as we show our support not just for the Coast Guard in general but for the hard work of the men and women of the Coast Guard, and in particular the people in my district who build the great ships that they sail. As someone who has grown up on the Great Lakes, I can appreciate the work and the effort put in by the Coast Guard.

We have Coast Guard operations in Green Bay, Sturgeon Bay, Marinette, and Washington Island in my district, a district that contains one county that has more lighthouses than any other county in America. We know full well the work of the Coast Guard on the Great Lakes, but also wherever ships and wherever people are in trouble at sea, the Coast Guard is there. I ask for my colleagues support for the Coast Guard Authorization Act.

Mr. CLEMENT. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana [Mr. VISCLOSKY].

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

Mr. VISCLOSKY. Mr. Chairman, I rise to call my colleagues' attention to a potentially dangerous situation in southern Lake Michigan. Currently, there is only one air rescue helicopter serving the entire southern Lake Michigan region. Until 1995, that helicopter was located at the Coast Guard air station in Chicago at Glenview, IL. In 1995, the village of Glenview asked the Coast Guard to vacate Glenview's site and, subsequently, the Coast Guard moved the facility to Muskegon, MI.

While the justification for a move is clear, I take issue with the Coast Guard's choice for the location of a new facility. The new site is simply too far away from where the majority of boating activities and accidents occur in Lake Michigan. I believe safety should be the primary factor guiding where the helicopter air rescue station serving southern Lake Michigan should be situated.

The decision about where to base the Coast Guard's air rescue helicopter must consider public safety. The Coast Guard's SAR standard response time is 2 hours. It takes a helicopter centrally based in Michigan at least 80 minutes to reach the Chicago area. It is clear that 1 hour could mean the difference between life and death when boaters are in an emergency situation in Lake Michigan. Simple common sense dictates a response time of 15 to 20 minutes from a base on the southern end of the lake would be safer.

Other factors for which the Coast Guard did not account for are population and accident rates. According to July 1996 Census Bureau statistics, the population of counties bordering Lake Michigan in Indiana and Illinois is 6.4 million people. Michigan's shoreline population in the region is only 715,000. It stands to reason that the more populated areas of the Lake Michigan shoreline are at greater risk for boating accidents.

In addition, northwest Indiana's casino boats, which now carry thousands of people each year, and Chicago's dinner and sightseeing boats, which carry over 1 million passengers per year, accentuate the southern Lake Michigan region's need for a Coast Guard helicopter that can respond very quickly in emergencies.

Recent events have highlighted the need for a helicopter rescue team which can respond. Twenty-six people died in Lake Michigan between October 1, 1995, and October 1, 1996, compared with just 4 deaths in the previous year. Thirteen of those deaths were the result of boating and jet skiing accidents and occurred in lake waters between Gary, IN, and Waukegan, IL.

This is a serious problem and, for the sake of the tens of thousands of people along the southern shore of Lake Michigan who use the lake for recreational and commercial purposes, I would hope that this body and the administration would act to improve their safety, safety that has been seriously jeopardized since 1995.

I would simply add my thanks to the gentleman from Maryland [Mr. GILCHREST] for his earlier colloquy with the gentleman from Illinois [Mr. DAVIS] recognizing the situation we find ourselves in and his commitment, and I am sure the commitment of the gentleman from Tennessee [Mr. CLEMENT], to seek resources to make sure that the safety of everyone along that southern shore of Lake Michigan is protected.

Mr. GILCHREST. Mr. Chairman, I yield myself such time as I may consume, to advise that while we have no more speakers on our side, I do want to take just a few seconds to respond to this issue of the helicopter.

There are limited resources no matter where we go in this country. Each State has limited resources. Each county has limited resources. The Federal Government has limited resources. The Coast Guard has limited resources. So we try to spread those few limited resources to the areas that we think need to be served the most because of the dangers that have been associated with those areas.

The Coast Guard has chosen to move that helicopter. Now, we also recognize that the Coast Guard does a fine job working with State and county officials in all of these rescue missions, and that is what they are going to do. And I want to assure the people in the gentleman's area, I want to assure the people in the Great Lakes region, Lake Michigan, that the Coast Guard is there and they are continuing to work there and they are going to do the best job they can and they will continue to work with local hospitals, with local States, with local rescue missions with their helicopters that cover the area.

What we are going to do next year is to find out what areas the Coast Guard is lacking, where they are underfunded because of increased responsibilities and make those corrections. So I assure the gentleman from Indiana that we are going to pursue this issue with all our effort.

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

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

Mr. VISCLOSKY. Mr. Chairman, I just wish to thank the gentleman very, very much.

Mr. CLEMENT. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. BLAGOJEVICH].

Mr. BLAGOJEVICH. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, last year, to reiterate what the gentleman from Indiana [Mr. VISCLOSKY] said moments ago, last year almost seven times more people died on the southern side of Lake Michigan, or the connecting rivers around the Chicago, IL, Gary, IN, area than in the previous year.

And while the remarks of the previous speaker are certainly correct, there are limited resources in today's environment, and there are certainly a tremendous amount of needs, oftentimes competing needs. I would simply argue that when we consider the urgency on the southern side of Lake Michigan, there are compelling arguments and compelling reasons for the Coast Guard to consider sending another search and rescue helicopter to the area that serves southern Lake Michigan.

Because presently there is only one Coast Guard search and rescue helicopter which serves the needs of southern Lake Michigan, and the needs for that particular area are compelling. The population of counties bordering Lake Michigan in Indiana and Illinois is 6.4 million people.

Northwest Indiana, every year, has four casino boats that carry thousands of people on any given day. Chicago's dinner and sightseeing boats carry over 1 million passengers every year. There are more than 5,000 boats which harbor in Chicago. Every day over 1,000 flights, every day over 1,000 flights come in and out of Chicago's three airports in their final descent over Lake Michigan. Chicago O'Hare happens to be among the busiest airports in the world.

Chicago fire and police department marine units are gravely concerned, they have expressed this publicly, about their emergency response capability if a plane were to crash into

Lake Michigan. On an average day in the summer there are roughly 2,000 boats in the water along the 70 miles of shoreline between Gary, IN, and Waukegan, IL.

There are, on average, 10 to 20 Coast Guard search and rescue boats which cover Gary, IN, north to Waukegan, IL. These are missions routinely done, yet again we only have one search and rescue helicopter serving that area.

Mr. Chairman, the gentleman from Indiana [Mr. VISCLOSKY], the gentleman from Illinois [Mr. LIPINSKI], and myself have requested the GAO to prepare an independent assessment to determine which location best protects the safety of those who live and recreate in this area of southern Lake Michigan. I would hope that this study will strongly consider factors such as population and the number of accidents which occur along the Chicago and Gary shoreline.

This is about saving lives and not about saving money, and I am hopeful and confident that the GAO and the appropriators will consider these factors.

Mr. CRANE. Mr. Chairman, I rise to speak today, not on a matter that was addressed by H.R. 2204, the Coast Guard Authorization Act, but on one that was not addressed but should have been. Specifically, I refer to the ill-advised relocation, by the U.S. Coast Guard [USCG], of its helicopter rescue unit from Glenview, IL, to Muskegon, MI.

The effect of that move, which was prompted by the decision to close the Glenview Naval Air Station, has been to increase, by about 30 minutes, the time it takes for a Coast Guard air rescue helicopter to reach the Chicago lakefront in the case of an emergency. Moreover, that rescue helicopter is now 15–20 minutes further removed from the area north of Chicago, an area featuring over 60 lakes and one of America's most popular recreational waterways, not to mention miles of Lake Michigan shoreline often frequented by boating enthusiasts. As a matter of fact, over 25,000 boating permits have been issued in the Fox River-Chain o' Lakes area of northeastern Illinois alone.

Mr. Chairman, the significance of these figures is this. Thousands of people boating near, or flying over, one of the most heavily populated areas of America are at greater risk than they were a year ago. Not only is the USCG's rescue helicopter further away, but it can operate anywhere over lake Michigan whereas the local policy boats and fire department helicopters usually stay within 4 miles of shore. Also, there are two other considerations. First, whenever the USCG helicopter does come down to the Chicago area for a search and rescue mission, it cannot remain aloft as long as it did previously before it has to refuel. Second, the USCG personnel manning that helicopter have more specialized training and equipment than do the dedicated people who operate local police boats and rescue helicopters.

Since any one of these considerations could delay or otherwise compromise efforts to rescue people from the waters of lower Lake Michigan, the Fox River, the Chain o' Lakes, and/or the other lakes that dot northeastern Illinois and southeastern Wisconsin, I think you can understand why so many people in or near that area are concerned about the basing of this USCG helicopter rescue unit. To them, that unit represents the margin between life and death in the event of a serious boating or airplane accident, the potential for which has become increasingly apparent lately.

During the past year, no less than 26 people have died in those waters compared to four the year before. Nine of those fatalities resulted from airplane crashes over Lake Michigan, a sobering indication of what could happen if a commercial jet headed to or from either O'Hare Airport or Midway were to suffer a similar fate. In such a circumstance, we would want all available rescue resources on the scene as soon as possible, just as we would in the event a sightseeing boat were to sink or an aircraft were to disappear. But, so long as the USCG's helicopter rescue unit continues to be based in a more thinly populated area across the lake 85 miles from Waukegan, one of those resources—that unit—may not be able to arrive in a timely fashion.

For that reason, I would like to see that concern dealt with before too much more time elapses and we suddenly find ourselves confronted with a tragedy. To my way of thinking, there are two sure ways in which it could be addressed. One would be to relocate the USCG helicopter unit presently based in Muskegon back to the southwestern shore of Lake Michigan, preferably at a site in Lake County, IL. The other would be to create a new unit and base it at a site on or near that same stretch of shore. By mentioning these options, I do not mean to suggest the absence of other alternatives, such as Meigs Field in downtown Chicago. Instead, my intent is to underscore the availability of viable options, to emphasize the need to bring the best of them to the fore as soon as possible, and to express the hope that, before H.R. 2204 is sent to the President for his consideration, progress will have been made to that end.

Mr. BILIRAKIS. Mr. Chairman, as we debate H.R. 2204, the Coast Guard Reauthorization Act, I want to highlight a very important program administered by the Coast Guard. I am referring to the Coast Guard's ports and waterways safety system [PAWSS], a new follow-on program for the vessel traffic service [VTS] 2000 project which was terminated in October 1996.

The primary purpose of a vessel traffic service is to ensure the safety of vessel traffic in U.S. ports and waterways. This program saves lives, protects property and protects the marine environment by giving mariners timely, accurate, and relevant information to avoid groundings and collisions. The Coast Guard currently operates several vessel traffic services in major port areas with much success and support.

The PAWSS Program is an important next step to assure the safety and efficiency of the Nation's ports and inland waterways.

My interest in the VTS began when on August 10, 1993, a collision occurred in a navigation channel outside the entrance to Tampa Bay between two tug/barges and a 357-foot freighter. This accident resulted in a thunderous explosion that shot a fireball hundreds of feet into the air.

In addition, approximately 380,000 gallons of oil spilled into the Gulf of Mexico. The cost of the clean-up of this spill was enormous, not to mention the damage to the environment.

This is not the first accident to occur at the mouth of Tampa Bay. In May 1980, a freighter, traveling through dense fog, ran into the Sunshine Skyward Bridge causing one of its spans to collapse. Some 40 people were killed. Had the VTS been in place prior to these incidences, these disasters could have been avoided. Today, the port of Tampa Bay is still without a VTS system.

The VTS represents a cost-effective answer to the prevention of these types of environmental disasters. The 1993 accident resulted in over $100 million in economic penalties and pollution cleanup costs. Nationally, the cost of cleaning up accidents such as the 1993 oil spill could easily outpace the cost of operating a VTS program.

Over 2 billion tons of cargo move in and out of all U.S. ports each year. Almost half of this total consists of petroleum products, which pose environmental hazards. Increased use of waterways by passenger and recreational vessels only increases the risk of serious accidents on our Nation's waterways.

Mr. Chairman, I urge my colleagues to support the Coast Guard's port and waterways safety systems.

Mr. LIPINSKI. Mr. Chairman, during consideration today of H.R. 2204, the Coast Guard Authorization Act, Members spoke on the floor about a need for a study to determine the best location for the seasonal Coast Guard air search and rescue facility for Southern Lake Michigan. There is some controversy surrounding the recent relocation of the facility from just north of Chicago to Muskegon, MI. I would like to take this opportunity to enter into the record a letter from my good friend, Chicago Alderman Ed Burke, on this subject. In his letter, he refers to a recent article from the Chicago Sun-Times, which I would also like to include in the record.

I encourage my colleagues to consider Alderman Burke's comments in the context of today's debate.

CITY OF CHICAGO,
COMMITTEE ON FINANCE,
Chicago, IL, September 22, 1997.

Hon. WILLIAM O. LIPINSKI,
Longworth House Office Building,
Washington, DC.

DEAR CONGRESSMAN LIPINSKI: The Chicago Sun-Times recently published an article which reported a steep increase in the number of deaths in southern Lake Michigan or connecting rivers over the past year.

I have enclosed for your perusal a letter that I have forwarded to Rear Admiral J.F. McGowan of the United States Coast Guard, detailing my continuing and growing concerns regarding the controversial relocation of an emergency helicopter unit to Muskegon, Michigan.

Any assistance that you could provide in helping to convince the U.S. Coast Guard to restore the ''rescue'' helicopter unit to a site closer to the Chicago Metropolitan Area would be greatly appreciated.

Yours truly,

EDWARD M. BURKE,
Chairman.

CITY OF CHICAGO,
COMMITTEE ON FINANCE,
Chicago, IL, September 16, 1997.

J.F. MCGOWAN,
Rear Admiral, U.S. Coast Guard, Commander,
Ninth Coast Guard District, Cleveland, OH.

DEAR REAR ADMIRAL MCGOWAN: Enclosed please find a copy of a recent article from the Chicago Sun-Times, which reports that almost ''seven times more people have died in Lake Michigan or connecting rivers'' since October 1, 1996.

According to the U.S. Coast Guard, twenty-six people have died in southern Lake Michigan, compared with just four people during the previous fiscal year, the article states. I hope you would agree that this sharp increase in fatalities is completely unacceptable. I also cannot help but observe that these statistics skyrocketed after the U.S. Coast Guard's decision to relocate its ''rescue'' helicopter unit more than 100 nautical miles away from Chicago in Muskegon, Michigan.

Therefore, I must request that you provide an explanation as to why this ''rescue'' helicopter continues to remain in Michigan while the number of deaths continue to spiral upward in the Greater Chicago Metropolitan Area and Southern Indiana.

In light of these troubling statistics, I also wish to inquire whether the U.S. Coast Guard plans to reconsider its controversial decision made last year to relocate this ''rescue'' helicopter unit.

Your prompt attention to this matter would be appreciated.

Yours truly,

EDWARD M. BURKE,
Chairman.

[From the Chicago Sun Times, Sept. 9, 1997]

LAKE MICHIGAN DEATHS UP SHARPLY THIS YEAR

(By Phillip J. O'Connor)

Almost seven times more people have died in Lake Michigan or connecting rivers since Oct. 1 than in the previous year, the Coast Guard said Monday.

Twenty-six people have died since Oct. 1, compared with just four during the previous fiscal year, said Chief Scott Kirwen, acting commander of the Coast Guard's South Chicago station, which directs all agency rescues here. ''This was an extremely high year for some reason.''

Nine people died in plane crashes, including seven killed in the collision of two planes over the lake near 55th Street on July 26. Two others were killed Feb. 20 and when a plane crashed near Waukegan.

Four people died when they jumped off bridges into rivers. Eleven deaths involved boating, and two people died in jet skiing accidents.

The 26 deaths occurred in the area covered by the Coast Guard here, stretching from Indiana Harbor in Whiting, Ind., to the middle of the lake, to north of Waukegan.

Kirwen said he doubted that moving the Coast Guard's helicopter rescue unit from the former Glenview Naval Air Training Station to Muskegon, Mich., last year would have made any difference.

''A Chicago Fire Department helicopter responded in most of these cases,'' he said. ''By the time the Coast Guard is notified, the people have already disappeared under the surface of the water.''

Some authorities and legislators have contended that moving the unit out of the Chicago area cut the safety margin for lake boaters, sailors and swimmers. It takes twice as long for a helicopter based in Muskegon to reach boaters off Chicago's lakefront and the North Shore.

Kirwen said that only two of the people who died—fishermen found drowned in April after a fishing trip off Hammond—were wearing life jackets. Nationally, nearly nine out of 10 drowning victims were not wearing life jackets, Kirwen said.

Life jackets can protect against hypothermia because they allow a person to float without expending energy, Kirwen said.

The Coast Guard uses a 50-50-50 rule in promoting use of life jackets. ''If a person is in 50-degree water for 50 minutes, they have a 50 percent better chance to survive if they are wearing a life jacket,'' Kirwen said.

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

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill is considered as an original bill for the purposes of amendment and is considered read.

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

H.R. 2204

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 ''Coast Guard Authorization Act of 1997''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—AUTHORIZATION

Sec. 101. Authorization of appropriations.
Sec. 102. Authorized levels of military strength and training.

TITLE II—COAST GUARD MANAGEMENT

Sec. 201. Removal of cap on warrant officer severance pay.
Sec. 202. Authority to implement awards programs.

TITLE III—MARINE SAFETY

Sec. 301. Extension of territorial sea for certain laws.
Sec. 302. Penalties for interfering with the safe operation of a vessel.

TITLE IV—MISCELLANEOUS

Sec. 401. Vessel identification system amendments.
Sec. 402. Conveyance of Coast Guard Reserve training facility, Jacksonville, Florida.
Sec. 403. Documentation of certain vessels.
Sec. 404. Conveyance of Coast Guard facility in Nahant, Massachusetts.
Sec. 405. Unreasonable obstruction to navigation.
Sec. 406. Financial responsibility for oil spill response vessels.
Sec. 407. Conveyance of Coast Guard property to Jacksonville University in Jacksonville, Florida.
Sec. 408. Penalty for violation of international safety convention.
Sec. 409. Coast Guard City, USA.
Sec. 410. Conveyance of Communication Station, Boston Marshfield Receiver Site, Massachusetts.

TITLE I—AUTHORIZATION

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are authorized to be appropriated for necessary expenses of the Coast Guard, as follows:

(1) For the operation and maintenance of the Coast Guard—

(A) for fiscal year 1998, $2,790,700,000; and

(B) for fiscal year 1999, $2,854,700,000; of which $25,000,000 shall be derived each fiscal year from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990.

(2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, shore and offshore facilities, vessels, and aircraft, including equipment related thereto—

(A) for fiscal year 1998, $401,000,000, of which $2,000,000 shall be made available for concept evaluation for a replacement vessel for the Coast Guard icebreaker MACKINAW, which concept evaluation shall be transmitted to the Congress not later than April 1, 1998; and

(B) for fiscal year 1999, $440,000,000;

to remain available until expended, of which $20,000,000 shall be derived each fiscal year from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990.

(3) For research, development, test, and evaluation of technologies, materials, and human factors directly relating to improving the performance of the Coast Guard's mission in support of search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness—

(A) for fiscal year 1998, $19,500,000; and

(B) for fiscal year 1999, $19,000,000;

to remain available until expended, of which $1,000,000 may be made available in fiscal year 1998 for fuel cell research, and of which $3,500,000 shall be derived each fiscal year from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990.

(4) For retired pay (including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose), payments under the Retired Serviceman's Family Protection and Survivor Benefit Plans, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code—

(A) for fiscal year 1998, $652,000,000; and

(B) for fiscal year 1999, $692,000,000.

(5) For alteration or removal of bridges over navigable waters of the United States constituting obstructions to navigation, and for personnel and administrative costs associated with the Bridge Alteration Program—

(A) for fiscal year 1998, $17,300,000; and

(B) for fiscal year 1999, $20,000,000,

to remain available until expended.

(6) For environmental compliance and restoration at Coast Guard facilities (other than parts and equipment associated with operations and maintenance), $21,000,000 for each of fiscal years 1998 and 1999, to remain available until expended.

SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.

(a) ACTIVE DUTY STRENGTH.—The Coast Guard is authorized an end-of-year strength for active duty personnel of—

(1) 37,944 as of September 30, 1998; and

(2) 38,038 as of September 30, 1999.

(b) MILITARY TRAINING STUDENT LOADS.—The Coast Guard is authorized average military training student loads as follows:

(1) For recruit and special training—

(A) for fiscal year 1998, 1,424 student years; and

(B) for fiscal year 1999, 1,424 student years.

(2) For flight training—

(A) for fiscal year 1998, 98 student years; and

(B) for fiscal year 1999, 98 student years.

(3) For professional training in military and civilian institutions—

(A) for fiscal year 1998, 283 student years; and

(B) for fiscal year 1999, 283 student years.

(4) For officer acquisition—

(A) for fiscal year 1998, 814 student years; and

(B) for fiscal year 1999, 810 student years.

TITLE II—COAST GUARD MANAGEMENT

SEC. 201. REMOVAL OF CAP ON WARRANT OFFICER SEVERANCE PAY.

Section 286a(d) of title 14, United States Code, is amended by striking the last sentence.

SEC. 202. AUTHORITY TO IMPLEMENT AWARDS PROGRAMS.

Section 93 of title 14, United States Code, is amended—

(1) in paragraph (s), by striking the comma at the end and inserting a semicolon;

(2) in paragraph (t), by redesignating subparagraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(3) by redesignating paragraphs (a) through (v) in order as paragraphs (1) through (21);

(4) by redesignating the existing text (as so amended) as subsection (a); and

(5) by adding at the end the following new subsection:

''(b) The Commandant may provide for the honorary recognition of individuals and organizations, including State and local governments and commercial and nonprofit organizations, that significantly contribute to Coast Guard programs, missions, or operations, by awarding plaques, medals, trophies, badges, and similar items to acknowledge that contribution.''.

TITLE III—MARINE SAFETY

SEC. 301. EXTENSION OF TERRITORIAL SEA FOR CERTAIN LAWS.

(a) PORTS AND WATERWAYS SAFETY ACT.—Section 3 of the Ports and Waterways Safety Act (33 U.S.C. 1222) is amended by adding at the end the following:

''(5) 'Navigable waters of the United States' includes all waters of the territorial sea of the United States as described in Presidential Proclamation 5928 of December 27, 1988.''.

(b) TITLE 46, UNITED STATES CODE.—Subtitle II of title 46, United States Code, is amended as follows:

(1) In section 2101—

(A) by redesignating paragraph (17a) as paragraph (17b); and

(B) by inserting after paragraph (17) the following:

''(17a) 'navigable waters of the United States' includes all waters of the territorial sea of the United States as described in Presidential Proclamation 5928 of December 27, 1988.''.

(2) In section 2301, by inserting ''(including the territorial sea of the United States as described in Presidential Proclamation 5928 of December 27, 1988)'' after ''of the United States''.

(3) In section 4102(e), by striking ''on the high seas'' and inserting ''beyond 3 nautical miles from the baseline from which the territorial sea of the United States is measured''.

(4) In section 4301(a), by inserting ''(including the territorial sea of the United States as described in Presidential Proclamation 5928 of December 27, 1988)'' after ''of the United States''.

(5) In section 4502(a)(7), by striking ''on vessels that operate on the high seas'' and inserting ''beyond 3 nautical miles from the baseline from which the territorial sea of the United States is measured''.

(6) In section 4506(b), by striking paragraph (2) and inserting the following:

''(2) is operating—

''(A) in internal waters of the United States, or

''(B) within 3 nautical miles from the baseline from which the territorial sea of the United States is measured.''.

(7) In section 8502(a)(3), by striking ''not on the high seas'' and inserting: ''not beyond 3 nautical miles from the baseline from which the territorial sea of the United States is measured''.

(8) In section 8503(a), by striking paragraph (2) and inserting the following:

''(2) is operating—

''(A) in internal waters of the United States, or

''(B) within 3 nautical miles from the baseline from which the territorial sea of the United States is measured.''.

SEC. 302. PENALTIES FOR INTERFERING WITH THE SAFE OPERATION OF A VESSEL.

(a) IN GENERAL.—Section 2302 of title 46, United States Code, is amended—

(1) by amending the section heading to read as follows:

''§ 2302. Penalties for negligent operations and interfering with safe operation'';

and

(2) in subsection (a) by striking ''that endangers'' and inserting ''or interfering with the safe operation of a vessel, so as to endanger''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 23 of title 46, United States Code, is amended by striking the item relating to section 2302 and inserting the following:

''2302. Penalties for negligent operations and interfering with safe operation.''.

TITLE IV—MISCELLANEOUS

SEC. 401. VESSEL IDENTIFICATION SYSTEM AMENDMENTS.

Title 46, United States Code, is amended—

(1) in section 12102(a), by striking ''or is not titled in a State'';

(2) in section 12301, by adding at the end the following:

''(c) A documented vessel shall not be titled or required to display numbers under this chapter by a State, and any certificate of title issued by a State for a documented vessel shall be surrendered in accordance with regulations prescribed by the Secretary.

''(d) The Secretary may approve the surrender under subsection (c) of a certificate of title covered by a preferred mortgage under section 31322(d) of this title only if the mortgagee consents.'';

(3) in section 31322—

(A) by amending subsection (b) to read as follows:

''(b) Any indebtedness secured by a preferred mortgage that is filed or recorded under this chapter, or that is subject to a mortgage or instrument that is deemed to be a preferred mortgage under subsection (d) of this section, may have any rate of interest to which the parties agree.''; and

(B) in subsection (d), by amending paragraph (3) to read as follows:

''(3) A preferred mortgage under this subsection continues to be a preferred mortgage even if the vessel is no longer titled in the State where the mortgage or instrument granting a security interest became a preferred mortgage under this subsection.''; and

(4) in section 31325—

(A) in subsection (b)(1), by inserting ''a vessel titled in a State,'' after ''a vessel to be documented under chapter 121 of this title,'';

(B) in subsection (b)(3), by inserting ''a vessel titled in a State,'' after ''a vessel for which an application for documentation is filed under chapter 121 of this title,''; and

(C) in subsection (c), by inserting ''a vessel titled in a State,'' after ''a vessel to be documented under chapter 121 of this title,''.

SEC. 402. CONVEYANCE OF COAST GUARD RESERVE TRAINING FACILITY, JACKSONVILLE, FLORIDA.

(a) IN GENERAL.—Notwithstanding any other provision of law—

(1) the land and improvements thereto comprising the Coast Guard Reserve training facility in Jacksonville, Florida, is deemed to be surplus property; and

(2) the Commandant of the Coast Guard shall dispose of all right, title, and interest of the United States in and to that property, by sale, at fair market value.

(b) RIGHT OF FIRST REFUSAL.—Before a sale is made under subsection (a) to any other person, the Commandant of the Coast Guard shall give to the city of Jacksonville, Florida, the right of first refusal to purchase all or any part of the property required to be sold under that subsection.

SEC. 403. DOCUMENTATION OF CERTAIN VESSELS.

(a) GENERAL WAIVER.—Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), section 8 of the Act of June 19, 1886 (46 App. U.S.C. 289), and sections 12106 and 12108 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for each of the following vessels:

(1) SEAGULL (United States official number 1038605).

(2) BAREFOOT CONTESA (United States official number 285410).

(3) PRECIOUS METAL (United States official number 596316).

(4) BLUE HAWAII (State of Florida registration number FL0466KC).

(5) SOUTHERN STAR (United States official number 650774).

(6) KEEWAYDIN (United States official number 662066).

(7) W.G. JACKSON (United States official number 1047199).

(8) The vessel known as hopper barge E–15 (North Carolina State official number 264959).

(9) MIGHTY JOHN III (formerly the NIAGARA QUEEN, Canadian registration number 318746).

(10) MAR Y PAZ (United States official number 668179).

(11) SAMAKEE (State of New York registration number NY 4108 FK).

(12) NAWNSENSE (United States official number 977593).

(b) OWNERSHIP OF VESSEL PHILADELPHIA.—Notwithstanding section 2 of the Shipping Act, 1916 (46 App. U.S.C. 802, 803) and section 12102(a)(4) of title 46, United States Code, the parent corporation of the corporation holding title to the vessel PHILADELPHIA (United States official number 654192) on May 3, 1995, is deemed on that date and thereafter to be a citizen of the United States for purposes of owning corporations whose vessels are eligible for documentation under chapter 121 of title 46, United States Code, with a coastwise endorsement, if—

(1) the chief executive officer of the parent corporation is a citizen of the United States;

(2) the chairman of the board of directors of the parent corporation is a citizen of the United States, and the number of its directors who are noncitizens does not exceed a minority of the number necessary to constitute a quorum;

(3) the parent corporation meets the stock ownership requirements of section 2 of the Shipping Act, 1916, for operating a vessel in the coastwise trade;

(4) the corporation holding title is otherwise eligible to own a vessel operated in the coastwise trade; and

(5) the vessel is otherwise eligible to be operated in the coastwise trade.

(c) SUNMAR SKY.—Section 1120(g) of the Coast Guard Authorization Act of 1996 (Public Law 104–324; 110 Stat. 3978) is amended by inserting ''SUNMAR SKY (United States official number 683227),'' after ''vessels''.

SEC. 404. CONVEYANCE OF COAST GUARD FACILITY IN NAHANT, MASSACHUSETTS.

(a) AUTHORITY TO CONVEY.—

(1) IN GENERAL.—The Secretary of Transportation may convey, by an appropriate means of conveyance, all right, title, and interest of the United States in and to the property comprising United States Coast Guard Recreation Facility Nahant, Massachusetts, to the town of Nahant, Massachusetts.

(2) IDENTIFICATION OF PROPERTY.—The Secretary may identify, describe, and determine the property to be conveyed under this section.

(b) TERMS AND CONDITIONS.—Any conveyance of property under this section shall be made—

(1) without payment of consideration; and

(2) subject to the terms and conditions the Secretary considers appropriate.

SEC. 405. UNREASONABLE OBSTRUCTION TO NAVIGATION.

Notwithstanding any other provision of law, the liftbridge over the back channel of the Schuylkill River in Philadelphia, Pennsylvania, is deemed to unreasonably obstruct navigation for purposes of the Act entitled ''An Act to provide for the alteration of certain bridges over navigable waters of the United States, for the apportionment of the cost of such alterations between the United States and the owners of such bridges, and for other purposes'', approved June 21, 1940 (chapter 409; 33 U.S.C. 511–523), popularly known as the ''Hobbs Bridge Act'' and the ''Truman-Hobbs Bridge Act''.

SEC. 406. FINANCIAL RESPONSIBILITY FOR OIL SPILL RESPONSE VESSELS.

Section 1004(a)(2) of the Oil Pollution Act of 1990 (33 U.S.C. 2704(a)(2)) is amended by inserting ''including a vessel responding to a discharge of substantial threat of a discharge of oil,'' after ''vessel,''.

SEC. 407. CONVEYANCE OF COAST GUARD PROPERTY TO JACKSONVILLE UNIVERSITY IN JACKSONVILLE, FLORIDA.

(a) AUTHORITY TO CONVEY.—

(1) IN GENERAL.—The Secretary of Transportation may convey to Jacksonville University, located in Jacksonville, Florida, without consideration, all right, title, and interest of the United States in and to the property comprising the Long Branch Rear Range Light, Jacksonville, Florida.

(2) IDENTIFICATION OF PROPERTY.—The Secretary may identify, describe, and determine the property to be conveyed under this section.

(b) TERMS AND CONDITIONS.—Any conveyance of any property under this section shall be made—

(1) subject to the terms and conditions the Commandant may consider appropriate; and

(2) subject to the condition that all right, title, and interest in and to property conveyed shall immediately revert to the United States if the property, or any part thereof, ceases to be used by Jacksonville University.

SEC. 408. PENALTY FOR VIOLATION OF INTERNATIONAL SAFETY CONVENTION.

(a) IN GENERAL.—Section 2302 of title 46, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) A vessel may not transport cargoes sponsored by the United States Government if—

''(A) the vessel has been detained by the Secretary for violation of an international safety convention to which the United States is a party, and the Secretary has published notice of that detention in an electronic form, including the name of the owner of the vessel; or

''(B) the owner of the vessel has had more than one vessel detained by the Secretary for violation of an international safety convention to which the United States is a party, and the Secretary has published notice of that detention in an electronic form, including the name of the owner of the vessel.

''(2) The prohibition in paragraph (1) expires for a vessel 1 year after the date of the publication in electronic form on which the prohibition is based.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect January 1, 1998.

SEC. 409. COAST GUARD CITY, USA.

The community of Grand Haven, Michigan, shall be recognized as ''Coast Guard City, USA''.

SEC. 410. CONVEYANCE OF COMMUNICATION STATION BOSTON MARSHFIELD RECEIVER SITE, MASSACHUSETTS.

(a) AUTHORITY TO CONVEY.—

(1) IN GENERAL.—The Secretary of Transportation may convey, by an appropriate means of conveyance, all right, title, and interest of the United States in and to the Coast Guard Communication Station Boston Marshfield Receiver Site, Massachusetts, to the Town of Marshfield, Massachusetts.

(2) LIMITATION.—The Secretary shall not convey under this section the land on which is situated the communications tower and the microwave building facility of that station.

(3) IDENTIFICATION OF PROPERTY.—(A) The Secretary may identify, describe, and determine the property to be conveyed to the Town under this section.

(B) The Secretary shall determine the exact acreage and legal description of the property to be conveyed under this section by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Town.

(b) TERMS AND CONDITIONS.—Any conveyance of property under this section shall be made—

(1) without payment of consideration; and

(2) subject to the following terms and conditions:

(A) The Secretary may reserve utility, access, and any other appropriate easements on the property conveyed for the purpose of operating, maintaining, and protecting the communications tower and the microwave building facility.

(B) The Town and its successors and assigns shall, at their own cost and expense, maintain the property conveyed under this section in a proper, substantial, and workmanlike manner as necessary to ensure the operation, maintenance, and protection of the communications tower and the microwave building facility.

(C) Any other terms and conditions the Secretary considers appropriate to protect the interests of the United States.

The CHAIRMAN. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a demand for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

Are there any amendments to the bill?

AMENDMENTS OFFERED BY MR. GILCHREST

Mr. GILCHREST. Mr. Chairman, I offer several amendments.

The Clerk read as follows:

Amendments offered by Mr. GILCHREST:

Page 4, beginning at line 9, strike ''of which'' and all that follows through ''research, and'' at line 11.

Page 10, before line 20, insert the following new section (and conform the table of contents in section 2 accordingly):

SEC. 303. GREAT LAKES PILOTAGE ADVISORY COMMITTEE.

Section 9307 of title 46, United States Code, is amended to read as follows:

''§ 9307. Great Lakes Pilotage Advisory Committee

''(a) The Secretary shall establish a Great Lakes Pilotage Advisory Committee. The Committee—

''(1) may review proposed Great Lakes Pilotage regulations and policies and make recommendations to the Secretary that the Committee considers appropriate;

''(2) may advise, consult with, report to, and make recommendations to the Secretary on matters relating to Great Lakes pilotage;

''(3) may make available to the Congress recommendations that the Committee makes to the Secretary; and

''(4) shall meet at the call of—

''(A) the Secretary, who shall call such a meeting at least once during each calendar year; or

''(B) a majority of the Committee.

''(b)(1) The Committee shall consist of 7 members appointed by the Secretary in accordance with this subsection, each of whom has at least 5 years practical experience in maritime operations. The term of each member is for a period of not more than 5 years, specified by the Secretary. Before filling a position on the Committee, the Secretary shall publish a notice in the Federal Register soliciting nominations for membership on the Committee.

''(2) The membership of the Committee shall include—

''(A) 3 members who are practicing Great Lakes pilots and who reflect a regional balance;

''(B) 1 member representing the interests of vessel operators that contract for Great Lakes pilotage services;

''(C) 1 member representing the interests of Great Lakes ports;

''(D) 1 member representing the interests of shippers whose cargoes are transported through Great Lakes ports; and

''(E) 1 member representing the interests of the general public, who is an independent expert on the Great Lakes maritime industry.

''(c)(1) The Committee shall elect one of its members as the Chairman and one of its members as the Vice Chairman. The Vice Chairman shall act as Chairman in the absence or incapacity of the Chairman, or in the event of a vacancy in the office of the Chairman.

''(2) The Secretary shall, and any other interested agency may, designate a representative to participate as an observer with the Committee. The representatives shall, as appropriate, report to and advise the Committee on matters relating to Great Lakes pilotage. The Secretary's designated representative shall act as the executive secretary of the Committee and shall perform the duties set forth in section 10(c) of the Federal Advisory Committee Act (5 App. U.S.C.).

''(d)(1) The Secretary shall, whenever practicable, consult with the Committee before taking any significant action relating to Great Lakes pilotage.

''(2) The Secretary shall consider the information, advice, and recommendations of the Committee in formulating policy regarding matters affecting Great Lakes pilotage.

''(e)(1) A member of the Committee, when attending meetings of the Committee or when otherwise engaged in the business of the Committee, is entitled to receive—

''(A) compensation at a rate fixed by the Secretary, not exceeding the daily equivalent of the current rate of basic pay in effect for GS–18 of the General Schedule under section 5332 of title 5 including travel time; and

''(B) travel or transportation expenses under section 5703 of title 5.

''(2) A member of the Committee shall not be considered to be an officer or employee of the United States for any purpose based on their receipt of any payment under this subsection.

''(f)(1) The Federal Advisory Committee Act (5 U.S.C. App.) applies to the Committee, except that the Committee terminates on September 30, 2003.

''(2) 2 years before the termination date set forth in paragraph (1) of this subsection, the Committee shall submit to the Congress its recommendation regarding whether the Committee should be renewed and continued beyond the termination date.''.

Page 11, line 3, insert ''by a State'' after ''titled''.

Page 11, line 4, strike ''by a State''.

Page 11, strike lines 17 through 19, and insert the following:

to a mortgage, security agreement, or instrument granting a security interest that is deemed to be a preferred mortgage under subsection (d) of this section, may have any rate of interest to which the parties agree.'';

Page 11, after line 19, insert the following:

(B) in subsection (d)(1), by striking ''mortgage or instrument'' each place it appears and inserting ''mortgage, security agreement, or instrument'';

(C) in subsection (d)(2), by striking ''mortgages or instruments'' and inserting ''mortgages, security agreements, or instruments''; and

Page 11, line 20, strike ''(B)'' and insert ''(D)''.

Page 11, line 24, insert '', security agreement,'' after ''mortgage''.

Page 14, after line 15, insert the following new paragraphs:

(13) ELMO (State of Florida registration number FL5337BG).

(14) MANA-WANUI (United States official number 286657).

(15) OLD JOE (formerly TEMPTRESS; United States official number 991150).

(16) M/V BAHAMA PRIDE (United States official number 588647).

(17) WINDWISP (United States official number 571621).

(18) SOUTHLAND (United States official number 639705).

(19) FJORDING (United States official number 594363).

(20) M/V SAND ISLAND (United States official number 542918).

(21) PACIFIC MONARCH (United States official number 557467).

(22) FLAME (United States official number 279363).

(23) DULARGE (United States official number 653762).

Page 15, after line 19, insert the following new subsections:

(d) DOCUMENTATION OF THE VESSEL PRINCE NOVA.—

(1) DOCUMENTATION AUTHORIZED.—Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), section 8 of the Act of June 19, 1886 (46 App. U.S.C. 289), and section 12106 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel PRINCE NOVA (Canadian registration number 320804).

(2) EXPIRATION OF CERTIFICATE.—A certificate of documentation issued for the vessel under paragraph (1) shall expire unless—

(A) the vessel undergoes conversion, reconstruction, repair, rebuilding, or retrofitting in a shipyard located in the United States;

(B) the cost of that conversion, reconstruction, repair, rebuilding, or retrofitting is not less than the greater of—

(i) three times the purchase value of the vessel before the conversion, reconstruction, repair, rebuilding, or retrofitting; or

(ii) $4,200,000; and

(C) not less than an average of $1,000,000 is spent annually in a shipyard located in the United States for conversion, reconstruction, repair, rebuilding, or retrofitting of the vessel until the total amount of the cost required under subparagraph (B) is spent.

(e) DOCUMENTATION OF VESSEL COLUMBUS.—

(1) IN GENERAL.—Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), sections 12102 and 12106 of title 46, United States Code, and the endorsement limitation in section 5501(a)(2)(B) of Public Law 102–587, and subject to paragraph (2), the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel COLUMBUS (United States official number 590658).

(2) LIMITATION.—Coastwise trade referred to in paragraph (1) may not include the transportation of dredged material from a project in which the stated intent of the Corps of Engineers, in its Construction Solicitation, or of another contracting entity, is that the dredged material is to be deposited—

(A) above mean high tide for the purpose of beach nourishment; or

(B) into a fill area for the purpose of creation of land for an immediate use other than disposal of the dredged material.

Page 17, line 5, strike ''discharge of'' and insert ''discharge or''.

Page 18, beginning on line 8, strike ''cargoes sponsored by the United States Government'' and insert ''Government-impelled cargoes''.

Page 18, beginning at line 16, strike ''the owner of the vessel has had more than one vessel detained'' and insert ''the operator of the vessel has on more than one occasion had a vessel detained''.

Page 18, strike lines 22 through 24 and insert the following:

''(2) The prohibition in paragraph (1) expires for a vessel on the earlier of—

''(A) 1 year after the date of the publication in electronic form on which the prohibition is based; or

''(B) any date on which the owner or operator of the vessel prevails in an appeal of the violation on which the detention is based.''.

Page 20, after line 22, add the following new sections (and conform the table of contents in section 2 accordingly):

SEC. 411. CLARIFICATION OF LIABILITY OF PERSONS ENGAGING IN OIL SPILL PREVENTION AND RESPONSE ACTIVITIES.

(a) CLARIFICATION OF LIABILITY FOR PREVENTING SUBSTANTIAL THREAT OF DISCHARGE.—Section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321) is amended—

(1) in subsection (a)(8) by striking ''to minimize or mitigate damage'' and inserting ''to prevent, minimize, or mitigate damage'';

(2) by striking ''and'' after the semicolon at the end of subsection (a)(23), by striking the period at the end of subsection (a)(24) and inserting ''; and'', and by adding at the end of subsection (a) the following:

''(25) 'removal costs' means—

''(A) the costs of removal of oil or a hazardous substance that are incurred after it is discharged; and

''(B) in any case in which there is a substantial threat of a discharge of oil or a hazardous substance, the costs to prevent, minimize, or mitigate that threat.''; and

(3) in subsection (c)(4)(A), by striking the period at the end and inserting the following: ''relating to a discharge or a substantial threat of a discharge of oil or a hazardous substance.''.

(b) OIL SPILL MECHANICAL REMOVAL.—Section 311(a)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)(2)) is amended—

(1) by striking ''and (C)'' and inserting '', (C)''; and

(2) by inserting before the semicolon at the end the following: '', and (D) discharges incidental to mechanical removal authorized by the President under subsection (c) of this section''.

(c) SENSE OF THE CONGRESS REGARDING OIL SPILL RESPONSE ACTIONS.—It is the sense of the Congress that, under the Oil Pollution Act of 1990, the President should ensure that liability concerns regarding response actions to remove a discharge, or to mitigate or prevent the threat of a discharge, do not deter an expeditious or effective response, by promulgating guidelines in accordance with applicable Federal law, as soon as possible, clarifying that a person who takes any response action consistent with the National Contingency Plan, including the applicable fish and wildlife response plan, or as otherwise directed by the President, to prevent or mitigate the environmental effects of a discharge or a threat of a discharge should not be held liable for the violation of fish and wildlife laws, unless the person is grossly negligent or engages in willful misconduct.

SEC. 412. VESSEL DEEMED TO BE A RECREATIONAL VESSEL.

(a) IN GENERAL.—The vessel described in subsection (b) is deemed for all purposes, including title 46, United States Code, and all regulations thereunder, to be a recreational vessel of less than 300 gross tons, if—

(1) it does not carry cargo or passengers for hire; and

(2) it does not engage in commercial fisheries or oceanographic research.

(b) VESSEL DESCRIBED.—The vessel referred to in subsection (a) is the vessel TURMOIL (British Official number 726767).

SEC. 413. LAND CONVEYANCE, COAST GUARD STATION OCRACOKE, NORTH CAROLINA.

(a) AUTHORITY TO CONVEY.—The Secretary of Transportation may convey, without consideration, to the State of North Carolina (in this section referred to as the ''State''), all right, title, and interest of the United States in and to a parcel of real property, together with any improvements thereon, in Ocracoke, North Carolina, consisting of such portion of the Coast Guard Station Ocracoke, North Carolina, as the Secretary considers appropriate for purposes of the conveyance.

(b) CONDITIONS.—The conveyance under subsection (a) shall be subject to the following conditions:

(1) That the State accept the property to be conveyed under that subsection subject to such easements or rights of way in favor of the United States as the Secretary considers to be appropriate for—

(A) utilities;

(B) access to and from the property;

(C) the use of the boat launching ramp on the property; and

(D) the use of pier space on the property by search and rescue assets.

(2) That the State maintain the property in a manner so as to preserve the usefulness of the easements or rights of way referred to in paragraph (1).

(3) That the State utilize the property for transportation, education, environmental, or other public purposes.

(c) REVERSION.—(1) If the Secretary determines at any time that the property conveyed under subsection (a) is not being used in accordance with subsection (b), all right, title, and interest in and to the property, including any improvements thereon, shall revert to the United States, and the United States shall have the right of immediate entry thereon.

(2) Upon reversion under paragraph (1), the property shall be under the administrative jurisdiction of the Administrator of General Services.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property conveyed under subsection (a), and any easements or rights of way granted under subsection (b)(1), shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the State.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions with respect to the conveyance under subsection (a), and any easements or rights of way granted under subsection (b)(1), as the Secretary considers appropriate to protect the interests of the United States.

SEC. 414. CONVEYANCE OF COAST GUARD PROPERTY IN SAULT SAINTE MARIE, MICHIGAN.

(a) REQUIREMENT TO CONVEY.—The Secretary of Transportation (in this section referred to as the ''Secretary'') shall promptly convey, without consideration, to American Legion Post No. 3 in Sault Sainte Marie, Michigan, all right, title, and interest of the United States in and to the parcel of real

property described in section 202 of the Water Resources Development Act of 1990 (Public Law 101–640), as amended by section 323 of the Water Resources Development Act of 1992 (Public Law 102–580), comprising approximately 0.565 acres, together with any improvements thereon.

(b) CONDITION.—The conveyance under subsection (a) shall be subject to the condition that the property be used as a clubhouse for the American Legion Post No. 3.

(c) REVERSION.—(1) If the Secretary determines at any time that the property conveyed under subsection (a) is not being used in accordance with subsection (b), all right, title, and interest in and to the property, including any improvements thereon, shall revert to the United States, and the United States shall have the right of immediate entry thereon.

(2) Upon reversion under paragraph (1), the property shall be under the administrative jurisdiction of the Administrator of General Services.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the American Legion Post No. 3.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions with respect to the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 415. DRY BULK CARGO RESIDUE.

(a) DRY BULK CARGO RESIDUE.—Section 3 of the Act to Prevent Pollution from Ships (33 U.S.C. 1902) is amended by adding the following subsection at the end thereof:

''(h) DISCHARGE OF RESIDUE OF DRY BULK CARGO IN CERTAIN NAVIGABLE WATERS AND WATERS OF THE GREAT LAKES.—(1) Notwithstanding any provision of this Act, the Secretary may allow, under conditions and standards prescribed by regulation—

''(A) vessels to discharge residue of dry bulk cargo into the waters of the Great Lakes under the jurisdiction of the United States; and

''(B) vessels of the United States to discharge residue of dry bulk cargo into the waters of the Great Lakes System governed by the Great Lakes Water Quality Agreement of 1978 and the 1987 Protocol thereto, under the jurisdiction of the Government of Canada or other waters governed by the Boundary Waters Treaty of 1909 under the jurisdiction of the Government of Canada.

''(2) Any regulation issued under this subsection shall be consistent with the Great Lakes Water Quality Agreement of 1978 and the 1987 Protocol thereto, and the Boundary Waters Treaty of 1909, and shall be developed in consultation with the Government of Canada, under the general guidance of the Secretary of State, and with the concurrence of the Administrator of the Environmental Protection Agency, and in consultation with appropriate Federal agencies, including the Assistant Secretary of the Army for Civil Works.

''(3) Any regulations issued under this subsection shall be reviewed by the Secretary no less often than every 5 years to determine whether such regulations are consistent with the water quality goals for the Great Lakes.''.

(b) DEFINITION.—Section 2 of the Act to Prevent Pollution from Ships (33 U.S.C. 1901) is amended

(2) by redesignating paragraphs (9), (10), (11), and (12) as (10), (11), (12), and (13), respectively and by inserting the following new paragraph after paragraph (8):

''(9) 'residue to dry bulk cargo' includes any residue or residues of dry bulk cargo generated in the customary operation of commercial vessels, including iron ore, coal, coke, salt, grain, stones, gravel, sand, clay, and slag, but does not include, even if associated with the aforementioned materials, any—

''(A) plastic, as defined in the convention,

''(B) oil or hazardous substance, as defined under section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321), or

''(C) hazardous substance, as defined in section 101(14) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) (42 U.S.C. 9601(14)).''.

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

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

There was no objection.

□ 1845

Mr. GILCHREST. Mr. Chairman, this amendment was developed and agreed to on a bipartisan basis. The amendment contains miscellaneous amendments, many of which are technical or clarifying in nature. The amendment includes a requirement for the Secretary of Transportation to appoint members to the Great Lakes Pilotage Advisory Committee, amendments to implement the Coast Guard Vessel Identification System, and various Jones Act waivers and Coast Guard property transfers. I urge the Members to support this amendment.

Mr. Chairman, this amendment was developed and agreed to on a bipartisan basis. The amendment contains miscellaneous amendments, many of which are technical or clarifying in nature. The amendment includes a requirement for the Secretary of Transportation to appoint members to the Great Lakes Pilotage Advisory Committee, amendments to implement the Coast Guard Vessel Identification System, and various ''Jones Act'' waivers and Coast Guard property transfers.

I urge the members to support this amendment.

New section 411(a) of the bill, as contained in this amendment, amends provisions in section 311 of the FWPCA, regarding liability immunity for measures to respond to oil spills, to clarify that such immunity also applies to measures to prevent, minimize or mitigate the substantial threat of a discharge. The intent of this amendment is to address oil spill prevention and response. Nothing in the amendment changes the current relationship between the FWPCA and the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, regarding hazardous substances. For example, there is no intent to supersede or modify the effect of section 304 of such Act.

Section 411(b) amends the definition of discharge in section 311 of the FWPCA to exclude discharges that are incidental to mechanical removal authorized by the President under section 311. Mechanical removal activities, such as the ''decanting'' or separation of water from recovered oil, usually involve the return of excess water into the response area. However, such excess water almost necessarily includes a ''de minimis'' amount of oil. Unfortunately, current provisions and policies regarding ''harmful quantities'' in section 311 could potentially apply to such de minimis discharges, creating a disincentive to effective oil spill response. The amendment is intended to remove this potential disincentive.

Mr. CLEMENT. Mr. Chairman, I rise in strong support of the en bloc amendments offered by the gentleman from Maryland [Mr. GILCHREST]. This amendment was developed on a bipartisan basis to make technical corrections to the bill and to add provisions requested by Members since the bill was reported from committee in August. The additions to the bill include establishing a Great Lakes Pilotage Advisory Committee, allowing more vessels into our coastwise trade, provisions to promote oil spill response vessels, and a few excess property transfers. I believe this amendment will improve Coast Guard programs and I urge its adoption.

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

The amendments were agreed to.

AMENDMENT OFFERED BY MR. UPTON

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

The Clerk read as follows:

Amendment offered by Mr. UPTON:

Page 20, after line 22, insert the following (and conform the table of contents in section 2 accordingly):

SEC. 411. MAINTENANCE OF FOGHORNS.

The Secretary of Transportation shall take such actions as may be necessary to ensure that foghorns at the following ports are in working order:

(1) St. Joseph, Michigan.
(2) South Haven, Michigan.
(3) Grand Haven, Michigan.
(4) Muskegon, Michigan.
(5) Pentwater, Michigan.
(6) Lundington, Michigan.
(7) Frankfort, Michigan.
(8) Michigan City, Indiana.
(9) Saugatuck, Michigan.
(10) Marquette, Michigan.

Mr. UPTON (during the reading). Mr. 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 Michigan?

There was no objection.

Mr. UPTON. Mr. Chairman, I would like to say that I very much appreciate the help of the gentleman from Maryland [Mr. GILCHREST] and the gentleman from Tennessee [Mr. CLEMENT] in discussions for much of today. This amendment is about foghorns. As I was back in my district, as most of us were these last 10 days, my district is along the shore of Lake Michigan, the Coast Guard currently has a proposal to end the maintenance and in essence stop foghorns in a number of ports along Lake Michigan. What this amendment does is a very simple amendment, it just requires the Secretary of Transportation take action as necessary to ensure that the foghorns at 10 ports along Lake Michigan are in working order.

We have been talking to the Members of Congress on both sides of the aisle whose ports are impacted. They all, Republicans and Democrats alike, support this bill. I would urge its passage. I am not going to ask for a recorded vote. I want to thank the staff on the committee as well as again the two gentlemen that I mentioned before in supporting this amendment.

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

Mr. UPTON. I yield to the gentleman from Michigan.

Mr. HOEKSTRA. Mr. Chairman, I thank the gentleman from Michigan for yielding. I support him in his efforts to restore and to maintain the foghorns along the shores of Lake Michigan. In another effort of the Coast Guard that was discussed briefly in the debate, in general debate on this bill, I want to reinforce the decisions that the Coast Guard has made and also reiterate I think all of our concern both from Michigan, from Indiana and Illinois about ensuring that the Coast Guard and having confidence in the Coast Guard that the Coast Guard is putting in place a structure of services and capabilities and resources that is going to provide safety for the boating population and also for the commerce along Lake Michigan.

In regards specifically to the location of a helicopter station in Muskegon, Michigan, they have gone through an elaborate process of identifying where the most effective operational location should be for that capability and also a community that could provide those services at the lowest possible cost. But I think we all as Congressmen that border on Lake Michigan are committed to ensuring that every section of that coastline and all the waters of Lake Michigan are adequately protected by the Coast Guard and that we will work together to make sure that there are ample resources to ensure that that moves forward in the future.

Mr. UPTON. Mr. Chairman, reclaiming my time, I would just note as a boater myself that a foghorn one evening brought my little boat in when we could not see the beam of the lighthouse. This is an amendment that is needed. As I met with my boaters and some Coast Guard personnel even this last week in Michigan, I think that this is a very good effort to try and maintain safety along the shores of Lake Michigan. I again just want to thank my two friends for allowing this amendment to come in at such late notice.

Mr. Chairman, a few years ago, I was out sailing on Lake Michigan with a group of friends. But as the sum went down, a full and beautiful day gave wave to a sailors worst nightmare. Fog rolled in, the visibility fell, and we were lost.

After searching and searching, we finally gained our direction not because of the charts on board or the buoys in the water but thanks to the foghorn and its steady signal.

It has come to my attention that the Coast Guard is considering whether to eliminate the use of foghorns at many locations on the Great Lakes. I oppose this idea and as one who has seen first hand, know that these foghorns play a crucial role in the safety of many boaters in my district and across the region.

Many boaters have contacted my office to express concern that they will no longer be able to rely on the foghorn signal the next time they are caught on the lake in a dense cloud of fog. In order to allow people to enjoy and appreciate the water safely, we must ensure the continued operation of our navigation aids.

Foghorns are a small, but integral part of the safety net that the Coast Guard administers.

I sincerely feel that dismantling the foghorns will unnecessarily endanger the lives of my constituents who may find themselves in a similar predicament.

While many boaters have advanced navigational devices such as GPS or LORAN, the foghorn signal is still an essential device used by many. If the foghorns are dismantled, I guarantee that it will only be a matter of time before an accident occurs and lives are threatened.

Please support my amendment that will ensure that the foghorns in my district and across the Great Lakes are in working order.

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

Mr. UPTON. I yield to the gentleman from Tennessee.

Mr. CLEMENT. Mr. Chairman, I support the amendment offered by the gentleman from Michigan [Mr. UPTON] to require these foghorns to be operated and maintained by the Coast Guard. However, I would like to inquire as to how long. I ask these questions because today we do have the GPS satellite navigation systems that virtually all commercial vessels are depending upon. The cost of these systems are dropping continually as more and more recreational vessel owners are buying them.

Mr. UPTON. Mr. Chairman, my amendment does not address how long these should be in effect. I would guess that if this amendment is accepted, as I think that it will be, it will be for the length of the bill, which—is this a 1-year authorization?

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

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

Mr. GILCHREST. Mr. Chairman, this is a 2-year authorization. I will say that I as well accept the gentleman's amendment. I think what we will do, though, between now and the conference committee and beyond is to look into the issue of navigation concerns. I know that GPS is an up-and-coming technology that more and more people are purchasing and using and is probably the best type of system that anybody could have. However, I do think for the next few years, maybe even the next decade or so, we need to consider ourselves those people who do not have that technology who may have to rely upon the foghorn system. I am not sure what the foghorn sounds like. I wonder if the gentleman from Michigan——

Mr. UPTON. The gentleman is not going to hear it this evening but if he asks me tomorrow, I might whistle a note or two.

Mr. CLEMENT. Mr. Chairman, if the gentleman will yield further, I do support his amendment. I thank the chairman of the committee for his comments.

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

Mr. UPTON. I yield to the gentleman from Michigan.

Mr. STUPAK. Mr. Chairman, I thank the gentleman for yielding and I thank him for his amendment as I do have two foghorns in that amendment myself. I just mention for the Record that I have 3 of the 5 Great Lakes, Lake Superior being one of them. Not all of the areas yet are in position to use the GPS technology due to some charting that still has to take place. So I would hope that this amendment would stay at least for this authorization and further, if needed, until the GPS and the wonderful things it brings to the boating community is available to all parts of the Great Lakes.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. UPTON] has expired.

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

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

Mr. STUPAK. I yield to the gentleman from Michigan.

Mr. UPTON. Mr. Chairman, I would just note in terms of the cost, the cost of this amendment is very small. For the most part these foghorns, many were installed in the early 1970s, have required virtually no maintenance at all. As far as I know, all of these ports, the lighthouses themselves are not manned, they are automatically timed as they should be, require very little maintenance, but in some cases, as is the case with the port at St. Joseph, a storm literally knocked the foghorn from the lighthouse itself. It went into the lake and efforts up to this point have not occurred where they would replace it. Whether it be in St. Joe or other ports that we list along Lake Michigan, I think this is a good exercise, a safe one that the Coast Guard is entrusted to do and at least in the near term, until the GPS technology is really readily on all boats, and maybe even required by various States and we have more boaters in Michigan than any other State in the Union, that this seems to be a prudent way of spending a few Federal dollars to make sure that safety is there for not only the boaters but their families, too.

Mr. Chairman, I urge that the House adopt my amendment.

Mr. STUPAK. Mr. Chairman, I urge the House to accept this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. UPTON].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. STUPAK

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

The Clerk read as follows:

Amendment offered by Mr. STUPAK:

At the end of title IV, add the following new section (and conform the table of contents in section 2 accordingly):

SEC. . CONVEYANCE OF EAGLE HARBOR LIGHT STATION.

(a) AUTHORITY TO CONVEY.—

(1) IN GENERAL.—The Administrator of General Services shall convey, by an appropriate means of conveyance, all right, title, and interest of the United States in and to the Eagle Harbor Light Station, Michigan, to the Keweenaw County Historical Society.

(2) IDENTIFICATION OF PROPERTY.—The Secretary of Transportation may identify, describe, and determine the property to be conveyed pursuant to this subsection.

(b) TERMS OF CONVEYANCE.—

(1) IN GENERAL.—The conveyance of property pursuant to this section shall be made—

(A) without payment of consideration; and

(B) subject to the conditions required by paragraphs (3), (4), and (5) and other terms and conditions the Secretary of Transportation may consider appropriate.

(2) REVERSIONARY INTEREST.—In addition to any term or condition established pursuant to paragraph (1), the conveyance of property pursuant to this section shall be subject to the condition that all right, title, and interest in the property conveyed shall immediately revert to the United States if the property, or any part of the property.—

(A) ceases to be maintained in a manner that ensures its present or future use as a Coast Guard aid to navigation; or

(B) ceases to be maintained in a manner consistent with the provisions of the National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.).

(3) MAINTENANCE OF NAVIGATION FUNCTIONS.—The conveyance of property pursuant to this section shall be made subject to the conditions that the Secretary of Transportation considers to be necessary to assure that—

(A) the lights, antennas, and associated equipment located on the property conveyed, which are active aids to navigation, shall continue to be operated and maintained by the United States;

(B) the person to which the property is conveyed may not interfere or allow interference in any manner with aids to navigation without express written permission from the Secretary of Transportation;

(C) there is reserved to the United States the right to relocate, replace, or add any aid to navigation or make any changes to the property conveyed as may be necessary for navigational purposes;

(D) the United States shall have the right, at any time, to enter the property without notice for the purpose of maintaining aids to navigation; and

(E) the United States shall have an easement of access to the property for the purpose of maintaining the aids to navigations in use on the property.

(4) OBLIGATION LIMITATION.—The person to which the property is conveyed is not required to maintain any active aid to navigation equipment on property conveyed pursuant to this section.

(5) REVERSION BASED ON USE.—The conveyance of the property described in subsection (a) is subject to the condition that all right, title, and interest in the property conveyed shall immediately revert to the United States if the property, or any part of the property ceases to be used as a nonprofit center for public benefit for the interpretation and preservation of maritime history.

(6) MAINTENANCE OF PROPERTY.—The person to which the property is conveyed shall maintain the property in accordance with the National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.), and other applicable laws.

Mr. STUPAK (during the reading). Mr. 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 Michigan?

There was no objection.

Mr. STUPAK. Mr. Chairman, let me at the beginning here thank the gentleman from Maryland [Mr. GILCHREST] and the gentleman from Tennessee [Mr. CLEMENT] for not only allowing me the opportunity to offer my amendment but for the excellent bipartisan bill they have put forward. We have heard a lot here tonight about some of the strengths in this bill, such as keeping the operation of the Coast Guard cutter *Mackinaw* that the gentleman from Wisconsin [Mr. JOHNSON] mentioned, the authorization of continuation of shipbuilding of Coast Guard cutters and buoy tenders at Marinette Marine Corporation in Marinette, Wisconsin.

Mr. Chairman, if I may just briefly, yesterday I was actually at a Coast Guard ceremony to honor the Coast Guard in somewhat of a unique way in Charlevoix, Michigan. Yesterday we recognized the heroic action of Coast Guard members, especially Officer Henning, the crew of the buoy tender *Acacia*, the members of the Coast Guard Station Charlevoix, the Coast Guard Auxiliary. Back on July 26 as we were enjoying the Venetian Festival in Charlevoix, unfortunately fireworks exploded prematurely and a number of 12-inch fireworks exploded, sending shrapnel some 1200 feet into a crowd of 30,000 people. We had one person unfortunately died. Many were seriously, very seriously injured, limbs ripped right off their bodies. If it was not for the crew of the Coast Guard Station Acacia and Coast Guard Station Charlevoix and the Coast Guard Auxiliary which was on their waterfront and they had rendered heroic assistance and first aid in saving lives and maintaining control in a very emergency situation that many people did not realize because the rest of the fireworks continued to go and they tried to continue the evening with this tragic set of circumstances. So just yesterday we were honoring the Coast Guard in sort of a unique action and all the accolades given to the Coast Guard here tonight are well deserved.

Mr. Chairman, more specifically to the amendment I have, it is a simple amendment which would merely transfer Eagle Harbor Light Station in Eagle Harbor, Michigan to the Keweenaw County Historical Society. The society has held a lease on this property since 1982, operating it as a museum that depicts the history of the lighthouse and maritime transportation on the Great Lakes. In addition, the society has made repairs to the light station and the surrounding buildings and property. The society wishes to obtain this light station in order to continue their current preservation efforts and to further develop educational programs to teach all ages about the Keweenaw County heritage with an emphasis on the importance of maritime transportation, especially in the copper ore industry. This transfer is supported by the Coast Guard, the county of Keweenaw and Eagle Harbor Township.

Once again I would like to thank the gentleman from Maryland [Mr. GILCHREST] and the gentleman from Tennessee [Mr. CLEMENT] for their work on this and other transfers I have worked on in the past. I urge my colleagues to pass this transfer.

I would also especially like to thank the chairman for including in his mark the transfer of land in Sault Ste. Marie, Michigan which will be used for the American Legion. The land will transfer from the Coast Guard to the American Legion. But I would especially like to take the opportunity to acknowledge the hard work and dedication of Mr. Leno Pianosi of Sault Ste. Marie, Michigan. He is a friend of mine and the chairman of the county board of commissioners. Without his efforts and his continued dedication to this project and persistence, this transfer could not have taken place. I thank both gentlemen for giving Mr. Pianosi and this transfer in the chairman's mark the opportunity to be in the bill.

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

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

Mr. GILCHREST. Mr. Chairman, I do want to say it is a well-done amendment. The gentleman from Michigan [Mr. STUPAK] has done his homework, and we accept his amendment.

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

Mr. STUPAK. I yield to the gentleman from Tennessee.

Mr. CLEMENT. Mr. Chairman, I also support the amendment offered by the gentleman from Michigan [Mr. STUPAK]. This amendment is very clear, concise, and will decrease the Coast Guard's operations and maintenance costs of this facility. Therefore, I support the gentleman's amendment.

Mr. STUPAK. Mr. Chairman, reclaiming my time, let me thank everyone for their help and cooperation in these efforts and for a fine Coast Guard bill we have here, and ask for support of my amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. STUPAK].

The amendment was agreed to.

The CHAIRMAN. Are there further 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.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. KINGSTON) having assumed the chair, Mr. DICKEY, 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. 2204), to authorize appropriations for fiscal years 1998 and 1999 for the Coast Guard, and for other purposes, pursuant to House Resolution 265, he 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 bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2204, the bill just passed.

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

There was no objection.

AN INTERESTING OCCURRENCE IN IDAHO FALLS

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

Mrs. CHENOWETH. Madam Speaker, a very interesting occurrence happened recently in Idaho Falls, ID. A 14-year-old young man by the name of Nathan Zohner engaged in a contest. The contest was entitled, ''Find Out How Gullible We Are.'' And Mr. Zohner engaged in this contest and he did a paper on dihydrogen monoxide asking students in his class if dihydrogen monoxide should not be made illegal because, after all, this chemical is so caustic that it accelerates the corrosion and rusting of many metals. It is a major component of acid rain and has been found in excised tumors of terminal cancer patients, and for those who have developed a dependency on DEHMO, complete withdrawal means certain death.

We have to understand that these young people are from families generally who work at the NEEL, the National Environmental and Engineering Lab. They are very bright. But they voted 86 percent to do away with DEHMO.

Do you know what DEHMO is, Madam Speaker? It is water, pure and simple, water.

Maybe it takes a 14-year-old to lead us back to the land of common sense and reason.

My hat goes off to Nathan Zohner to which the Washington Post defines this young man's research project as ''Zohnerism''—the use of a true fact to lead a scientifically and mathematically ignorant public to a false conclusion.

Mr. Speaker, this perceptive young man has shown how science can be literally manipulated to fit the whims of social engineering extremists.

In a time where sound scientific evidence is often overlooked, I believe it's the duty of politicians, journalists, and scientists to present facts accurately and responsibly.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. DICKEY). Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

MIDDLE-CLASS TAXPAYERS NEED EXPANDED IRA'S

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. SAXTON] is recognized for 5 minutes.

Mr. SAXTON. Mr. Speaker, I take this 5-minute special order to discuss with my colleagues why I believe it is important that we expand the IRA, Individual Retirement Account Program, for the American taxpayers.

I rise today to address what I believe is an urgent need to increase incentives to save and invest for middle-class taxpayers. Earlier this year, I introduced a bill which we called the Investment Revitalization Act of 1997 that would greatly increase the deduction ceilings for IRA contributions, increase the income caps which currently prevent many middle-class taxpayers from using IRA's, and expand the reasons for penalty-free withdrawals from IRA accounts.

By increasing incentives to save, this legislation would boost long-term economic growth and help middle-class taxpayers help themselves in addressing a wide variety of economic contingencies that might otherwise lead to expanded Government activity, which is exactly what this House has been trying to avoid.

Why? Well, in part because there have been concerns expressed about the economic viability of families when they are exposed to unemployment and other setbacks, the exposure of families to medical or other emergencies, the great difficulty in coping with increased educational costs, the heavier tax burden over the last three decades, and the looming problems associated with the retirement of the baby-boomers.

These are all issues that we have traditionally set up as reasons for our families to save, and this IRA program will help and encourage Americans to do so.

Most of these problems are related to the fact that our income tax is systematically biased, however, biased against personal savings, and this makes it much harder for families to accumulate the resources successfully to address these needs as they arise and encourages families to depend more and more on government programs.

More extensive use of the IRA would go a long way toward removing the bias against saving and investment in the Tax Code. This legislation is intended to suggest a new direction and to guide tax policy into the next century.

The basic idea is to expand our IRA's enough to strip away much of the multiple taxation of personal savings and investment which is vital. My IRA bill increases, therefore, the $2,000 IRA deduction that exists today by $500 every year for the next 10 years, and, at the end of this period, the deduction cap would, therefore, be $7,000.

In addition, to make IRA's even more attractive, penalty-free IRA withdrawals would be permitted for medical care, for college education, unemployment, and for first-time home ownership.

Over some number of years, a few years, a thrifty middle-class family could accumulate sums in excess of $100,000 or more. Then, when a career setback or an unexpected medical problem occurred, they would have significant assets to fall back on, and not have to look to the Government for help.

Some would save aggressively for children's education expenses, or for some other reason, attracted by the deduction, but also knowing that earnings compound even faster without the annual tax bite. Others might focus solely on retirement.

In my view, the adoption of this legislation would largely reverse the current discrimination against personal savings and investment, thus boosting long-term economic growth as well as savings.

Government policy has undermined middle-class savings incentives for far too long. If we are concerned about inadequate personal savings and related problems, it is time for the U.S. tax policy to become less counterproductive. We cannot maintain a Tax Code that systematically discriminates against personal savings and investment, and then be surprised when people fail to save, and then be surprised when they demand more and more government services to help deal with these very difficult problems.

Let us reduce the multiple taxation on middle-class savings and get serious about expanding the individual retirement account, IRA system.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. TRAFICANT] is recognized for 5 minutes.

[Mr. TRAFICANT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. METCALF] is recognized for 5 minutes.

[Mr. METCALF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California [Ms. WATERS] is recognized for 5 minutes.

[Ms. WATERS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

[Mr. SMITH of Michigan addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. CLAY] is recognized for 5 minutes.

[Mr. CLAY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 5 minutes.

[Mr. OWENS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. PAYNE] is recognized for 5 minutes.

[Mr. PAYNE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. FATTAH] is recognized for 5 minutes.

[Mr. FATTAH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia [Mr. SCOTT] is recognized for 5 minutes.

[Mr. SCOTT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee [Mr. FORD] is recognized for 5 minutes.

[Mr. FORD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia [Ms. NORTON] is recognized for 5 minutes.

[Ms. NORTON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

IMPORTANT EVENTS IN MONTGOMERY COUNTY, PENNSYLVANIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. FOX] is recognized for 5 minutes.

Mr. FOX of Pennsylvania. I appreciate the time to speak to my colleagues about two important matters that took place in my district, Montgomery County, Pennsylvania, most recently. The first was the return of the 1215th Garrison Support Unit last night around 10 o'clock at night, eight soldiers from the 1215th U.S. Army Reserve Unit returned after a nine-month deployment to Europe in support of Operation Joint Guard.

These outstanding soldiers were part of the third rotation of the Army Reservists deployed to support the UN peacekeeping mission in Bosnia, formerly known as Operation Joint Endeavor. These soldiers, men and women, have, as Reservists, done a great service, not only to Pennsylvania, but their country. They come from such occupational specialists within the U.S. Army as personnel administration, logistics and transportation, public affairs, chaplains, military police, medical and legal affairs, and the mobilized soldiers are from the Montgomery County, Pennsylvania, area as well as other parts of Pennsylvania and Maryland, and have done an outstanding job and are to be congratulated for their readiness to assume these duties and the service they have given to our country.

I wanted to join with Congressman GREENWOOD, who also represents this area, in saluting these soldiers.

I also want to take the opportunity to congratulate the Montgomery County Employment Group, who I met with this morning, in Plymouth township. There they had the opportunity to have employers and employees who are with disabilities being able to work for local employers, doing an outstanding job. They are among the most dedicated, hard-working individuals within our community. And many businesses, including the reporter newspaper, ARAMARK-Beaver College, Valley Forge Hilton and very important businesses throughout my district, over 25, have employed over 200 people with disabilities and done an outstanding job working with them, providing them long-term employment, self-esteem, leadership opportunities, and they are an inspiration, I think, to all those who come to meet them and have been served by them.

Our special award winners today were the Lower Merion School Superintendent David Magill as one of the winners of leadership for his service with the hiring of disabled individuals, as well as Ike Carpenter, President and CEO of Micro E.D.S., a marketing communications company.

□ 1915

Those individuals were especially cited for their outstanding work. I look forward to working with my colleagues in Congress to make sure that the tax credit legislation that is provided to these employers will be continued.

WHAT SHOULD BE DONE WITH THE IRS?

The SPEAKER pro tempore (Mr. SAXTON). Under the Speaker's announced policy of January 7, 1997, the gentleman from Georgia [Mr. KINGSTON] is recognized for 60 minutes as the designee of the majority leader.

Mr. KINGSTON. Mr. Speaker, I wanted to talk tonight about what we need to do with the IRS. I think what we need to do with the IRS is change the initials from ''IRS'' to ''CRS.'' Right now, as we know, IRS stands for Internal Revenue Service. I say that what we should try to do is cut taxes, with a ''C,'' and give tax relief, change the attitude of the tax system, and also simplify taxes. I guess the best way would be to make it ''RAS,'' and have that stand for relief, attitude adjustment, and simplification.

I have my friend, the distinguished gentleman from Pennsylvania [Mr. FOX], who has been a leader on this with me tonight. I know that the good folks in Pennsylvania want lower taxes and simpler taxes, or the gentleman would not spend so much time working with that.

Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. FOX].

Mr. FOX of Pennsylvania. Mr. Speaker, I think the gentleman from Georgia [Mr. KINGSTON] is right on target. There are three parts to this national debate and national issue that I think affect Pennsylvanians as well as they do Georgians and everyone else in the other 48 States.

The fact is, people are already overtaxed, and we have already started on the road to reducing taxes in this session. Number two, we need to change the IRS culture as we know it, and to change that agency and dismantle it. Three, we need to have a new Tax Code. Let me just speak, if I can, about the second point, which I think is very important.

The IRS has gone on too long with being unchecked, and where it all started was the original law which said that the IRS commissioner is presumed to be correct and taxpayers are presumed to be guilty. That whole presumption has to change and be reversed.

We need to have legislation such as I will be introducing as Taxpayer Bill of Rights III which says, no more quotas, no more fishing expeditions by the IRS,

no more improper procedures with regard to bank accounts and businesses.

The IRS from now on will be responsible for legal bills that they cause unfairly to taxpayers and businesses, and they also will be responsible for any closures of businesses wrongfully conducted, just like you and I as private business people could be involved with a lawsuit if we interfere with someone else's right to conduct business. We need to make the agency accountable for the first time.

Mr. KINGSTON. Mr. Speaker, just to underscore what the gentleman is saying, when we talk about we need an IRS attitude adjustment, I have a rural district with a lot of farmers who work with the Soil Conservation Service or the Farm Service Agency, and generally these Federal Government agencies have a cooperative, friendly, help and technical assistance kind of attitude with farmers. Farmers come to them with erosion problems, wetlands problems, questions about applications of fertilizers and so forth, and the Federal Government agents, representing the USDA, are friendly to the farmers.

Would it not be nice if we had an IRS who was that way to small businesses? Most of the people I know fear an audit, not because of anything they have done wrong, but because maybe inadvertently they did forget to dot an ''I'' or cross a ''T,'' and that being the case, they are afraid the IRS is going to catch them and fine them, and be excessively ruthless in their treatment of them.

Mr. FOX of Pennsylvania. If the gentleman will continue to yield, the fact is, while most IRS employees are doing the job they have been given to do, and do it properly, the fact is the whole culture has given them the incentives to go through peoples' rights without going through due process.

Take the example of Carol Ward in Colorado, in Colorado Springs, Colorado, where she was complaining to an IRS agent about the way they were treating her son's particular audit. The IRS agents get back at her, close her three businesses, put a sign on the door saying the business is closed, ruin her reputation, cost her hundreds of thousands of dollars. They had an improper audit, and in the end she is going to win back her business and hopefully get the fine she deserves back from the government.

But this has, frankly, gone on not just as mere anecdotal evidence, this is happening regularly.

Mr. KINGSTON. Mr. Speaker, if the gentleman will continue to yield, here are some stories that the Heritage Foundation has given us, from one of their fellows named Dan Mitchell.

One taxpayer was fined $10,000 for using a 12-pitch typewriter to fill out his tax forms instead of a 10-pitch typewriter. He was fined $10,000 for it.

In 1983, one taxpayer was fined $46,806 for an alleged underpayment of 10 cents. In another case, a day care center which allegedly owed the IRS $14,000 was raided by armed agents, who then refused to release the children until the parents pledged to give the money to the government.

These are cases that have been documented. It is just atrocious. There is no reason to have to have this kind of a relationship with a government agency when it is a government by we the people.

The Tax Code, there are 17,000 pages of IRS laws and regulations. There are 480 different tax forms. The IRS sends out, Mr. Speaker, 10 million corrections each year on notices.

In 1990, there were 190,000 disputes between the IRS and taxpayers that went to court. But of those, something like, and I have the exact statistic, 83 percent of all taxes that are collected are paid voluntarily. Only 3½ percent is because of the dispute and the IRS going after people, which tells me that the American people are pretty darned honest and forthright about paying their taxes, particularly when they can understand them.

Mr. FOX of Pennsylvania. If the gentleman will continue to yield, the fact is it is very clear from the Senate Finance Committee hearings, we learn that individuals who the IRS especially go after are the mom and pop stores, or single person-owned businesses where they would be less likely to be able to afford a lawyer or an accountant or taxpayer services, so that they would capitulate and pay the fine, even when they were not guilty.

The fact is, we should have a Federal Government agency like the National Park Service which is so respected. Why can we not have an IRS or a successor agency be one that the people will trust, they will have some belief that what is happening is credible and accountable?

But beyond changing the agency, I think it is also important that we move the debate on to having a replacement code from the 5 million words we have now, where the perception and the reality, by most Americans, is only those with special interests get the tax breaks, the deductions that they want. And meanwhile, I think most Americans would rather have a flat tax, something along the order of maybe a situation where those who have a dual-income under $25,000 or $30,000 would not pay a tax, a single person with $15,000 would pay no tax, but there would be a flat tax for those above. But there would be three exemptions: One for charitable deductions, a mortgage deduction, and State and local tax deduction.

That is not the only program that is out there. People talk about a national sales tax. But I think the important thing is to start the debate moving forward of a fairer tax program that will not give special breaks to those who have lawyers who can put them in the Tax Code, only to make it more difficult for those who are hardworking middle-income earners to make ends meet without having three jobs and sacrificing the unity of the family.

Mr. KINGSTON. The tax simplification argument really sets the stage for a thorough flat tax versus consumption tax debate. We have, in fact, two of our colleagues, the gentleman from Oklahoma [Mr. LARGENT] and the gentleman from New York [Mr. PAXON], who have introduced bills that shelf the IRS code in the year I think 1999 or 2000. So if their legislation passes, Congress will be in a position of having to change the code. But it is not going to be easy.

Mr. FOX of Pennsylvania. If I may speak to that point, I am glad the gentleman raised that. I believe that both the bills of the gentleman from Oklahoma [Mr. LARGENT] and the gentleman from New York [Mr. PAXON] are on target. What they are going to do for the first time, I say to the gentleman from Georgia [Mr. KINGSTON] is to say we will put a deadline. By the last day of the year 2000, we are going to have a new code.

Just like it took discipline to make us have this 104th Congress, 105th Congress reach a balanced budget by a date certain, we need to do the same thing. I think the gentleman from New York [Mr. PAXON] and the gentleman from Oklahoma [Mr. LARGENT] are right on target, for us to have the discipline to say here is the date by which we are going to make this change, and let us be about the business in a bipartisan fashion of changing the outdated code.

Mr. KINGSTON. As I talk to different civic clubs and have town meetings and talk about the difference between a flat tax and a consumption tax, one of the things that I realize, speaking for myself and speaking for the folks in the audience, is we all need to have a more thorough debate on it. We need to have education.

For example, if we exempt charitable contributions and the home mortgage deductions and something else, what is going to prevent us from coming back and saying, well, what about the cost of a wheelchair, the cost of a college education, prescription drugs, long-term health care, all of which are worthy causes, and underscore an important investment in public policy?

If we start having those deductions again, will we not return back to as complex a Tax Code as we have now? It is possible.

Mr. FOX of Pennsylvania. Mr. Speaker, let me respond. I think the gentleman's point is well taken in this respect, that if we start kind of slippery slope with three exemptions, where do we end up? But the fact is, those are probably the three most reasonable. We may well end up with those three, or we could end up with none.

I think what is important is that we be able to, in our town meetings and in our discussions in the nationwide TV, as well as debates here on the House floor, to discuss them.

My concern with the national sales tax is twofold. One, for those living on fixed income, many of them seniors, you are going to tax them the same as

they tax you or I, and they are less able to pay if we have a national sales tax of a certain percentage. Plus, if we have States, and most of them already have a sales tax, if we have a super sales tax now from the Federal Government, what new tax will States have to have in order to replace the old sales tax?

So I think the movement is more to a flat tax, rather than a sales tax. But we have not heard the last of it. I think we need to have all the different alternatives out there, put them on a board, figure out who the winners and losers are, and have the American public weigh in before any bill is adopted to find out what the best solution is. But we certainly know from the American taxpayers and those who have worked with this code that we need a change.

Mr. KINGSTON. Yes. I want to point out something about the national sales tax. I know England, Britain, has a high sales tax, but they exempt groceries from it and children's clothes, among other things. So we can, for the seniors or those who could adversely be affected by a national sales tax, we could have certain deductions for them. There again, we get into a deduction kind of problem, but it still would not complicate it for the taxpayer as much as it would for those collecting it. That could be a problem in itself.

I want to give the gentleman some more statistics, though, about how complicated the tax system is now. These figures came out from the office of the gentleman from Ohio [Mr. PORTMAN], who has been working, as the gentleman knows, on the National Commission for Restructuring the IRS.

Just to read some things they found, last year only one in five calls to the IRS customer service hotline got through. How many constituents does the gentleman have who call him for a fairly simple tax question, they call the gentleman from Pennsylvania, [Mr. JON FOX], because they know he can get an answer from the IRS and they cannot? That is very common.

Mr. FOX of Pennsylvania. Another interesting story, if the gentleman will continue to yield, I had a CPA from Montgomery County, Pennsylvania, call up the IRS helpful hotline, and he asked the question on behalf of his client. And they said, this is only for taxpayers, this is not for accountants.

This accountant is also a taxpayer. He pays part of the bills of this Federal employee. As far as I am concerned, if you are going to have a taxpayer service, it is for everyone, not just those who are not accountants, and also those who are accountants.

So we have a whole culture that goes to why I say the agency needs to be overhauled, it needs to be dismantled, and we need to start over again. The gentleman's statistics bear out what I am saying.

Mr. KINGSTON. If I can reclaim my time, Mr. Speaker, here is something interesting. The gentleman keeps using the word ''culture.'' One of the finds of this committee is that the culture is so insular that only 5 of the top 73 IRS employees have been with the agency less than 15 years. Other than the commissioner, only two non-IRS employees have been brought in from the outside world to fill senior positions at the IRS.

It is interesting, because quite frequently we read in the newspaper that the CEO of General Motors or one of the senior VPs goes to FORD, or the head guy of CBS goes to NBC, or whatever. We see that all the time in the private sector, where top level management leaders are moving from one corporation to the other. I think it is a good blood mixture; it is good for everybody. But apparently the IRS does not believe in that. That could be one of their problems.

Here are some more statistics. The IRS still hand-processes the vast majority of returns and still relies on papers, 14 billion pieces of paper annually. It costs the IRS about $7 to process a paper return, and less than $1 if it is done electronically.

But electronically does not necessarily answer the question, because an IRS agent may have to access six different computer systems to resolve a taxpayer problem, and to answer questions, simple questions, often because of this, takes weeks and weeks. It is just too complicated.

Since 1956, the number of sections in the Tax Code has risen from 102 to 698.

□ 1930

Just since 1986, that Simplification Act, there have been 4,000 amendments to the tax codes. I think this is important for us to realize, that we as Members of Congress have taken on this task, and the Republican Party has led the way. Unfortunately, for whatever reason, the White House has decided that this is a partisan issue and the President wants to go down saying that the Democrat Party is the party of the status quo and the IRS and not change it. This is an actual headline from the Washington Times, September 30. It says, ''The White House champions the IRS. The President opposes a citizen oversight committee.'' And the citizen oversight committee would just have some ideas and some suggestions for the IRS. But the President does not want that.

Now, we are not here to bash IRS employees, we are here to bash a tax system, a code, which these employees, another statistic, many of these employees want tax simplification and this was one of the findings of this committee, that the IRS employees themselves want simplification. But every time we in Congress, Democrats and Republicans, pass new exemptions on tax, it is not just if we have children, we want a $500 tax credit, we just fill out this form. It is not like that. It is pages and pages of forms, because that is the nature of it. As a result of it, Congress is the one who has made this system so complicated.

Now, we are not the one who has given the attitude which seems to be so prevalent among some IRS offices, but we certainly should be the ones to try to straighten out the complications.

Mr. FOX of Pennsylvania. If the gentleman would yield, the fact is that the agency has not been able to make the proper changes on itself. Take for example the fact that I exposed in my recent ''Washington Waste Watch,'' the fact that $2.5 billion was spent on a new computer system that does not work. We would think that the agency that most depends on computers would buy a system that works.

Then we have 110,000, approximately that number, of IRS employees and when we think how many taxpayer advocates we would appoint to make sure they represent the taxpayers, one would think there would be several thousand or several hundred. There are only 43. So we have our sights and our issue of taking care of taxpayers, helping them fill out forms, helping them try to get through their debts and reshape their lives when they have been overburdened would be something that the agency would be about, and I am sure there are cases where there are some directors who worked at it. But as an overall, there has not been the changes that the public wants and Congress must demand.

Mr. KINGSTON. I think we should move for simplification and we should move to insist that IRS employees have a taxpayer friendly attitude. But along with this, whether we go to a flat tax or whether we go to a national sales tax or whatever we do, we still have to keep tax relief in mind.

Here are some examples of hidden taxes that we do not know about when we think about it. This is from Americans for Tax Reform, 1997: That a bottle of beer has 43 percent taxes. An airplane ticket, 40 percent tax. A bottle of liquor, 72 percent taxes. Electric bill, 25 percent taxes. A loaf of bread, 31 percent taxes. A car, 45 percent taxes. A hotel bill, 43 percent taxes. A restaurant bill, 27 percent taxes. A packet of cigarettes, 75 percent taxes. The phone bill, which keeps going down and down and down incidentally, 50 percent taxes. Pizza, 38 percent taxes. A set of tires, 36 percent taxes. And a can of soda, that is what my colleagues say up north. We say a can of Coca-Cola where I am from.

Mr. FOX of Pennsylvania. Mr. Speaker, the gentleman is from Georgia, so I understand that.

Mr. KINGSTON. A can of soda, 35 percent taxes. A gallon of gas, 54 percent tax. When taxpayers say, ''I am paying too much tax,'' they are saying ''I pay too much sales tax. I pay too much income taxes and tangible taxes and ad valorem taxes.'' They are not thinking about what they pay when they buy a pizza or tires or pay their phone bill. This is a tremendous problem.

Mr. FOX of Pennsylvania. If the gentleman would yield, and it is not only that the American people have been

paying too much in taxes and our tax relief bill, the $500 per child is going to help and the new tax credit for education is going to help and the capital gains tax reduction is going to help. But one of the most important areas that we need to work on is making sure that the Federal Government wastes less. Our legislation, which will sunset review regulations and that also will sunset review agencies will make a difference. Under my legislation what will happen is every seven years each Federal Agency will have to justify its existence.

Mr. Speaker, what would happen if during that rotation an agency does not meet its original purpose or is wasting money because it is duplicating what States already do, or the private sector can be doing better? That agency could be either eliminated, it could be privatized, or it could be downsized.

The fact is we need to look to for more than just tax relief, we need to look for regulation relief and we need to look for spending relief. When we look to this Congress, there are going to be three things that we look at, and I am pleased that the gentleman from Arizona [Mr. HAYWORTH] has joined us. There are three things: Trying to reduce taxes, change the IRS as we continue and, third, make sure that we change the code.

Mr. Speaker, I would like to turn to our friend who has been an outspoken fighter for the taxpayer.

Mr. KINGSTON. And as a distinguished member on the Committee on Ways and Means leading the tax fight.

Mr. HAYWORTH. Mr. Speaker, I thank my colleagues from Georgia and Pennsylvania, and listened with great interest to some of their discussion here tonight because, Mr. Speaker, it mirrors, it echoes what I have heard in the sixth district of Arizona.

Now, Mr. Speaker, just to offer some background as to the nature of the sixth district in Arizona, in square mileage it is almost the size of the entire Commonwealth of Pennsylvania which the gentleman from Pennsylvania [Mr. FOX] my good friend, calls home.

I heard a lot of what my colleagues heard back home during town hall meetings; an almost universal urge on the part of those gathered to move to sunset the current Tax Code by a date certain. As my colleague from Pennsylvania pointed out, the gentleman from New York [Mr. PAXON] has legislation in that regard, as does the gentleman from Oklahoma [Mr. LARGENT].

But coming up tomorrow, Mr. Speaker, in the Committee on Ways and Means, and later this week, we will move to actually mark up, and let us move out of legislative parlance to discuss this for those who join us outside this Chamber via television, to sit down and examine a piece of legislation to make sure the wording is correct, perhaps to offer an amendment here or there, to deal with accountability of the Internal Revenue Service.

Mr. Speaker, as my colleagues pointed out earlier, it certainly it was a curious spectacle to see government employees, their identities shielded, their faces kept from the cameras, their voices electronically altered, as they offered example after example of an agency that sadly has run roughshod over the rights of many Americans.

Indeed, one of the most important provisions we will discuss this week in the IRS accountability legislation that I am pleased to cosponsor with my colleague and fellow Ways and Means member, the gentleman from Ohio [Mr. PORTMAN], one of the most important provisions that will emanate from that legislation is something that Americans take for granted. For, Mr. Speaker, when we are hauled into a court of law on criminal charges, I know my colleague from Pennsylvania not only has the initials J.D., but he is in fact a juris doctor, he is an attorney. The presumption when we are hauled into court and charged with some criminal activity, if any American is placed in that situation, the burden of proof rests with the State. The presumption of innocence belongs to the accused citizen.

And yet, sadly in terms of tax adjudication, that presumption of innocence is not there for the individual. Essentially in tax adjudication, an American citizen, a taxpayer, has to go in and prove his innocence. The government assumes the taxpayer's guilt.

Mr. KINGSTON. Mr. Speaker, if the gentleman will yield, it just occurs to me, is this a throwback from the days of a monarchy? When we had our revolution with the folks overseas, did we not change this part? Was this not a Constitutional right? Did the Committee on Ways and Means discover at what point in American history the taxpayer became guilty until proven innocent? Or was it something that actually goes back to the monarchy?

Mr. HAYWORTH. No, indeed, to the best of my recollection, and I must confess, Mr. Speaker and to my colleagues here, I do not have a detailed history at my fingertips. It is my understanding, however, that as things changed in our society, as the 16th Amendment to the Constitution was ratified, as there was an allowance of direct taxation of income, sadly, a lot of perversions have grown out of that. And I use that word purposefully, because these things run counter to our well-established constitutional rights that our Founders brought us.

Mr. KINGSTON. I do not want to digress too much, but income tax, 1913; correct?

Mr. HAYWORTH. That is correct.

Mr. KINGSTON. Now, the use of the audit, I understand that regardless of who the commissioner of the IRS is, the commissioner, the head person is appointed by the President of the United States and regardless of who that appointee is, Democrat or Republican, audits still seem to happen with a curious degree of coincidence.

For example, my wife's great uncle, who is deceased now, during the 1930s made a wisecrack about the WPA, the Works Project Administration, of the Roosevelts, and he made a comment to a group that was working on a street or road. He said that unfortunately the employees got there before the truck with the equipment did, and so the shovels are going to be a little bit late today, but to tell employees to go ahead and start leaning anyhow.

He made that comment and was asked by the Roosevelt administration to take it back. This is America. Free speech. He made a comment. We may like it or not like it, but he has a right to say it. He would not retract it. This is years and years ago. And as a result, coincidentally, he was audited the next year.

Now, we have another case of a young lady named Paula Jones. I do not know Ms. Jones, but she has suddenly become audited. Now, I am sure it is just coincidence, but did the Committee on Ways and Means come up with any correlation between Paula Jones' legal situation right now and the fact that she is being audited?

Mr. HAYWORTH. Mr. Speaker, as my colleague asked the question, I can simply point out that is one of many questions that members of the committee have had for those involved in the Internal Revenue Service and for those who ostensibly oversee the Internal Revenue in the Department of Treasury.

But as my colleague points out, whether it is as relevant as today's headlines or historical incidents in the past, for example, I would commend to the attention of my colleagues and those who join us tonight a very fine book by the political author and columnist Chris Matthews, entitled ''Kennedy and Nixon.'' Very interesting. And these are the words and the observations and the scholarship of Chris Matthews. I am not here to hurl partisan brickbats, but as a historical fact or incident, Mr. Matthews points out that the audits were used quite willingly to the defeated candidate, Mr. Nixon, in the early years of the New Frontier. Again, I am quoting Mr. Matthews and his book, ''Kennedy and Nixon.'' I am not making that assertion.

We understand, certainly, President Kennedy is not here to answer for that. But there have been numerous examples. And then again for the not so rich and famous an example in my district. One of my colleagues, one of my coworkers, had a situation where his father was a small businessman, a pharmacist. An Internal Revenue agent came in. In frustration, the gentleman made a comment that probably we could all agree was ill-advised and intemperate. He did not threaten any violence against the government employee, but it was a comment that was fraught with frustration. However, after that, the gentleman was audited, I believe, for the next 5 to 7 years, every year.

□ 1945

Mr. FOX of Pennsylvania. Perhaps what we need, you, as a member of the Committee on Ways and Means, may be in the best position to be our fiscal watchdog. We need a taxpayers' whistle blower law, because it seems to me that in a Federal agency or the private sector, if you report a wrongdoing, the law is supposed to say you are to be protected from bringing forward a wrongdoing so that redress can occur without having recrimination.

Why should it be that someone who uses their free speech rights as an American, whether they agree with an agency or a Congressman or anyone for that matter should have to have their rights trampled upon just because the party in power or the person with authority disagrees with them?

I hope that the oversight factor on whatever successor agency happens to the IRS is something that you are contemplating when you get involved with the legislation.

Mr. HAYWORTH. I think that is absolutely necessary. We manifested in perhaps another fashion what is key on this legislation that will be offered by the gentleman from Ohio [Mr. PORTMAN] in a bipartisan manner is to say that there needs to be effective oversight of the Internal Revenue Service not only from the constitutional purview of those of us in the Congress, but also immediate oversight. And right now the Internal Revenue Service is the 800-pound gorilla, if you will, of the Treasury Department, because so many of the resources allocated for Treasury end up in the Treasury of the IRS. So much of the Treasury budget is focused there that sometimes it is the tail wagging the dog, so to speak.

What the legislation calls for is an independent advisory oversight council, not based on political appointees, but again to remove some of the suspicion, some of the coincidence of audits, some of the questions that I think Americans of all political persuasions have to depoliticize that agency. Of course, this is but a first step.

You spoke earlier of what should transpire in the years to come as we have a grand debate about tax reform in general, whether it is a flat tax, a national retail sales tax or some other notion, it is such an important debate to have that we take the steps now to rein in the IRS, but certainly as we confront a new century, it is certainly time to reexamine the 16th amendment, certainly time to reexamine the tax tables and the Tax Code and some of the arcane procedures that surround them.

We have a very big job. The challenge for us, and I think this is a marked difference, quite candidly, in political discourse and in working within our constitutional Republic, that instead of walling off this debate and calling a few people in, a few so-called experts in to give testimony behind closed doors, this is something that is so far-reaching to every American family, to every American citizen that quite literally every American needs to weigh in, needs to offer their thoughts and opinions. That is why I am so gratified, Mr. Speaker, that two of our colleagues, our party leader here in the Congress, the gentleman from Texas [Mr. ARMEY], and our good friend, the gentleman from Louisiana [Mr. TAUZIN], have taken to American cities to debate the different alternatives that are there because the stakes are high and the implications are many for our Nation as we approach the next century.

Mr. FOX of Pennsylvania. Mr. Speaker, I think the gentleman hit some good points. The fact is that those two individuals, the gentleman from Texas [Mr. ARMEY], and the gentleman from Louisiana [Mr. TAUZIN] are leading the fight for a flat tax and the sales tax, respectively. But that is not the last word. Your town meetings and the town meetings of the gentleman from Georgia [Mr. KINGSTON], or mine, we will hear other ideas that may be equally good.

Mr. HAYWORTH. In fact, just to point out one of the ideas, this engenders a lot of interest and a lot of initiative. Indeed, one of our constituents in Carefree, Arizona, put together a proposal. He attended a town hall meeting in Carefree and two nights later was back at another town hall in Fountain Hills, Arizona, where he had put together his own plan that, indeed, I will take and certainly take into the Committee on Ways and Means and offer to the Joint Committee on Taxation and take a look at with my staff, because that is the essence of our constitutional Republic, different opinions, different notions.

In fact, the gentleman, as he brought the plan down, I could not help but say, imagine if it is this skill, and someone on the front lines who has been in business, has not been wrapped up in electioneering, has not been part of bureaucratic intrigue, but simply seeks a solution, how refreshing it would be? And one other constituent at the meeting said, there may be a town hall marker, there may be a historical marker placed outside this room saying, here is where the solution was found. That type of participation we need.

One cannot help but note the stark contrast to before we arrived in Washington when those in the administration dealing with health care wanted to have almost super secret meetings and then unveil a plan from soup to nuts that ostensibly was going to help the American people. What a great contrast to have the sunshine come in, to have the ingenuity, the ambition, the ideas of the American people come to us as their duly elected representatives and then move forward to have the debate. This can be a great moment for our country.

Mr. FOX of Pennsylvania. I like that idea of Carefree, Arizona. They probably do not pay taxes in Carefree.

Mr. HAYWORTH. They pay quite a few.

Mr. FOX of Pennsylvania. When the gentleman from Georgia opened the hour, he said the three things we need to look at is reforming the IRS, dismantling it, number two, change the code and, three, look to some more tax relief for Americans.

The one I wanted to start off there was to talk about eliminating the marriage penalty. Right now, two people are discouraged from getting married because they actually will pay more in taxes if they do get married. I thought you, as an expert, might have some other taxes that you want to reduce.

Mr. HAYWORTH. My good friend from Georgia has a tangible example.

Mr. KINGSTON. This is the situation with the gross income taxes, the couple, once they are married, actually end up paying more taxes. I will not go through this, but just suffice it to say that basically each individual is in a lower percentage tax bracket than they are collectively when they married. The percentage bumps up. They pay more taxes. And it is a crazy example of a policy that is wrong because if we as a country support the institution of marriage, then certainly we should not give people a financial penalty for getting married, particularly right now with all the children that we have running around who are illegitimate today.

The gentleman is from Arizona. I am from Georgia. Georgia had a substantial tax cut, $500 million, exempted food from the sales tax, and as a result we have had one of the fastest growth rates in the history of our country. In 1992, since 1992, your Governor has cut taxes by 1.5 billion and including dropping the top rate from 8.7 to 5.6 percent and reducing the corporate tax rate as well.

As a result, the new business creation has grown in Arizona three times the national average because folks are spending their money their way instead of sending it to Washington and having bureaucrats spend it for them.

Mr. HAYWORTH. I thank my colleague for pointing out the Arizona experience because certainly in this short time frame, this decade of the 1990's, we have seen a philosophy in Arizona that, indeed, I believe would work well throughout the country and it is born of this notion, we have talked about it before, Mr. Speaker. It is the notion of many of us who came here to change the way Washington works, to first of all, identify the problem in this fashion.

When we are talking about tax funds, money taxed from the American people, this money does not belong to the Government. It is money that belongs to the people. Quite simply, whether at the State, county or more fittingly here for this Chamber at the Federal level, the notion should be that the American people work hard to create their wealth. They worked hard for the money they earned. Therefore, they ought to hang on to more of it and send less of it to the Government and we

have been able to do that and make great strides in the State of Arizona and, indeed, Mr. Speaker, as I was riding out to catch the airplane very early this morning Arizona time to get back here prior to votes after 5 eastern time, we heard some of the new unemployment figures. And unemployment is down in metropolitan Maricopa County to points almost minuscule.

To be sure there are other problems, other places across the width and breath of the Sixth District, but it shows what can happen when people are allowed to hang on to more of their own money. When they have it to save, spend and invest as they see fit and that can really be an answer because it actually, with economic growth, would create more revenue for the government.

Mr. KINGSTON. Mr. Speaker, New Jersey cut taxes. Gov. Christine Todd Whitman made good on a campaign promise and cut taxes and as a result they have had growth. Massachusetts, under Dukakis, had high tax increases. Under Governor Weld they enacted an income tax rollback and as a result they have regained 150,000 jobs that were lost under the Dukakis tax increase. California, the same way, 1960, the legislature enacted a $7 billion tax increase. It was the largest in the history of any State in the country. And income taxes went up. Everything went up and then there was a recession. Now they have turned it around.

In 1995, these tax hikes were repealed and since then California has gained over 150,000 jobs. Revenues have gone up to States because of tax cuts that they have enacted. Revenues have also gone up nationally. As a result of that, this Congress is very, very close to having a balanced budget. Our deficit has fallen from about over $200 billion 3 or 4 years ago to now around $23 billion. And it is because if we confiscate less of the people's money, they are going to spend more of their own money and when they spend money, business expands, jobs are created, more people go to work, less people are on welfare and tax revenues do go up.

Mr. FOX of Pennsylvania. Mr. Speaker, the fact is, when it comes to the balanced budget, people like the gentleman from Wisconsin [Mr. NEUMANN], who came here to Congress has done a great job in championing reducing the deficit and balancing the budget. By balancing the budget, we have been able to reduce those interest costs for car loans, for mortgage payments, for education, those are key things to making people live the American dream. I have to thank the gentleman from Wisconsin [Mr. NEUMANN], for his leadership in moving us forward in that bipartisan debate and the bipartisan success.

Mr. HAYWORTH. Let me join the chorus of praise for our colleague from Wisconsin because we are moving actually beyond that notion where, yes, we realize we want to balance the budget, but it should not be a one-time curiosity. Indeed, now with responsible fiscal practices that allow people to hang on to more of their own money, with the growth we have seen in terms of jobs and economic opportunity, it now appears that we may really turn the corner, and as our colleague from Wisconsin has pointed out, we may be moving into an era of surplus and yet there is another public charge, if you will.

There is another requirement of those of us who serve here for future generations and that, of course, is to pay down the debt. So we really have a one-two punch. I am pleased that our colleague from Wisconsin has offered a National Debt Repayment Act as well where we take a look at codifying or putting into law a fairly significant observation that with those surpluses, one-third for tax relief, one-third for debt retirement, and one-third for Social Security to maintain that program so vital to our retirees.

I think there are a lot of things that we are working on in this Congress, building off the solid success of the first tax cuts in some 16 years, also balancing this budget, and then moving forward to define how best to serve as custodians of our children's future by working to pay down and eventually pay off this burdensome debt.

Mr. KINGSTON. Mr. Speaker, if the gentleman is through, I am ready to yield back the time.

Mr. FOX of Pennsylvania. I want to conclude by saying I appreciate the leadership of the gentleman from Georgia [Mr. KINGSTON], and the gentleman from Arizona [Mr. HAYWORTH] for helping us lead the charge here for doing the three-part goal; that is, first, tax reductions for the American family; second, dismantling the IRS as we know it into a new successor agency that is taxpayer-friendly; and third, to change the Tax Code so it is more flat. And in my case, I would like to see it more flat, but certainly more fair to the American people.

We are moving to that goal and I support the legislation that these two individuals have introduced. Hopefully, it will be passed and under the gentleman's leadership in the Committee on Ways and Means, we are looking forward to it being a very happy day for the American people.

Mr. HAYWORTH. I just want to say, I thank those in the Sixth District of Arizona and those nationwide who join in this endeavor, in this crusade to make our tax laws fairer, to work to restore basic constitutional dignity and to restore fiscal sanity to this Nation.

Mr. KINGSTON. I know the gentlewoman in Arizona, Ms. MARY, is in the Sixth District, but you should always thank her.

Mr. HAYWORTH. Amen.

Mr. KINGSTON. I wanted to say this, the gentleman is blessed to have good family support, as I am and the gentleman from Pennsylvania [Mr. FOX], and everyone else.

The initials, IRS, if we can change them to RAS, which would stand for reduced taxes, change the attitude and simplify taxes, if we could do that, I think then we can all go home to these great families that we have and look our children in the eye and say, we have done something to make a difference.

□ 2000

NATIONAL EDUCATIONAL TESTING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Arizona [Mr. SHADEGG] is recognized for 60 minutes.

Mr. SHADEGG. Mr. Speaker, I appreciate the time to speak on a topic that is of great concern to me this evening. It is a topic that is growing more and more important as we move into this week of the proceedings of the U.S. Congress. It is a topic that touches me very personally because I have two children.

The topic I want to talk about tonight, Mr. Speaker, is the President's proposal to impose on America a national test, that is so-called national testing. And by that, what the President means is that he wants to require all students in America to take a federally written national examination. His proposal is that we give this examination to all fourth graders in the subject of reading and to all eighth graders in the subject of mathematics. And, in fact, he is going to do that and has already gotten the basic test specifications written.

Right here we can see, in this document I am holding up, which says, the report of the national test panel, item and test specifications for the voluntary national tests in fourth grade reading and eighth grade mathematics.

This is, I think, a critically important topic for every Member of the U.S. House of Representatives and for every single American, and that is why I wanted to talk about it.

Let me first explain how I feel about the subject of education and where I come from. I am a Republican, and for that reason some of my Democrat colleagues like to say I do not care about education. They like to claim that for us Republicans education is not important.

Well, I am offended by that remark. I care deeply about education, and I not only care deeply about education, I care very deeply about public education because I got all of my education in public education.

I attended public schools from eighth grade through college. Excuse me, not eighth grade through college, from kindergarten through college, and I am proud of the education I got. I am also proud that my two children, Courtney and Stephen, who are home in Phoenix, AZ, tonight, are obtaining their education at public schools, at public schools that I am proud of. And I am married to a woman, the mother of those two children, who was herself a

public schoolteacher. So do not tell me I do not care about education or that I do not care about public education.

Now, the topic here tonight is not generally public education; the topic here tonight is voluntary national tests. Many in America cannot understand this issue. Indeed, they cannot understand why there would be a controversy around this issue. Indeed, many Americans kind of listening to the topic of Bill Clinton proposing here in this Chamber in his State of the Union a national test for every fourth grader in America and every eighth grader in America in reading and math say, well, what is wrong with that?

How is it that someone could oppose that? Why would, for example, the Family Research Council put out an extensive paper opposing it? Why would Lynne Cheney, a nationally syndicated columnist and former official of the Federal Government, write and oppose it? Why would a series of other experts speak out and speak out stridently against national testing? Why would 290-plus Members of the U.S. House of Representatives, this very body, vote to prohibit the President from going forward, at least unilaterally, on his own with just the aid of his Education Department? Why would over 290 Members of this U.S. House vote to deny the President one dime to spend on national testing?

Why am I here on the floor trying to educate other Members of this Congress? Why am I asking Americans across this country, from New Hampshire to Arizona, from Oregon to Florida, to speak out and join me in opposing the effort to impose on our children a federally written national mathematics test and a federally written national English test?

Well, let me explain that. Just today the Secretary of Education, Mr. Riley, took to the stump. ''White House Campaigns for Education Agenda.'' And this is an article from today's Washington Times. In it the Secretary of Education, Mr. Riley, says that he is here to fight for national testing. He says, for example, citing a recent report that says, ''The report, Mathematics Equals Opportunity, is a report released yesterday which shows that rigorous teaching of mathematics does a tremendous job in helping children get into the best colleges in America, and those children who get rigorous mathematics education do very, very well.'' There is a quote. Mr. Riley. ''These courses demand discipline, they demand hard work and they demand responsibility.''

In that regard, I totally agree with Mr. Riley. But, unfortunately, the national test that Mr. Riley advocates, the national test that Mr. Clinton wants to apply does not test mathematics skills. You say, well, wait a minute, how can that be true, it is a math exam? How can it possibly not test mathematics skills?

Well, let me just find for my colleagues a copy of the materials already written. The report of the national test panel, October 1997, released this month, prepared for the national test panel by NPR Associates Inc., and it says here, ''Item and test specifications for the voluntary national tests in fourth grade reading and eighth grade mathematics.''

I have not had a chance to read every word of this report, but there is a fascinating section of it I want to call to my colleagues' attention. It says in here that on the eighth grade mathematics test, every single student will be allowed to have throughout the entire duration of the test a calculator. That is to say, at no point in the eighth grade math examination that is being proposed by President Clinton and that will, in fact, be implemented and be imposed on every single education department and every single school in America, if Bill Clinton and Mr. Riley have their way, that exam will not at any point in time require the eighth grade student to demonstrate his or her ability to do basic pen and pencil mathematic calculations without a calculator.

Now, my colleagues may be saying to themselves, well, maybe it is important to test higher skills. That might be true, and there is a national assessment test which is given in which a portion of the exam includes an examination of doing certain calculations with a calculator. But in the NAEP test, which is currently given to test or to evaluate performance from State to State across America, and to see how Arizona is doing as compared with Michigan, or how Wisconsin is doing in comparison with Louisiana, in that exam at least a portion of the test requires the students to do pen and pencil calculations.

But in the test Bill Clinton is proposing, in the test Mr. Riley wants, in the test that Mr. Riley is demanding this Congress agree to, on the front page of the Washington Times today he is demanding that we agree to a test to be given to every single student in America to test their math skill, in point of fact in that test, as the materials already prepared for the Department of Education, and this was written, by the way, if we turn the first page, it says this report was funded by the U.S. Department of Education. It was prepared for the U.S. Department of Education. And there will not be a single question on the test that requires an eighth grade math student to demonstrate that he or she can do multiplication, division, addition, or subtraction.

Now, my colleagues might say, well, why is my fellow colleague so concerned about that? Maybe the experts thought that was the right way to go. Maybe we will just assume that students by the time they get to eighth grade can do basic math. Well, I am not alone in my concern and in my objection, because at the back of this report there is a letter of dissent. It is one of several, but it is the only one I will talk about tonight because that is all I have time for.

This is the overall report. One of the gentlemen who was on this committee to write the exam, the actual test panel to which this report was given, was a gentleman by the name of Alan L. Wurtzel, W-U-R-T-Z-E-L. Mr. Wurtzel is an executive with a prominent company here in America, and he was invited to participate on the test panel, that is, to help write the exam.

He writes a letter raising the very point I am concerned about and that is, he says, ''I disagree with your allowing the use of calculators on the entire test.'' And he writes, and I quote, in a letter written to Mr. Wilmer Cody, Commissioner of the Kentucky State Department of Education, a letter dated September 25 of this year, ''The test assumes that by Eighth grade children can do basic arithmetic including addition, subtraction, multiplication, and division of whole numbers, decimals and common fractions by hand.'' But he goes on to say, ''We shouldn't do that. We shouldn't make that assumption.''

He says, ''We already know that the NAEP test tests, at least in part, the ability of children to do basic math skills.'' And he says that he believes, in his letter of dissent, that the national test should include those basic math skills.

Interestingly, Mr. Wurtzel is with a large corporation in America that used to give an examination to people who run cash registers for his company, and he used to ask those people applying for a job as a cashier to do basic calculations. He writes in this letter that they gave up on that. They gave up on that because so few people applying for the job as a cashier could do basic calculations. And he, therefore, says that to assume that America's eighth graders can do basic math, basic math skills, is a mistake, and he pleads with the President's committee, this test panel, to include at least a part of the exam to be focused on basic math skills.

Now, this illustrates, I think, a larger issue of what is desperately wrong with this national testing proposal, and that is it puts all of the power and all of the focus and all of the authority in Washington, DC.

Now, I have to say a couple of different things. Mr. Riley may think strongly that this national test is a great idea, but I suggest that Mr. Riley has not done some reading he should have done. Because as a first basic argument there is not a word in the U.S. Constitution which calls upon the Federal Government to educate our children. Indeed, not a single American who has completed a civics class fails to understand that our Constitution gives certain roles to the Federal Government, like national defense, like trade with foreign governments and foreign countries, and trades between the States. But in the 10th amendment it reserves every single other power of government not expressly given to the Federal Government, it reserves those

to the States and to the people respectively.

Now, Mr. Riley has not read that part of the Constitution. I suggest he has not read the 10th amendment at all or he does not understand it. But the Founding Fathers had a good reason for writing the Constitution in that fashion, and that is the idea of Federalism.

Now, I do not want to get off on notions of Federal Government and government theory, but it comes down to this simple premise: I trust the teachers and the administrators and the parents at my daughter's high school, Thunderbird High School in Phoenix, AZ. I trust them. I know them. If I want my voice to be heard in the curriculum at the Washington school district or at Thunderbird High School, my wife or I can go to their curriculum discussions and have input. We can make our voice heard.

If they propose to radically alter the curriculum at Courtney's high school, at Thunderbird High in Phoenix, AZ, I can speak out and I can be heard. If at Lookout Mountain Grade School, where my 11-year-old son is in school, if the principal or the teachers or the other administrators or the parents want to alter the curriculum, Shirley and I can drive down there and we can talk about that curriculum change.

But in this examination we have no input. Indeed, we will see, and my colleagues can get a copy of this report, in this report even the people on the test panel lacked input. Because the gentleman who wrote and dissented and who said we are going to give an eighth grade math exam and we are going to assume as a nation that this is a valid test of the performance of all children across America in eighth grade math, which does not devote a single question to testing whether or not those eighth graders can do a basic math calculation without a calculator, even he could not be heard.

Yet that is what we are going to do. We are going to write this entire test in Washington, DC.

□ 2015

I happen to trust, as I said, the local school officials in Arizona and the local school officials in Washington Elementary District and at Thunderbird High School to do a good job of teaching my daughter Courtney and my son Stephen. I do not happen to trust Mr. Riley and the national experts that will write a Federal test and dictate it all the way across the country. I think we would be making a grave mistake if we put all of our eggs into one basket of a national test.

Some people say, but what could be wrong with a test? After all, this is not a national curriculum in mathematics. This is not just Washington, D.C. deciding what will be taught in every school in America. This is just Washington, D.C. deciding what will be tested in every school in America. Let me suggest to Members that what is tested is what will be in fact taught. Think about that one for a moment. If we as a Nation adopt a national test in mathematics and we say as a part of that national test as this report says and this is the test specification written for the national test panel, if we in that national test say we are not going to test 8th graders on any basic math skills, we are going to let them take a calculator and use that calculator on every single question, you have to understand, what is tested is what will be taught. What is tested is what will be taught. Courtney, my daughter, is a sophomore in high school. She cares very much about getting into the best possible college she can. Every one of her teachers has made sure that as a teacher he or she knew what Courtney would be tested on. And every one of her teachers having learned what Courtney would be tested on has made sure that in the classroom, in the classroom curriculum, Courtney was taught what she would later be tested on and therefore Courtney has done well on the tests that she has taken in her education to this point in time. Stephen's teachers are exactly the same. Teachers are caring people. They enjoy their jobs. They do not do it for the pay, I can tell Members that much. Both of my sisters are teachers today. One in North Phoenix and one in the Chandler School District. Both of my sisters, and I have two older sisters, are teachers today. Teachers care about their students' performance. They do not do it for the money. Go look at a teacher's salary anywhere in America. If they care about their students' performance, they are going to learn what is to be tested and they will make sure that they teach what is to be tested.

Therefore, if we write a national test, if we embrace as a Nation that there is one correct theory in mathematics, if we decide that in mathematics what we should do is not test 8th graders on basic mathematical computational skills, we ought to give every one of them a calculator because it is not a good idea to force them to do basic math skills without a calculator, then that will be the emphasis in America. I suggest that that is a grave error.

I want to in this discussion talk about one of the experts that helped write this point. I am talking now about the national math test because that is where I think this debate focuses at the moment. It seems that Lynne Cheney, who is an expert in this area, did some research. She discovered that one of the people who helped write the national math test and who serves on this test panel is a consultant to the Connecticut Department of Education. His name is Mr. Steven Leinwand. Mr. Leinwand is in fact a part of the National Association of Mathematics Teachers. Mr. Leinwand believes and has written an article in which he argues strenuously that it is, and I quote, downright dangerous to teach children, to teach students things like 6 times 7 is 42. Indeed, he argues that it is improper and, as I said in his words, downright dangerous to continue to demand that our children master basic pencil and paper computational algorithms. What he writes is that the problem with teaching those things and by the way, therefore, the problem with testing them, according to Mr. Leinwand, is that it sorts the some out from the many.

Lynne Cheney wrote an article on this, discussed Mr. Steven Leinwand, an article that appeared in the Wall Street Journal on September 29, 1997. She points out that Mr. Leinwand believes that such instruction, instruction in basic computational mathematics skills sorts people out. That is, it anoints the few who can do those pen and pencil calculations and it casts out the many, and that is a direct quote from Mr. Leinwand, casts out the many who fail to do them. I happen to disagree with Mr. Leinwand. I happen to think, first, that in America, the many are those who actually master those skills and do learn basic computational math. But I also disagree with his more basic premise, which is that he says it is wrong to sort out those who master those skills from others because it makes them feel bad. I suggest that if making children feel bad who do not learn basic math is the worst we are doing, we are not doing great damage, because the alternative proposal is to say to those children, ''Don't worry about math. Don't worry about pen and pencil and computations. Don't worry about mastering those skills.'' If we say that to them, we condemn them to a lifetime of not being competitive in the world in which they live. We condemn them to living in a world where they can be taken advantage of by businesspeople, by unscrupulous people, by whoever wants to take advantage of the fact that they simply cannot do basic math skills.

I think Mr. Leinwand is dead wrong. But I want to make one last point on this. Let us assume that I am right and he is wrong. If we have a single test just in Connecticut where Mr. Leinwand is from, we can look at whether or not the children of Connecticut following Mr. Leinwand's, I would suggest, radical theories do better than the children in Arizona or whether they do not do better. If Mr. Leinwand turns out to be right and his system turns out to be better, Arizona can follow that, California can follow it, Florida can follow, and adopt his theories on their own. But if Mr. Leinwand is in fact wrong and he succeeds and Bill Clinton succeeds and Secretary Riley succeeds in imposing their one-size-fits-all Federal test following Mr. Leinwand's radical theory on every school child in America, I suggest to you, to all my colleagues in the Congress and to every American watching that we will be condemning a generation, maybe a generation and a half of America's children to living in a world where they are not competitive

with the rest of the children around the world. I suggest to you that children in Germany and Japan and France and England and in many other countries around this world are indeed being drilled on these skills, they are mastering them and they will beat our children if we adopt a one-size-fits-all program. But even if he is right, the States could follow suit later. But if he is wrong, the risk of handing over the control of all of our children's education to one single Federal test is I think an absolute disaster.

This is an issue which is going to be fought out right here in the Congress in the next few days. The President is proceeding with his national exam right now. The report I held up just moments ago is in fact the report on that national exam. There is only one way to stop it and that is by passing legislation stopping the President from spending Federal moneys which he wants to take from other parts of the Department of Education's budget and put it into his national testing program. If we do not stop him in a vote on the House floor and on the Senate floor within the next 2 or 3 weeks when this issue is resolved, it will be too late. I think there is no more time, no more urgent moment in our Nation's history if you care about education than to speak out on this topic.

I am joined by the gentleman from Florida [Mr. WELDON]. I hope he is interested in jumping into this topic. I yield to the gentleman.

Mr. WELDON of Florida. I appreciate the gentleman yielding. I want to commend him for rising this evening to speak out on this issue. I share his concerns about the President's plan to institute a national test. I want to just commend the gentleman for his actions here tonight and indeed I also want to commend him for his work in the whole area of education. I have had the opportunity to work with him on the Republican Policy Committee and he has exemplified the level of concern that I think many of the people who got elected with us in 1994 share about education in America and about the terrible decline in educational standards in America and the decline in academic performance. You cannot speak to any college professor in the United States without them lamenting the fact that over the past 30 years, the quality of math and verbal skills of incoming freshmen has deteriorated dramatically and many, most of our colleges now have to have rudimentary courses particularly in English skills, in writing skills.

I am a product of the public education system in the United States. My mother was a public school teacher. Not only did I go through the public school system K through 12, I also went to a public college and then I went to a public medical school. I am a medical doctor. My mother was a public educator. I understand the value and importance of public education. I think the debate that we should be having in this city today, and the gentleman is touching right on it, is what can we really do to help education in the United States. Certainly I think one of the most important things we can do is we can make it more affordable for parents to send their kids to school and we are doing that with our tax relief package.

We also can help parents to have more choice, and this is critically important in our inner city schools where so many of those parents in those poor neighborhoods have no choice. Unlike wealthy people who can select the best academic environment for their kids, people like Bill and Hillary Clinton, they were able to send their child to a very prestigious private school, many poor Americans living in our inner cities have no choice and they are locked into some of the worst and most failing schools.

Also, one of the issues that we are debating in this city today, and the gentleman from Arizona [Mr. SHADEGG] is bringing it up, is should we have national testing. Let me just say, I have a 10-year-old daughter, we have chosen to home-school my daughter so that my wife and daughter can spend part of their time up here with me and part of their time in Florida when we are on recess and we consider testing extremely important. We test my daughter every year to make sure that she is meeting national standards or accepted standards. Actually our goal is that she exceeds standards and that is why we test her every year. I am very thankful to have my wife who bears the primary responsibility for educating my daughter and who makes sure that she gets the testing scheduled every year.

The question is, is it an appropriate role of the Federal Government to be instituting a national test? Just to point to Sweden, a country of 7 million people or some other little foreign country that has national testing and say they do it, therefore, we should do it is ludicrous in my opinion. This is a country of 260 million people, 50 different States, people of all kinds of diverse ethnic backgrounds. There is no way that a one-size-fits-all concept could be put on the United States. This is just a different country.

But the most important issue that the gentleman has brought up today and the biggest reason why I oppose national testing is because I do not have confidence in the Federal Government to do it correctly. This report that has come out clearly spells that out for every voter to see with their own eyes. They are going to give a math test and they are going to give the kids a calculator. Mr. Speaker, as far as I am concerned, I am not a lawyer, I am a doctor, but I know there is an expression in the legal profession, it says I think it is res ipsa loquitur. The thing speaks for itself. In other words, if you have got video footage of the perpetrator coming through the window with a TV in his hands, res ipsa loquitur. ''I rest my case, your honor. We don't need to debate this in front of the jury. The man is guilty. We've got him on tape.'' Ladies and gentlemen of the jury, Mr. Speaker, they want to give a math test and they want to give the kids a calculator. Do we think that the Federal Government can run a math test and run it properly?

□ 2030

I say, no. I say it is fraught with hazard. I say it is destined to fail. I say it is inappropriate.

I agree with you that it is unconstitutional. What we need to be doing are the things that I spoke of earlier. We need to give parents choice, and the most crucial thing is we need to give poor, working-class families real choice.

Rich people in America today have choice. Doctors and lawyers have choice, wealthy businessmen have choice. The hard-working people in our poorest communities, they do not have choice.

Do you want to improve educational performance in the United States today? Give those people choice and get money to the classroom. Get money out of the hands of bureaucrats.

To say somehow by having this national test it is going to help educational performance, I think, is ludicrous. I, again, commend the gentleman for his speaking up, for coming to the floor tonight to talk about this issue. It is a critically important issue.

Mr. SHADEGG. Reclaiming my time, perhaps we could have a dialogue here. It seems to me, first of all, the most important premise is to establish the fact that for those of us who oppose national testing, our opponents on the other side, that is the President and Secretary Riley and the educational experts and bureaucrats in the Education Department, would argue that if we oppose national testing, it is because we do not care about education.

Let me ask the gentleman, you indicated you had a long history in public education. Do you believe that those of us who oppose a one-size-fits-all national test; that is, that a Federal Government mathematics test, written inside the Beltway, in Washington, D.C., is a bad idea. Do you believe those of us that think that is a bad idea do not care about education?

Mr. WELDON of Florida. Well, you know, you touch on a real fundamental issue of this city, in my opinion. Before I came here I practiced medicine in Melbourne, Florida, for eight years. Prior to that, I practiced medicine in the Army. I was an Army doctor. I was not really used to all the crazy stuff that goes on in this city.

But one of the things I have learned very quickly is if you, if the President or some of his colleagues here in the House or Senate have an idea, and they all think it is a great idea, everybody thinks their kids are beautiful and their ideas are brilliant, so they come up with an idea and they think it is a great idea, they are going to improve education in America by establishing

this national test. So, because you oppose it, then, oh, you must be anti-education.

We were trying to fix Medicare last year, trying to preserve it so it would be there for senior citizens, seniors like my dad. They did not like our plan, so, therefore, we suddenly hated seniors and we hated Medicare, and they ran around misquoting NEWT GINGRICH saying he said Medicare was going to wither on the vine. He was talking about the bureaucracy here in Washington that screwed things up.

Anyway, to get back to the issue, that is the theme always, always the attack. You do not like their agenda; therefore, you do not like education.

Mr. SHADEGG. Reclaiming my time, it seems to me their point is, well, if they are against our proposal for national testing, they must, by definition, be against education.

I will tell you, that argument makes me angry. I do oppose national testing. I think it is dead wrong for America. I think when the national testing would be a national math exam for eighth graders, that does not have a single question on it which requires the student to demonstrate he can do one math calculation without a calculator, I think I am right and I am demonstrating that I care about education.

In my view, more testing is not the answer. If the answer were more testing, we would not have a problem in education in America today, because American students are tested, and tested, and tested.

Now, what does the national test do? In this case, the national test that President Clinton is proposing is not only wrong on the merits, because it does not test basic math computational skills, thanks to Mr. Steven Leinwand and a handful of other radical theorists who do not want to test basic math skills, that say that will make students feel bad, but what does it do? It takes money away from education.

That is right, the Congress was not presented with a bill from the President saying let us fund a national test. Let us define it by legislation, and let us then fund it through appropriations, the way this government is supposed to work.

He is doing an end-run around the Congress, and his national testing program is going to be implemented without the approval of the Congress because the President just wants to do it, and he says he can do it.

But do you know what? He has got to have money to do it. What is he going to do? He is going to take money out of other pieces of the Federal Department of Education and give it to national testing.

Now, I think that is an abuse of this process, and it is dead wrong. Do you know what? As a House Republican, as a Member of this Congress who got public education and who believes to the depth of his soul in public education, I think it is dead wrong to steal money from other parts of the Federal Department of Education to push national testing, at least when that national testing will not even test the basic math skills that America's kids cannot do now.

So am I playing politics with this, because I want to see the money already in the Department of Education spent for what it was supposed to be spent for? Am I anti-education, or is Bill Clinton anti-education because he wants to take that money away?

Mr. HOEKSTRA. If the gentleman will yield, as my colleague from Arizona knows, we came to Arizona, you were there when we did a hearing. We have been to 13 other States with my subcommittee and we have talked about testing, we have talked about charter schools, we have talked about vouchers, we have talked about innovation and improvement in public schools. We have really taken a look at the full range of education reforms that are going around and taking place in the country today. It is amazing. Testing is one of those issues. Testing is a very complicated issue.

We had a hearing in the State of Delaware where we talked about Delaware's experiment with testing. Delaware has done it right. Delaware did not go to Washington and say, hey, Washington, would you develop a test for us and we will implement it?

Delaware started at the grassroots level. They got parents involved, they got teachers involved, they got administrators involved.

Remember, Delaware is the size of what? One Congressional district. They have one very good Congressman. He was there at the hearing. They started at the grassroots level and talked about where are our kids, what do we want to test them on? After a three-year process they developed a test that they felt was appropriate.

This President wants to develop a test in six months?

Mr. SHADEGG. Reclaiming my time, he has already developed the test, as near as I can see. He proposed it here on the floor of the House in his State of the Union address in January, and now they already have, as I have talked about earlier this night, item and test specifications for the voluntary national test, and we ought to talk about whether or not they are voluntary, for fourth grade reading and eighth grade mathematics, the report of the national test panel.

So while that panel in Delaware included parents and teachers and local school administrators, and probably students from all over Delaware, and it took them three years to write what they felt was a good test, to make the model, and recognizing that States are, in fact, charged with educating their children, the President has done a one-size-fits-all, it is here, finished, done, he got it finished between January and October.

By the way, it says we are not going to test whether or not you can do any math computations with a pen and pencil; we are going to give you a calculator for the whole exam.

Mr. HOEKSTRA. The gentleman is absolutely right. Delaware, three years, they still haven't figured out exactly how they are going to use it and what they are going to do with the test results. This President, in six or eight months, wow, he develops a test, no parental involvement, no local involvement, has not gone to the Governor of our State of Michigan, hasn't gone to California and said what would you like in a national test?

How will that integrate with what Michigan is doing in the area of testing? He has developed a national test, meaning he is going to drive national curriculum.

And he now believes that a test that a few people here in Washington have developed over a short period of time is going to work in Florida, is going to work in Arizona, is going to work in Detroit, is going to work in L.A., is going to work in New York City, Cleveland, Louisville, all of these places we went to, and the one thing we found in all of these places, there are tremendous things going on in education, but the problems and opportunities in the educational focus that they need to have in their schools varies, in some cases ever so slightly, in other cases dramatically, because the circumstances are different.

He is going to try to impose a one-size-fits-all test, and then he is going to come back and say, see, those kids in Cincinnati, those schools are not doing well because they did not do well on my test.

Those teachers and those school administrators and those kids may be doing great, depending on where and what their environment is. But he wants one-size-fits-all, and it will not work.

Mr. SHADEGG. Reclaiming my time, there is a great tendency in these discussions on the floor to focus on the partisan bickering and on the President wants this and I listened to the gentleman do that and reflected on it earlier in the evening. I was talking about the President's plan and his wants and his goal and he wrote this test.

I hope that people understand, this is not a partisan fight between a Republican Congress and a Democratic President. This is not a partisan attack on Bill Clinton, the person. For all I know, the President and the First Lady genuinely care about educating America's children. But this is a vitally important debate about that, that is, about educating America's children.

The gentleman mentioned we held a field hearing of your committee in my city, in Phoenix. I cannot tell you how proud I am of the strides that have been made in Arizona in the education field. We are doing new and innovative things. We are charting new ground. We are doing, I think, not a perfect job, but a yeoman's job in a workmanlike

fashion to try to craft for Arizona school children the best education possible.

In some regards we are failing. We have an education funding debate going on in the State that needs to be resolved. But this much I know: I trust the parents and the teachers and the administrators and the local school boards in Arizona to focus on my children's education and to adapt the education that is necessary in my community, and I know that a test written thousands of miles away in Washington, D.C., a test written deep in the bowels of the Federal Department of Education, a test written by a handful of Federal education experts, cannot reflect my input or the input of the parents and the principals and the school administrators and the school board officials and the other people in Arizona that care about Arizona kids.

You know, it is the point, can you say that Mr. Leinwand and Secretary Riley care more about my kids' education than I do? If so, I would like to ask them what their names are, because they do not know the names of my kids, but parents and teachers know their kids and care about their education. They do not want to have shoved down their throat a federally written Department of Education test.

I want to just ask the gentleman, either gentleman can comment on this, you mentioned that a national test will drive school curricula all across America. That is, it will take choice, it will take educational options about curriculum away from the parents in Michigan in your district, or the parents in Arizona in my district, or the parents in Florida. I would like you to explain that.

Mr. WELDON of Florida. I just want to comment on that, and maybe the chairman of the education subcommittee can add to this, but that is one of the very important issues that I think we need to get into tonight.

We all know that testing is extremely valuable. It gives parents an idea how their kids are doing. It gives parents an idea how good the school is doing. But when you have the Federal Government in charge of testing, that is a whole different situation. When a school decides they want to use Iowa basic or want to use SAT, that is one issue. But when you have the Federal Government promulgating a test that has all kinds of very complex political and economic ramifications associated with it, and I am sure the gentleman from Michigan can comment on this issue, that is one of the other reasons why I am extremely concerned about this.

The point you are alluding to, that suddenly you can have a scenario where everybody's academic program is tailored to meet the requirements in the Federal test, I am not sure that is a good thing for the United States of America. I am not sure it would be the best thing for the people of the State of Florida to adopt standards that would allow them to do well on the Bill Clinton, Federal-promoted test. I am not sure that is good for our economy in Florida.

I have some very serious concerns. I think the President is definitely moving much too hastily on this issue, and it really needs to be debated within this body, and the Committee on Education and the Workforce needs to take this issue up. I would be happy to yield to the gentleman from Michigan.

□ 2045

Mr. HOEKSTRA. Mr. Speaker, I thank the gentleman for yielding.

What we have found, as we have gone around the country, and again, in the 14 States that we have been to, and I think we have had multiple hearings in a couple of States, so we have probably been in 16 different cities, we have seen tremendous things in education, tremendous things in public education, private education. That is really the good thing of all these hearings. We have seen some wonderful things. There are some common ingredients.

We go into these environments, we ask the teachers, we ask parents, we ask administrators, we ask the business community, what is working in your school district, or who is making a difference? Why are your schools improving? What is the catalyst? I have still yet to hear someone say, it is that new Federal program, or it is this Federal program.

The schools that are doing well are typically where a group of parents, administrators, and teachers have taken back their school and said, we are going to focus on these kids, and we are not going to focus on the bureaucracy and the red tape that either comes from Sacramento or comes from Lansing; but we know the kids' names, we know what their needs are. We are going to focus on our kids. We are going to take our schools back.

We are going to, and this is what they are trying to do in Michigan as well, and what we are trying to do here in Washington, DC, as well, we are going to debate it next week, we are going to focus on getting the dollars from the bureaucracy and getting them into the classroom.

When we do national testing, what is going to happen? We are going to spend a dollar on a national test, and the first 20 or 30 cents is going to be spent on bureaucracy. Only 65 or 60 cents will actually be spent on giving a test that they really should not be taking anyway. We are going to get dollars into the classroom and focus on basic academics.

Mr. WELDON of Florida. If the gentleman will continue to yield for a question, Mr. Speaker, as I understand it, one of the additional concerns of this test is that this will take time away from teachers and their students in terms of basic education, learning, that they will have to devote a week, they are proposing, or several days out of a week, to sitting down and taking a test, when they could be educating those children in crucial issues that are important for them to learn.

Mr. HOEKSTRA. What we talked about earlier, Mr. Speaker, what happens in this process is, No. 1, our kids go through all kinds of tests already. This is one more layer on top. It is not only the time that is spent on taking the test, but if a school district is going to be evaluated on a national basis, and every child in a classroom is going to be evaluated against every other child in the country, we can bet parents are going to expect and teachers are going to want to prepare their students for that test. They are going to spend a week or 2 weeks teaching to the test.

That is not what we want. We do not want teachers teaching to tests. We want teachers teaching to basic academics, the basic skills we want our children to learn.

Then there are other ways to measure how they are learning. There is not a need for the Federal Government to come in and put one more overlay on things that are already being done at the State and local level.

Mr. SHADEGG. Mr. Speaker, reclaiming my time, sometimes in these discussions we get a little esoteric and just talk theory. I want to bring this back home.

There is a woman who teaches at Arizona State University in Phoenix, AZ, and in Tempe, AZ, who is a scholar herself and quite an expert in education. Her name is Marianne Jennings. She has written a nationally syndicated column on this issue.

It turns out that 1 day her eldest daughter was doing some homework in her bedroom, and Marianne walked in and interrupted the child as she was doing the homework. She looked down, and what the child was doing was using a calculator to calculate what 10 percent of 470 was. Mrs. Jennings looked at that and said, what are you doing?

And she discovered that her daughter needed a calculator to calculate 10 percent of 470, and needed a calculator to calculate what 25 percent of a fairly simple number was, and did not fully understand that 25 percent equaled one-quarter.

She became enraged, and started to get involved in this issue, and in her daughter's education. She discovered that what was happening was that her daughter was being taught whole math or new, new math. She had to inject herself deeply into her own daughter's education, because the focus was in the wrong direction.

I want to make the point that it is not that we do not understand the goal of national tests. Perhaps it would be worthwhile to compare the performance of kids in Arizona with the performance of kids in Michigan. But there are already ways we can do that, and in this proposal, we would create a single national test. That single national test could embody radical theories inside the Federal Department of

Education like Mr. Leinwand's new, new math or whole math, where students are not taught basic computational skills because Mr. Leinwand believes it is downright dangerous to teach them those basic skills.

I want to read or I want to emphasize this issue of ''voluntary.'' The President says and listeners tonight might think, what is wrong with a voluntary test? I have heard our colleagues on the other side of the aisle here defend the national test by saying, look, if you out in Arizona, if you do not want to participate in these national tests, if you think the Department of Education should not write a one-size-fits-all math test on which every eighth-grader should be tested, you may simply opt out.

I want to point out to those listening that that option, that claim that that is voluntary, is a hollow claim. It will not work. In point of fact, and this is pointed out by Lynne Cheney in her article ''A Failing Grade for Clinton's National Standards,'' she points out that even if my State, Arizona, chooses not to participate in the national tests, or your school district in your hometown chooses not to participate in the national test, there are in reality in America only a handful of textbook writers.

The minute we adopt as a Nation a single test, the minute we give away from Phoenix, AZ, to Washington, DC, the authority to write one test, every textbook writer in America will be compelled to bring out their next edition in math for 8th graders or reading for 4th graders to meet that national test.

The curriculum will indeed have been written in Washington, DC, as a result of that test, and so my school department, my school board, the principal at Stephen's school or Courtney's school, will not have hardly any choices but to adopt a text, a textbook, written to teach to that national test. I think it is a disastrous idea that scares me a great deal.

I want to point out that in today's Washington Times Mr. Riley makes a point. I want to quote. Mr. Riley says that instead of being controversial, he believes the country will embrace national tests as a chance to show their support for education.

''We think it's going to catch on, and we think the people in this country are going to almost look at it,'' that is, national testing, ''as a patriotic thing, to get involved in getting this country to read well, getting this country to do math well, and getting our children ready for college and important jobs.'' It is like do not dare challenge us, we in Washington, DC, know all the answers.

The gentleman mentioned earlier that in his field hearings across the country what he found was that those schools that were succeeding were schools where the parents and teachers and the administrators in that school took possession of their children's education. They said, the heck with the State capitol, the heck with Washington, DC, we are going to make education better right here.

I would like to ask the gentleman, will a nationally dictated curriculum in the form of a national test, to top-down give this test and do it on these subjects because we think this is the way math should be tested, is that going to help those people and encourage them to take control of their schools?

I yield to the gentleman from Michigan [Mr. HOEKSTRA].

Mr. HOEKSTRA. I thank the gentleman for yielding.

No, Mr. Speaker, what our hearings have shown, as we have talked with parents, teachers, and administrators, developing a test is a very personal and very important issue.

In the State of Michigan, we have made progress in developing a test, but if this test is not embraced at the local level by the parents and by the teachers, the American people will not rise up and embrace this test that they have had no input in.

Secretary Riley may be a bright person, but there is no way, without bringing that grass-roots support and involvement in at the beginning of the process, that we can expect that a bunch of bureaucrats here in Washington are going to write a test that is going to be embraced in Hawaii, Detroit, Holland, Phoenix, or in Florida. There is absolutely no way.

This is not about patriotism, this is about what works. This is a test that has to be developed at the grass-roots level up. If we issue a national test and we then test our kids, and that test is not a well-developed test and is not supported by the parents, we will not have Americans embracing this, we will have American parents in an uproar, because we will have tested their kids and given them a grade or score on a test that they do not believe in, and a test that has not been validated. It is the greatest disservice we could do to our local school districts, to our kids, and to their parents.

Mr. SHADEGG. It is a basic character of human nature to take possession of your own ideas. If you get involved in your own school and in your own children's education and you start working on making their education better, you are going to work at it and care about it.

If you get told, no, we do not need your input, we have gotten some experts in Washington, DC, to write the test, and those experts know what the right curriculum is, so do not bother showing up for the school board meeting where the curriculum is going to be discussed, that has already been decided in Bill Clinton's Washington, DC.

Mr. HOEKSTRA. If the gentleman will continue to yield, the question we really ought to be asking is why is the administration rushing to write a test? Why are they not involving Congress, why are they not involving the appropriate committees, why are they not involving the Governors, why are they not involving teachers and parents and school administrators? Why are they rushing to get this thing done without any involvement?

It is absolutely going to fail, and the question is why? Why do we need to rush through this, and why can we not involve different people in this process?

Mr. SHADEGG. I think it is an excellent question, and probably a great question on which to kind of end this discussion.

The reality is that we are on the verge of adopting a national test on which Congress will have had no input, on which local parents and teachers will have had no input. I simply want to make clear to everybody who might be listening tonight across America that this issue will be decided within the next few days to few weeks here in the U.S. Congress, in the House and in the Senate.

If they do not think a one-size-fits-all Washington, DC, exam written that is crammed down their throats without the chairman of the subcommittee in charge of this area having some input, without the local State superintendent of public instruction having the ability to have input, but most importantly, without them as parents or teachers of their children, or as a school principal, if they do not want that crammed down your throat, we need their support now to stop this, and stop it before it goes any further.

I think it holds the potential, as one of the articles that has been written suggests, of being a national calamity. I think it will be an absolute disaster if we turn the education of our children in America over to Washington, DC. We owe the children of America more than abdicating our responsibility to Washington, DC, and letting their education be dictated millions of miles from their homes and thousands of layers of bureaucrats from their own principal or their own teacher.

Mr. WELDON of Florida. If the gentleman will continue to yield, Mr. Speaker, I just want to add that what the gentleman says is critical. The future of our children's education, it is not just about them and their lives, it is about our whole Nation.

We have learned, we have discovered, that the future lies not only in our ability today to be innovative, but in the ability of our children tomorrow to compete, to be inventive. We need to be doing what we can to make sure we are making education better in America. This is an ill-advised scheme, in my opinion, that the President should shelve. I again commend the gentleman for his initiative.

Mr. SHADEGG. It may be well-intended, but it has the potential to be a disaster. If we write one test in Washington and it is bad, we will not be able to change it for decades to come. In a global economy, we will perhaps be handicapped.

I will yield to the gentleman from Michigan [Mr. HOEKSTRA] to close, if he would like.

Mr. HOEKSTRA. Mr. Speaker, I thank the gentleman for yielding. What we have found as we have gone across the country is schools, where they are working, where they have done a good job with the children, are those where there is local parental control, not where Washington is dictating the agenda.

This is about where are education decisions for our children going to be made. Is the direction going to be at the local level, or is it going to be moved to Washington, DC? All we have to do is go around the country, take a look at the grass-roots level. We will be surprised at the wonderful things that are going on in all types of education, public, private, parochial, religious education efforts. But it is because of grass roots, not because of what we are doing here in Washington.

□ 2100

Moving to national testing is moving more decision making to Washington away from the very people that are making a difference in our kids' lives today. We need to begin a process of moving power and money back to parents and the local school districts, not continuing on this trend of moving it to Washington. Mr. Speaker, I thank the gentleman for this special order.

Mr. SHADEGG. Mr. Speaker, I thank the gentleman for joining me. I want to conclude by saying that national testing is one of those ideas where the proponents believe that Washington knows best and I suggest they are wrong. Washington does not know best how to educate your children in your school or my children in my school. You can do it better.

Mr. Speaker, I ask my colleagues to help us to reject the idea of national testing, which would give too much responsibility to Washington and take too much away from the parents and their child's teacher.

PLUTONIUM POWER SOURCE PROVEN SAFE ON NASA PROBE TO SATURN

The SPEAKER pro tempore (Mr. SHIMKUS). Under a previous order of the House, the gentleman from Florida [Mr. WELDON] is recognized for 5 minutes.

Mr. WELDON of Florida. Mr. Speaker, I rise to speak on the recent Cassini mission to Saturn. This was a successful launch on a Titan launch vehicle that left Cape Canaveral a week ago tomorrow morning. Actually, it was 4 a.m. on Wednesday. It was a mission that garnered a lot of publicity, primarily because the probe, this deep space probe that was going to one of the moons of Saturn, it is a moon called Titan, it had a plutonium power source on it. The source of electricity to run all the computers and the sensors on this satellite, this probe, was plutonium, and as everybody knows, plutonium is radioactive and it is dangerous.

Mr. Speaker, as soon as I heard about this mission 6 months ago or so and I knew it was going to be going off, I immediately had some of the leaders of the Cassini program from NASA come into my office and brief me, because I live in that area and I remember very well the controversy surrounding the Galileo mission. I am sure many Americans remember the Galileo mission, which was a mission to Jupiter, and we had a probe that went into the Jupiter atmosphere. It was a very successful mission and got a lot of publicity.

So 5 years ago when that mission was taking off, at that time there was a lot of controversy as well about the plutonium power source. I was also concerned because I live in the area, my wife and daughter live in the area, my father lives in the area, all of my friends live in the area. So I wanted to find out the facts on this issue, and I was actually very disappointed to see, they never really came out in any of the press coverage on the Cassini mission.

The plutonium that they use to power these vehicles is plutonium that has been solidified in a ceramic. It is encased in metal and it has essentially been tested and tested and tested so that it can withstand a disaster. And indeed I discovered on my research on this issue that actually at one point there was a mission that failed on the launch pad and the rocket blew up with the plutonium on board. It was out in California at Vandenberg Air Force Base. And not only did the plutonium power source, they call it an RTG power source, not only did it not break up and spill plutonium into the atmosphere, they were actually able to clean the thing up and put it on another satellite, it was constructed so well to withstand the blast.

The other issue that there has been some concern about is that this thing could reenter the atmosphere and in the process of burning up, that it would release all of this plutonium into the atmosphere. And they have also designed the plutonium power source so that if it does reenter the atmosphere, it has a casing around it and the casing absorbs the heat and it never actually burns up.

Indeed, I found out that plutonium RTG's were actually on the Apollo mission, and Apollo 13, when it reentered the atmosphere, there were plutonium RTG's on the Apollo 13, and they survived the reentry and there was no release of plutonium into the atmosphere.

The bottom line is here that the engineers, the men and women who designed this power source, and it has been used 26 times safely on various missions, and as well they use the same technology in Russia and they have used it on many missions. It is designed to withstand an explosion on the launch pad without releasing any plutonium into the atmosphere, and it is designed to reenter if there were an accident and it were to fall back to Earth and not burn up and not release any plutonium into the atmosphere.

So, Mr. Speaker, the point is basically this. They have designed it so that it is safe and there is no way, if one talks to these scientists there is no way that we could send probes out to Jupiter, out to Saturn, to those outer planets, without this power source.

People will say, well we can use solar. The solar rays are so weak when probes get that far out from the sun that we would have to have a solar array as big as the State of New Jersey to drive this probe. It is impossible to do that.

Well, it turned out the mission went off successfully. It was a successful launch. Cassini is on its way to Titan and it is going to yield valuable scientific information. The news media did a disservice and the scare tactics did not work, and I congratulate NASA.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 97, FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1998

Mr. MCINNIS (during the special order of the gentleman from New York, Mr. OWENS) submitted a privileged report (Rept No. 105–333) on the resolution (H. Res. 269) providing for consideration of the joint resolution (H. J. Res. 97) making further continuing appropriations for the fiscal year 1998, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR CONSIDERATION OF H.R. 2247, AMTRAK REFORM AND PRIVATIZATION ACT OF 1997

Mr. MCINNIS (during the special order of the gentleman from New York, Mr. OWENS) submitted a privileged report (Rept. No. 105–334) on the resolution (H. Res. 270) providing for the consideration of the bill (H. R. 2247) to reform the statutes relating to Amtrak, to authorize appropriations for Amtrak, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR CONSIDERATION OF H.R. 1534, PRIVATE PROPERTY RIGHTS IMPLEMENTATION ACT OF 1997

Mr. MCINNIS (during the special order of the gentleman from New York, Mr. OWENS) submitted a privileged report (Rept. No. 105–335) on the resolution (H. Res. 271) providing for the consideration of the bill (H.R. 1534) to simplify and expedite access to the Federal courts for injured parties whose rights and privileges, secured by the United

States Constitution, have been deprived by final actions of Federal agencies, or other government officials or entities acting under color of State law; to prevent Federal courts from abstaining from exercising Federal jurisdiction in actions where no State law claim is alleged; to permit certification of unsettled State law questions that are essential to resolving Federal claims arising under the Constitution; and to clarify when government action is sufficiently final to ripen certain Federal claims arising under the Constitution, which was referred to the House Calendar and ordered to be printed.

CONGRESS SHOULD EXERCISE OVERSIGHT REGARDING IRS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New York [Mr. OWENS] is recognized for 60 minutes as the designee of the majority leader.

Mr. OWENS. Mr. Speaker, I suppose the item of the day in terms of significant news is the fact that the Democratic minority leader has decided to also throw his lot in with those who want to make the highest priority of reforming the IRS, the Internal Revenue Service. I want to get on board, too. I cannot think of any American out there who does not think that we could improve the Internal Revenue Service in some way, and hopefully in a way which relieves us of some of the unjust items that have affected us in the past in some way.

But, in all seriousness, it is long overdue. The IRS has been neglected by Congress for too long. Congress, in general, is delinquent in its oversight responsibilities for the Federal Government. In the 15 years that I have been here, I have watched how time is frittered away and it is always the item which captures the most headlines for the moment that gets the most attention, while the important functions of government, and the gigantic agencies of government, like the Internal Revenue Service, they go on and on and they get very little oversight.

I suppose that is why IRS stumbled into a $4 billion blunder in the setup of their computer operation in an attempt to computerize themselves. Not enough Congressmen were watching. Not enough outside independent monitoring was going on, and there are probably numerous other areas in the IRS which need reform.

Mr. Speaker, I certainly hope that the debate on IRS will not degenerate or remain at the level that it is. It is sort of standing at a very low level. We are interested more in paper clips and rubber bands and operations that are at a very primitive level than we are in the total philosophy that guides IRS and the total setup of policies that emanate from the Congress through the Committee on Ways and Means and the Senate Finance Committee.

I hope that the debate about IRS will be a long and fruitful one. I hope that it will be a very thorough one, and I hope that we will look at all aspects of what is happening with our Internal Revenue Service, what is happening with our revenue collection processes.

Revenue has always been, and I have said this many times before, neglected by people who are progressives, liberals, whatever we want to call us these days. We have never spent enough time looking at revenue collection, taxes, tax policies, and that has caused some serious problems, the fact that there has never been a balanced debate or the kind of attention focused on the revenue process that we should have.

For the past few years, I have been insistent that we take a hard look, an intense and thorough analysis of what is going on with respect to revenue collection. I was fascinated. I am not on the Committee on Ways and Means, I am on the Committee on Education and the Workforce. I am concerned primarily about why there are no funds for programs like the school construction program. I am concerned about the fact that while we are lumbering along with an antiquated education system in some obvious ways. It needs help from the Federal Government and we are not supplying that help. I am concerned about our priorities and why we continue to give the impression to the American people and the world that we are a bankrupt Nation or almost a bankrupt Nation when it comes to the area of education, in the area of youth employment or a number of other worthwhile programs. We always have enough money for defense and we increase the defense budget, but we do not have enough for education.

So, my concern for expenditures related to positive programs like building schools led me to take a closer look at the revenue side of the equation and several years ago, I became fascinated by the fact that our income tax collection process, our income taxes produce a large amount of taxes from individuals and families and a much smaller percentage from corporations.

Corporations are where the money is, so I was fascinated by the fact that at present about 11 percent, of the last figures I looked at, the records that I saw, 11 percent in 1996 of the income tax collected was collected from corporations, while four times that much was collected from families and individuals, 44 percent.

So, the policies and the laws which govern and guide IRS are of very great interest to me. How much of that inequity in collection, inequality in the collection between corporations and families and individuals is due to the fact that Congress made the wrong kinds of laws, or the laws are imbalanced, they are not in balance in terms of collections from corporations versus individuals and families. How much is doing to the wrong policy? The wrong philosophy? And how much might be due to IRS and its administration, its implementation of the policies that have emanated from Congress? Is IRS delinquent in the way it pursues collection of revenue from corporations? Does it spend too much time, an inordinate amount of time pursuing families and individuals and shy away from pursuing collection of taxes from corporations because they are so big, they are so complicated, they have lawyers, they have tax accountants?

We have all seen in the past remarks made by people in the executive branch of government concerning the need to focus on collecting taxes where we can collect them more rapidly. I think in the Reagan administration there was a statement made that IRS should not waste so much time with corporations, it takes too long to get the collection. Middle-class people are the people who will respond when the IRS goes for the collections. If there are problems, then pursue middle-class taxpayers and we will get a better return, a more rapid return in terms of collection.

How much of that permeates the modus operandi of the Internal Revenue Service?

Those kinds of questions I would like to see raised and answers.

There is another aspect of the debate which I think also I have raised before and we should take a hard look at, and that is how fair is our revenue collection policy and how fair are the procedures?

When we have a situation which has persisted for a long, long time, more than 10 years, we will talk about just the last 10 years, but it is probably the last 20 years that we have had the situation with respect to New York City and New York State. We have a situation where big cities like New York City and big States like New York, industrial States, have consistently paid more into the Federal coffers, the Federal Treasury, than they have gotten back. The balance of payments has been way out of kilter consistently over the years. I have discussed it on the floor of this House on several occasions.

Senator MOYNIHAN quite a number of years ago started making a study, an analysis, of which States are in a position where they are paying more into the Federal Treasury than they get back in terms of Federal aid. So it has become a very thorough kind of analysis, and now it is supported by the John F. Kennedy School of Government at Harvard and they produce a nice booklet every year and the latest version of the booklet I have in my hand. It is entitled ''The Federal Budget and the States: Fiscal Year 1996,'' the 21st edition.

□ 2115

I was wondering before about how long we have done this, 21 years. For 21 years this study has been done, and Senator MOYNIHAN does it now in conjunction with the John F. Kennedy School of Government. It is available,

and I hope that certainly the policymakers in States like New York, New Jersey, Connecticut, the States that find themselves paying enormous amounts more into the Federal Treasury than they are getting back in terms of Federal aid, New York State is not so bad.

This year we only paid $14 billion more into the Treasury than we are getting back. In the past it has been $16 billion and at one point it was $23 billion more was being paid by the taxpayers of New York into the Federal coffers than they were getting back in various forms of aid. This ranges all across the board, all forms of Federal aid.

So it is interesting that New York State columnists and New York State legislators, Congressmen, city councilpersons, assemblymen, State Senators have never been that concerned about this imbalance. Senator MOYNIHAN first made a speech about it at a community college in New York State, New York City. He was hoping it would attract the attention of the press, but it did not.

The press, over the last 21 years, has basically ignored a basic injustice in revenue collection and distribution. We do not get back nearly as much as we put in. New York State now ranks third among those who suffer from this imbalance. At the same time New York State now ranks third in the amount of poverty that it has. That is pointed out in Mr. MOYNIHAN's statement here. It is an important piece of irony.

I am sort of stimulated and led to return to this discussion, and maybe I will be repetitious and say things I have said before here, but I am led to return because there was a columnist in the New York Post on Monday, October 13, who happened to single me out in his discussion of the New York economy and in his discussion of the fact that this piece of literature is produced every year and that New Yorkers seem to ignore it.

Mr. Fred Siegel, a columnist for the New York Post, I do not know much about Mr. Siegel, I have not read him that often, but I think it is interesting that he pointed out in his column that we have this situation where the economy of New York City is in serious trouble. It is ready to fail.

The point he was making primarily was that in the present mayoral election in New York City, we have a municipal election, borough president Ruth Messinger is running against incumbent Mayor Rudy Giuliani. He was stating that in this election there is very little talk about the economy of the city. The discussion of the economy of the city does not focus at all on the fact that New York City and New York State are in the situation where they continue to pay more into the Federal Government's coffers than they get back.

And during the course of his discussion, he says that this is a subject that officials should be addressing, the mayor and his opponent should be addressing it. And he also pointed out that the Members of Congress should be addressing this subject. Particularly, he says Representative MAJOR OWENS devotes his time to long rambling and incoherent speeches on poverty and welfare reform before an empty House Chamber. I was stimulated, of course, to respond to Mr. Siegel and I think that Mr. Siegel and all the columnists in New York City's papers, the Times, the Daily News, the Post, columnists, reporters, Mr. Siegel has thrown out a challenge to elected officials.

I would like to throw that challenge back to the columnists and reporters. Why is it that the editors, the columnists, the reporters of New York City and New York State refuse to accept the fact that we are being swindled and that we are a donor State to an ungrateful set of States out there who make speeches on the floor criticizing New York all the time.

Why do we continue to accept the drain from New York State without putting up a fight, even if we can do no more than have a rhetorical fight at this point? Certainly the people of the State ought to be aroused by the columnists as well as by elected officials and begin the debate. We do not even have a debate now. There is really no challenge.

I have quotes here from Mr. Siegel and other columnists who think that New York's Congresspeople are not interested in this problem and we have done nothing in the past. I do not know about my colleagues in the Congress from New York, but I have the proof here that I have consistently spoken about this very problem. I only went back one year, 1996, and I found three occasions where I talked at considerable length about the problem of the drain of dollars from New York State and New York City: March 12, 1996, March 22, 1996, and April 16, 1996. I talked at length about this very problem. I quoted from the statistics from the previous edition of this book, the Federal Budget and the States.

I would like to say Mr. Siegel and all the other columnists and the editorial boards of the New York Times, the New York Post, get a copy. It is a fascinating book. It was made even simpler to read this time. Join the few Members of Congress and other political leaders who are aware and who are discussing this matter.

Mr. Siegel is to be congratulated. He put his finger on a very important problem in terms of the mayoral election. There is not enough discussion about New York's economy. His article appeared in the Post, as I said before, on Monday, October 13, and is entitled ''New York Economy Ready to Fail but City Politicians do Nothing to Stop the Hemorrhage of Wealth.''

I am just going to quota a few items from Mr. Siegel's column. He is really writing about the mayoral election and that is his primary concern. He criticizes both candidates for mayor, the democratic candidate, Ms. Messinger and the incumbent Mayor Guiliani. He even throws in the candidate for the Socialist Workers Party, Olga Rodriguez, and says she at least talks about the economy, even though she is still trying to fight the October revolution. Talks about the kinds of things that have been discredited in terms of the fall of the Soviet empire.

But he does talk about it, and I think it is a proper point of start, a jump-off point for a bigger discussion. And I hope that other journalists and editors will pick up and we can really begin to deal with the problem.

Quoting from his article, Mr. Siegel says, and I quote, on Thursday, the Federal Reserve Chairman, Alan Greenspan, warned that the economy is on an unsustainable track. Less cautious observers suggest that stocks are overvalued by 20 percent. Is there a crash in the offing? Probably not. But there does not have to be for the city to suffer. Should the market drop to 6000, a level that just a few years back was unthinkably high, the city will start to slide into a fiscal meltdown.

What Mr. Siegel is saying is that the present prosperity of the city, such as it is, and it is a spotty prosperity, certain neighborhoods have not enjoyed it at all, but overall the city looks good on paper. The mayor has just announced a surplus of more than $150 million. The Board of Ed has announced a surplus of more than $150 million. The Transit Authority has announced a surplus. These are all bodies which inflicted heavy taxes on the backs of the poorest people in the city, heavy suffering on the backs of the poorest people in the city.

The Transit Authority raised the fare from $1.25 to $1.50, and people going to work every day can feel that in their pocketbooks in terms of poor people having to pay $1.50 to ride the subway or the bus. But now they come up with a surplus. And that is a whole other discussion.

The mayor has cut numerous programs in neighborhoods. He has cut back drastically on the hospitals, city hospitals, a number of other places where tremendous cuts were made. And the most devastating cuts of all were, of course, made in education. We are suffering mightily as a result of those cuts. But we now have a surplus, and part of the reason given for the surplus is because the stock market is booming. And New York City and New York State have a tax on stock market transactions. Every time there is a transaction, we reap revenue.

So what Mr. Siegel is saying is that that will not go on for much longer. We cannot expect to prosper or to have our budget balanced indefinitely by the gyrations of the stock market. We have to do something better than that. And I agree with Mr. Siegel on that point.

The low rate of job growth, I will quote Mr. Siegel again. Beyond the halo of Manhattan prosperity, unemployment is 11.4 percent in Brooklyn,

12.6 percent in the Bronx, total employment, according to a report from the State Comptroller's office, has grown by 1.1 percent over the past 3 years and New York State as a whole. That may be good for New York but it is considerably less than half the national rate of 2.7 percent. We are at the peak of the national business cycle, but the gap between the city unemployment rate and the national unemployment is the highest in recorded history.

To sum up and clarify, I am reading from an article by columnist Fred Siegel that appeared in the New York Post on October 13, entitled New York Economy Ready to Fail but City Politicians do Nothing to Stop the Hemorrhage of Wealth. In this column he mentioned my name and said that while this is going on, we are neglecting the problem of the fact that we have a hemorrhage of wealth and people like Major Owens make long, rambling and incoherent speeches on poverty and welfare reform before an empty House Chamber.

My speech, I assure, is not incoherent at all. Step by step I am saying that I agree with you that we have neglected, as political leaders and as columnists and editors, we have neglected a major problem. I hope that your article and my speeches here, which are not different from the kind of speeches I have been making all along, will spark a debate among New Yorkers so that they can get themselves together and understand where the enemy is and go out and demand a just sharing of Federal revenue.

We are $14 billion in the hole this year, $16 billion last year. And it has gone as high as $23 billion, where $23 billion more has been paid into the Federal coffers than we received back.

At the other end of the spectrum, we have New Mexico, which receives the greatest amount per capita of Federal aid above the amount that it puts in.

□ 2130

We have places like the Speaker's county in Georgia, which is one of the highest per capita recipients of Federal aid. We have the great State of California, which has a booming population, but compared to New York, their balance of payments has gone way down because they are the recipients of disaster aid.

If it is not a mud slide, it is a hurricane or an earthquake that leads to Federal money being pumped into California's economy. And California now is contemplating El Nino and the results of El Nino and what El Nino might do to the weather, and the weather may lead to some catastrophic natural disasters.

I am all in favor of people being helped when they have natural disasters, but this may be one of the areas where States should go it alone and not have to come to the Federal Government for a handout. It is certainly a very unfair situation for certain States to continually have floods and earthquakes and various catastrophes that they know are going to happen and they are not prepared for them. As a result, their economy is rewarded by enormous amounts of money being pumped in to deal with those disasters.

Somebody should do a study on California's economy, the amount of damage done, the estimate of the damage versus the amount of Federal aid that flows in and the amount of Federal aid combined with the amount of local and State aid, and we might find that disasters are really a great benefit in kind of a perverse way.

I am not going to go into it in too much detail, but all of these things need to be looked at when we start criticizing the kind of economy we have in New York. And it has been the subject of a great deal of criticism, which I will quote in a few minutes.

But I want to continue and complete Mr. Siegel's article. Mr. Siegel goes further and says the low rate of job growth accounts in part for the facts that despite the city's image of wealth and power, 2 million New Yorkers live in poverty. Two million New Yorkers live in poverty. An average household income, adjusted for the cost of living, is about 16 percent below the national average. These numbers will only grow in the case of a recession.

I want to repeat that, quoting from Fred Siegel's article, the low rate of job growth accounts in part for the facts that despite the city's image of wealth and power, 2 million New Yorkers live in poverty. And the average household income, adjusted for the cost of living, is about 16 percent below the national average. These numbers will only grow in the case of a recession.

He has already quoted before that unemployment in Brooklyn is 11.4 percent; unemployment in the Bronx, 12.6 percent. While the city's overall economy is benefiting from the stock transfer tax and the city has a surplus in its budget, rampant poverty is still there. And New York State, as a whole, now ranks third in terms of being among the poorest States in the Union having the greatest amount of poverty. Two million New Yorkers living in poverty.

Mr. Siegel goes further and says that the growth of wealth and power in the high-tech West has been one of the two massive transfers of wealth and power undermining New York's position in the national economy. The shift of economic power to the West is matched by the continuous movement of Federal dollars to the South.

Senator PATRICK MOYNIHAN just issued his 20th annual study of the balance of payments between various States in the Federal Government. Well, Mr. Siegel, it was not the 20th, it was the 21st balance of payment study between various States and the Federal Government. For the 20th consecutive year, the average New Yorker sends roughly one thousand more to Washington than he or she gets back, and it is even worse for New Jersey and Connecticut, residents of New Jersey and Connecticut and the surrounding metropolitan region.

The South, by contrast, is the big net winner. Continuing to read from Fred Siegel's article of October 13 in the New York Post, ''Did this massive redistribution of resources come up in the mayoral debate? No. Is it a pressing matter for our daffy delegation of Congress?'' And he goes on to criticize Congress Members from New York for not paying attention. Even drops my name, as I have just read before.

But I am not guilty, and Mr. Siegel, I would like to join with you, as I said before, in stimulating the most voluminous, thorough, intense debate possible about this whole matter.

Successful institutions, Mr. Siegel says, like successful people, learn from their pasts and adapt to new conditions. Neither of the major candidates seems capable of the adaptations necessary to stem the flood of wealth and influence away from New York.

And, like Mr. Siegel, I am baffled by the fact that New York leaders, politicians, clergymen, columnists, editorial writers for years on end continue to ignore what is contained in this book. The Federal budget of the States contains a graphic picture of the wealth flowing out of New York State into the rest of the country.

We could use $14 billion. Our economy could certainly benefit from $14 billion being sent back. Or even $7 billion. Let us take half. Maybe there should be some kind of revenue-sharing provision written into the Tax Code where States are always given back at least half of what they put in beyond what they normally get back from the Federal Government.

Maybe that would be a creative idea and maybe it would be acceptable to everybody, because the people in this Chamber who yell the loudest about States' rights are the ones who seem to benefit the most from this imbalance. The Representatives of the recipient States are the ones who talk most about States' rights and the need to have States do it on their own, go it on their own, do not interfere, no mandates. If we do not want any mandates, that might be a good idea. But why should we have Federal dollars flowing in large amounts into the States who do not want Federal interference?

Now, certainly the tradition of the Northeast and New York State supplying more in terms of its contribution to the Federal budget than it gets back is a tradition that was not blindly initiated. I think Franklin Roosevelt and people who developed the New Deal knew very well that the rest of the country needed help and they deliberately came up with policies that related to taxes and expenditures which spread the wealth across the country. The greatest beneficiary of the New Deal were the southern States, and they still are the greatest beneficiaries of the way that we distribute Federal dollars.

The New Deal was something that New Yorkers were proud of, and for

years progressives and liberals have always been proud of the fact that money has flowed from the northeastern States, the industrial States, out into the rest of the country. And we have taken care of the national interest that way. However, in the past few years, New York and the big cities like Chicago, in an industrial State like Illinois, and New York and New Jersey, and these big industrial States that have big cities are being constantly criticized for serving as a drain on the Federal Treasury.

People who don't look at the figures tell us that New York is a great drain. I do not know where his assumptions came from, but the gentleman from Georgia [Speaker GINGRICH] more than once on the floor of this House over the last 10 years that I have been here has been particularly focused on New York City and New York State as being wasteful of Federal dollars.

I think that at one point in 1995 he stated that New York was quote, ''Saddled with a culture of waste for which they want us to send a check.'' New York was saddled with a culture of waste for which they want us to send a check. Who is us? Send it from Georgia? Georgia is a recipient. They get more money from the Federal Government than they pay in. How would they send a check to New York? We continually send the check for the rest of the country.

The Federal Government is not going to bail out the habits that have made New York so extraordinarily expensive, quoting the Speaker again. The Speaker stated that the Federal Government is not going to bail out the habits that have made New York so extraordinarily expensive.

Conventional wisdom came to be believed on the floor of this House that New York was a financial sinkhole. New York was inefficient, wasteful, a drain on the public purse. I suppose that the Congressmen and Senators from New York have a lot of blame to bear. They must bear the burdens of blame for allowing this to happen, when we have the figures here for the last 20 years which show that New York has not been a burden on anybody. We have been the donor of large amounts of taxes flowing into the rest of the country.

Now, in the days of FDR, it was a conscious transfusion. They consciously decided that the northeast States, and New York among them, should help to supply the money needed to sustain the economies of the rest of the country. What started as a transfusion, a voluntary transfusion, has now become bloodsucking. It is really sucking the blood of a dying economy.

Mr. Siegel is right, the New York economy needs help. It is the last place that should have to continue to send out billions of dollars that do not come back. Speaker O'Neill used to say that all politics is local. All income taxes are local and many other taxes are local, but certainly income tax. People live in a locality. They live in a city, a village or a State. They pay their taxes, and they flow up to the Federal Government.

The Federal Government does not generate any taxes. In Washington, we print dollars, paper, but those paper bills are symbolic of the revenue that is collected from across the country. So it comes out of the localities and the States. It comes from New York, the billions come, and they do not go back in any just way to a State that now needs it to come back.

There was a time when we did not need it, but we need it now, and the Members of the congressional delegation of New York ought to lead the fight to get into this debate about the Internal Revenue Service, a discussion of how revenue is distributed in America. Nobody has a right to take from one set of localities and give to another unless there is some kind of formula, some kind of rationale.

It is now a habit. It is not a voluntary transfusion, it is bloodsucking. We have to stop the tax sucking, the bloodsucking, and look at the dying economy of New York City and reroute the blood, reroute the taxes back into the economy of New York City.

Let me just read from Mr. MOYNIHAN's introduction to this year's edition of this wonderful book that comes out every year, The Federal Budget and the States. In his introduction he says some interesting things. He talks about, a little bit about the history of taxes, income taxes, for example.

An income tax was proposed by the Secretary of the Treasury, Alexander J. Dallas, in the Madison administration as a means of financing the War of 1812. The war ended before anything was agreed, but the idea was in place and the legislation with respect to income tax was enacted in the Civil War and continued until 1872.

Legislation that put the income tax in place actually had been conceived as early as Madison's administration during the War of 1812, but it was enacted in 1872. In that period, New York alone, quoting from Mr. MOYNIHAN's report, New York alone paid one-third of the entire tax when the tax first began. Massachusetts and Pennsylvania each contributed about 13 percent, thus approximately 60 percent of the total revenue collected came from only three States.

Historically, the northeast has taken care of the rest of the country. It started that way and it still is that way. I am sure that at different points in time it has been voluntary, it has been given freely, but now we have a situation where ungrateful recipient States are like jackals criticizing the policies and economies of the donor States.

□ 2145

Mr. MOYNIHAN continues in another section where he talks about the 16th amendment. There was legislation that established the income tax, but that only lasted until 1872. Later on, in 1913, the 16th amendment was ratified, in 1913. It provided that Congress shall have power to lay and collect taxes on incomes from whatever source derived without apportionment among the several States and without regard to any census or enumeration. The 16th amendment, in 1913. That is a long period of time between amendments. The 15th amendment had been passed in the 1800's. We had the 13th amendment, which freed the slaves, the 14th amendment, which established equal rights, and proposed to punish the people who rebelled against the Government. That part is always left out. There is more in the 14th amendment about punishing the rebels than there is about equal rights. But nevertheless the 14th amendment.

Then the 15th amendment which gave the right to vote to the newly freed slaves. Then it was not until 1913 that we had another amendment to the Constitution. That amendment did what legislation had started before, it enshrined in the Constitution the power of Congress to lay and collect taxes on incomes from whatever source derived without apportionment among the several States and without regard to any census or enumeration. The States in the Northeast could have objected at that time. They might have had the power to stop it at that time, but they did not because they had this spirit of being responsible for the rest of the Nation. They also made some assumptions about the fact that at that time a large percentage of the funds collected by the Federal Government were going into the Armed Services, the military budget and a large part of that military budget was being spent in the big northeastern States. To continue from Mr. MOYNIHAN, his introduction:

''It may be noted that this was the First Amendment to the Constitution to be adopted since the time of the Civil War. The regional conflict never ceased. The time simply came when the poorer regions were assumed to have the better of the argument and the votes. The programs that followed may have been a good idea when New York was singularly the most prosperous state in the Nation and these programs were an act of social conscience designed to uplift the downtrodden or unenlightened elsewhere. We sent the money to Washington, received precious little in return and felt very good. Somehow as late they don't seem to show as much gratitude as they used to.''

A very important statement. New Yorkers gave freely because they wanted to uplift the downtrodden or unenlightened elsewhere, the money went to Washington, the New Deal moved even faster, and yet we got little back in terms of gratitude. Mr. MOYNIHAN is to be congratulated for his thoroughness and his diligence over the years in staying with this subject and getting the most objective analysis

possible so that the figures that we quote here are generally accepted as credible. We have a situation, however, when we look at all of the available numbers, the quote from the report now is very apt, quoting again from Mr. MOYNIHAN's introduction:

''We will have more to say about this subject at another time but consider for the moment the logic of the 95 percent minimum return advocates. He is talking about transportation and the fact that there has been a great complaint about States which pay the gasoline tax not receiving 95 percent of the money back in terms of highway and transportation funds. Take it a step further. If the Federal highway program exists merely to collect gasoline taxes and return them precisely to where they were paid, why bother.''

Quote from Mr. MOYNIHAN again: ''Let the final word be that of Gerald B. Solomon of our 22nd Congressional District in the Upper Hudson Valley of New York. Mr. Solomon happily is also the chairman of the House Committee on Rules.'' Quoting from Mr. SOLOMON, ''Anyone who thinks that their State is being short-changed because they don't get back what they contribute in a gas tax is ignoring a whole series of factors and should take a hard look at New York. New York pays $18 billion,'' he is quoting the previous years, ''$18 billion more in Federal taxes than we receive in Federal funds. If they want to raise a stink, then let's redo the formulas for everything. New York could use an additional $18 billion.'' End of quote from Mr. GERALD SOLOMON, Republican from the State of New York's 22nd Congressional District.

When we look at the mix of defense expenditures, gasoline taxes and return for transportation costs, the expenditures for Medicaid, aid to families with dependent children or welfare, when we look at the whole mix and put it together, military expenditures, also, New York still comes out as a donor. It gets back more from Medicaid and Medicare than most States, but we are forced to pay 50 percent of the total Medicaid-Medicare costs, whereas in Mississippi the Federal Government pays 70 percent and the Federal Government only pays 50 percent of our costs. Per capita we have a larger number of people so we get back more Medicaid and Medicare funds than probably any other State per capita. But when we balance that off against what we get back for transportation, military contracts, when it all is balanced out, the taxpayers of New York in 1996 were still paying into the Federal Government $14 billion more than they received back. This is worthy of a debate.

Mr. Siegel, get yourself a copy of the book, arouse your fellow journalists and editors and let us go to work. Let us take a close look at the pages of a book which spell out the situation State by State and educate the people of New York as to what is the problem with respect to their taxes not returning to improve their quality of life and how are they being swindled. Let us look at Alabama on page 1. Alabama is a recipient State. They receive far more than they pay into the Federal Government's coffers. Alabama continues to retain its positive fiscal relationship with the Federal Government with a balance of payments surplus of $1,421 per person, the eighth highest in the Nation. They get back $1,421 for each person in the State than they pay in. Relative low per capita income results in tax collections of about 13 percent below the national average. Alabama ranks fourth in the Nation for payments to individuals and 14th for defense spending, leading to overall Federal spending that is 16 percent higher than the national average. The State of Alabama receives 16 percent more, its Federal spending, receipt of Federal funds is 16 percent higher than the national average. It has consistently been that way for a long, long time, certainly the last 10 years. Our dollars flow to Alabama. Alabama is not grateful. Alabama talks a great deal about States rights and not having people outside interfere.

The State of Georgia, let us read the synopsis on the State of Georgia. Georgia is almost equal to the national averages for both taxes and spending, varying by less than 1 percent in each direction. It began and ended the period from 1981 to fiscal year 1996 with moderate balance of payments surpluses. In the early to mid-1980's, rising Federal tax payments fueled by economic growth outpaced the State's success in attracting defense dollars, with the result that its balance of payments surplus fell slightly. The dramatic decline in defense spending in the late 1980s dropped the State into a deficit position in fiscal year 1988. Defense spending increased in fiscal year 1992 and went up again in the past year, so Georgia ends the 16-year period with a balance, a small balance of payments surplus of $66 per capita and a rank of 27th. Over the years, Georgia has received per person as high as $434 more per person than it has paid in and it presently receives $66 more when you take the whole State into consideration. In a previous year, this book zeroed in on some counties and they found that the county that Speaker GINGRICH represented was the county that received the highest per capita in amount of Federal spending than any other county in the country.

New Mexico ranks at the very top. It is number one when it comes to recipient States. New Mexico receives more than any other State in the Union. New Mexico, the synopsis reads, leads the Nation with the greatest balance of payments surplus. Per capita Federal spending is about 45 percent above the national average, assisted by strong defense spending. While the average State receives about $865 per capita in defense spending in fiscal year 1996, New Mexico received nearly 3 times that, $2,400 per person. The State also ranks high for intergovernmental assistance, particularly Department of Interior grants to minerals management and Native American programs. Per capita income is very low and tax collections are about 23 percent below the national average. They collect very little, send very little to the Federal Government but the amount that they receive is the greatest in the whole country. In past years they have cited New Mexico as also being the recipient of a tremendous amount of agricultural subsidies. The agricultural subsidies also were driving the amount of per capita Federal spending in New Mexico up. They have always had an interesting record. If we look at the record of New Mexico all the way from fiscal year 1981 to fiscal year 1996, they have always been above the $2,500 mark in terms of per capita. For each person in New Mexico, they receive more than $2,500. It generally has run much higher than that. $3,048 per person in 1981, $3,005 in 1985, $3,313 in 1986, $3,421 in 1987, $4,464 in 1988 and on and on it goes, always very high in terms of what they receive per person versus the amount that they pay in.

Likewise, on the other end of the spectrum, New York has always had a negative balance. We have received less consistently since 1981 per person. The $14 billion overall from 1996 translates into $773 we receive less per person in New York than we pay in. That is what the overall figure of $14 billion translates into on a per capita basis. In 1981 it was $312 less. It went as high as $1,016 per person less in 1989, $1,101 in 1994, $1,070 in 1995, receiving per person in New York that much less than we are paying into the Federal coffers. New York once again finds itself among the States with the largest per capita balance of payments deficits. The deficit fell by about 20 percent in fiscal 1996 but the total deficit of $14 billion still ranks third in the Nation. New York ranks near the bottom for most Federal spending, almost 12 percent below the national average of 1996. Defense spending has fallen sharply since the mid 1980s and New York ranked 46th in defense spending last year. New York's success in attracting grants to State and local government can be traced to Medicaid assistance, AFDC and surface transportation grants. New York ranks 12th in the real per capita income and tax collections are about 4 percent above the national average.

I know that statistics can be boring and maybe these are boring but they are certainly not incoherent. There is a story here that we must listen to in the statistics. Mr. Siegel and other journalists have to pay more attention to these statistics. New York is to be applauded for the fact that this year its economy, partially as a result of the booming stock market, New York State, its economy is such that they have placed in the budget more money for schools, more money for education. It has also voted to launch a bond issue for school construction, more than $2

billion bond issue to help construct schools. It is to be applauded for as a State moving ahead to try to fill the gap. In New York City in 1996 we had 91,000 children who did not have a place to sit in a classroom. This year we cannot find out the number because this is an election year in New York and they kept secret the exact number of children who did not have a place to sit. The estimate is that at least there were 80,000 who did not have a place to sit at the start of school.

□ 2200

They have to shuffle about and find places in the hallways and the closets, and, in some cases, the bathrooms were converted in order to have a place for the kids to sit. Again, we continue to have a situation where some children are forced to eat lunch at 10 o'clock in the morning because the school is so overcrowded until the lunchroom cannot take all the students. They have to have three or four lunch periods, so the first lunch period has to begin at 10 o'clock in the morning. That is child abuse, to force a child to eat lunch at 10 o'clock, but that is the case in a number of schools in New York City.

So New York State has begun, at least to do more than just wringing its hands about its need for more schools. New schools, renovated schools, et cetera, will do more when we get the bond issue passed. But in the meantime we are paying more money into the Federal coffers than we are receiving back. The Federal Government ought to float a school construction initiative.

The President proposes a mere $5 billion over a five-year period, and that was dropped out of the negotiations. We need to come back to that. We need to understand that if we are not willing to launch a school construction initiative to make sure of the schools across the country.

The General Accounting Office estimates that the problem is about $120 billion in infrastructure needs across the whole country. There are rural schools, suburban schools, a number of places where they need new schools, not just in the inner-cities. The total tab would be, according to the General Accounting Office estimate, about $120 billion. Here we had a proposal in the State of the Union message for a mere $5 billion and they dropped that.

If you are not willing as a Nation through the Federal budget to deal with the problem of school construction and some other acute problems in places like New York, then give us our money back. Give us back the $14 billion or give us back half of it. We can solve our own problems.

We have a situation where it is an involuntary transfusion. It is blood sucking, really, when you have a State which has an acute poverty problem, a city like New York, which has 2 million people who are poor out of a population of close to 8 million, but 2 million are poor. We need our money back.

I want to repeat and emphasize the fact that this is not stated enough by journalists, by columnists, by editorial boards in New York City and New York State. When Mr. Siegel says that this Congressman is one of those who has not addressed the problem, I want to read and close out with a couple of quotes from my previous statements on the floor of this House.

I think just last March 12, 1996, I made the following statement: New York State is a State in the Nation which provides the greatest amount of surplus in terms of Treasury. When you compare what New York State receives from the Federal Government, what it receives from the Federal Government in terms of aid, it is much less than it pays in. That has been true for the last 20 years.

This is my quote from last year. In 1994, the last year they had figures available, New York State paid the Treasury $18.9 billion more than it got back from the Federal Treasury in State aid. New York was the most generous of the States. We were at the very top in 1994. I quoted from the booklet in 1994.

This was, for the benefit of Mr. Siegel and the other journalists who want to check it out, this is in the CONGRESSIONAL RECORD, March 12, 1996, H–2117.

On that same date, I made several statements about Medicare and Medicaid. If New York State stood alone, it would be in receipt of $18.9 billion that it does not have now. If you gave us back the $18.9 billion in 1994 that we paid into the Federal Government, which was greater than the amount we got back in terms of aid, we could solve our budget problems. In fact, just give us back half that amount.

I am like a broken record, the same things I am saying tonight, I have said it many times before. It is not incoherent, Mr. Siegel. It is repetitious, I confess, but it needs to be repetitious because nobody seems to pick up on these important messages. If we had $9 billion, the New York State budget could be balanced and you would have a lot left over. We could take care of our own summer youth program, our own construction problems. If you give us back the greater amount of money we pay in, we could stop waiting for the Federal Government.

I mention this because the criticism on the floor of the House repeatedly aims at New York and calls New York a welfare State.

I think during that same discussion I talked about the Speaker's home State of Georgia, meanwhile, is one of the large number of southern largely Republican States that receives far more from the Federal Government than they send out in taxes.

I quoted Mr. MOYNIHAN at that time. Mr. MOYNIHAN said, ''I told Mr. GINGRICH, what are you talking about my friend? In Atlanta 59 percent of the children are AFDC, Aid for Families with Dependent Children. In a single year, where do you think that money comes from?'' By the way, Atlanta is in Georgia, and in case somebody doesn't have his geography straight, Atlanta is in Georgia, and Atlanta is the Speaker's home state. Those are some comments, but there are many, many paragraphs where I expanded on the same argument.

Also, for the benefit of Mr. Siegel and any other journalist who wants to criticize this for not speaking out on this subject of providing leadership, on March 22, 1996, I announced I was going to have a town meeting, and the subject of the meeting was the fiscal future of New York City.

The discussion begins with a discussion of what is happening here in Washington, because the fiscal future of New York City is inextricably interwoven with the policies of general aid here in Washington, our capital. I am going to start by talking that New York City is often discussed on the floor of the House of Representatives. People often talk about New York City and New York State. It is a favorite target of the Speaker of the House. Speaker GINGRICH often refers to New York State and New York City as a welfare state and a welfare city. For that reason, the people of New York need to understand the perspective of our relationship with Washington better.

I again repeat, we are called a welfare state and a welfare city. We are often accused of being a drain on the Nation, and yet New York City pays taxes to the tune of $9 billion more into the Federal Government and New York State pays another $9 billion, a total of $18.9 billion in 1994.

The total of New York State and the city for that year was $18.9 billion. The year before that, in 1993, it was $23 billion more to the Federal Government than we received back from the Federal Government.

Mr. Speaker, I said at that time, it is baffling. We do not understand why Members on the floor of the House like to single out New York City. New York City and New York State are often singled out for its high expenditures for Medicare and Medicaid.

Well, after we take away our high expenditures for Medicaid and Medicare, which are the highest in the country, I will admit that, and I can think of no more noble way to expend public funds than by taking care of the sick and the infirm and the elderly in nursing homes, no more noble way to expend funds. But we do not waste money when we take care of the sick and the infirm.

In closing, I want to repeat and sum up, so that nobody will accuse me of being incoherent, this discussion is very much related to the topic of the day, the IRS and revenue collection. Revenue collection and the IRS should not be a discussion that takes place in a trivial manner. Let us talk about the philosophy of taxation and revenue collection, the implementation of that philosophy and how that impacts on the states that are now donors, while other states are traditional recipients.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GILLMOR (at the request of Mr. ARMEY), for today, on account of attending a funeral.

Mr. BONO (at the request of Mr. ARMEY), for today, on account of illness.

Mr. MCINTOSH (at the request of Mr. ARMEY), for today and the balance of the week, on account of the birth of his baby.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. CLEMENT) to revise and extend their remarks and include extraneous material:)

Mr. TRAFICANT, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Mr. CLAY, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

Mr. PAYNE, for 5 minutes, today.

Mr. FATTAH, for 5 minutes, today.

Mr. SCOTT, for 5 minutes, today.

Mr. FORD, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. SAXTON, for 5 minutes each day, on today and October 22 and 23.

Mr. BILBRAY, for 5 minutes, on October 22.

Mr. METCALF, for 5 minutes, today.

Mr. GUTKNECHT, for 5 minutes, on October 24.

Mr. SMITH of Michigan, for 5 minutes each day, on today and October 22.

Mr. HUTCHINSON, for 5 minutes, on October 22.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. WELDON of Florida, for 5 minutes, today.

EXTENSION OF REMARKS

By unamimous consent, permission to revise and extend remarks was granted to: The following Members (at the request of Mr. CLEMENT) and to include extraneous matter:

Mr. PASCRELL.

Mr. CLEMENT.

Mr. SKELTON.

Mr. NEAL of Massachusetts.

Mr. SCHUMER.

Mr. STARK.

Mr. BARRETT of Wisconsin.

Mr. MATSUI.

Mr. RUSH.

Mr. BENTSEN.

Mr. KLECZKA.

Mr. BLAGOJEVICH.

Mr. NADLER.

Mr. KIND.

Ms. JACKSON-LEE of Texas.

Mr. FARR of California.

Mr. SHERMAN.

Ms. HARMAN.

Mr. LIPINSKI.

Mr. SERRANO.

(The following Members (at the request of Mr. KINGSTON) and to include extraneous matter:)

Mr. NEY.

Mr. GOODLATTE.

Mr. MCINTOSH.

Mr. GINGRICH.

Mr. THOMAS.

Mr. GILMAN, in two instances.

Mr. RILEY.

Mr. CHRISTENSEN.

Mr. WELLER.

Mr. DOOLITTLE.

Mr. NEUMANN.

Mr. BEREUTER.

Mr. SHAW.

Mr. MCCOLLUM.

Mr. TAYLOR of North Carolina.

Mr. PACKARD.

Mr. LEWIS of Kentucky.

The following Members (at the request of Mr. OWENS) and to include extraneous matter:

Ms. KILPATRICK.

Mr. DIXON.

Mr. TRAFICANT.

Mr. BROWN of California.

Mr. SESSIONS.

Ms. MCCARTHY of Missouri.

Mr. DICKS.

Mr. HASTINGS of Florida.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 595. An act to designate the United States Post Office building located at Bennett Street and Kansas Expressway in Springfield, Missouri, as the ''John Griesemer Post Office Building''; to the Committee on Government Reform and Oversight.

S. 916. An act to designate the United States Post Office building located at 750 Highway 28 East in Taylorsville, Mississippi, as the ''Blaine H. Eaton Post Office Building''; to the Committee on Government Reform and Oversight.

S. 985. An act to designate the post office located at 194 Ward Street in Paterson, New Jersey, as the ''Larry Doby Post Office''; to the Committee on Government Reform and Oversight.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2158. An act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes.

H.R. 2169. An act making appropriations for the Departments of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight reported that that committee did on the following date present to the President, for his approval, bills for the House of the following titles:

On October 15, 1997:

H.R. 2158. An act making appropriations for the Department of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes.

H.R. 2169. An act making appropriations for the Departments of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

ADJOURNMENT

Mr. OWENS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 9 minutes p.m.), the House adjourned until tomorrow, Wednesday, October 22, 1997, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

5435. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Procedures to Limit the Volume of Small Florida Red Seedless Grapefruit; Correction [Docket No. FV96–905–2] received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5436. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Hazelnuts Grown in Oregon and Washington; Reduced Assessment Rate [Docket No. FV97–982–1 IFR] received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5437. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Kiwifruit Research, Promotion, and Consumer Information Order; Referendum Procedures [FV–96–708FR] received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5438. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Commuted Traveltime Periods: Overtime Services Relating to Imports and Exports [Docket No. 97–032–1] received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5439. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Oriental Fruit Fly; Designation of Quarantined Area [Docket No. 97–073–3] received October 14, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5440. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Brucellosis in Cattle; State and Area Classifications; California [Docket No. 97–082–1] received October 15, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5441. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Performance of Certain Functions by National Futures Association with Respect to Commodity Pool Operators and Commodity Trading Advisors—received October 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5442. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Spinosad; Pesticide Tolerances for Emergency Exemptions [OPP–300560; FRL–5746–6] (RIN: 2070–AB78) received October 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5443. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule—Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Operations; Book-entry Procedures for Farm Credit Securities (RIN: 3052–AB73) received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5444. A letter from the Administrator, Farm Service Agency, transmitting the Agency's final rule—Noninsured Crop Disaster Assistance Program (RIN: 0560–AF23) received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5445. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting the Department's Defense Manpower Requirements Report for FY 1998, pursuant to 10 U.S.C. 115(b)(3)(A); to the Committee on National Security.

5446. A letter from the Secretary of Energy, transmitting the report entitled ''Savannah River Site Chemical Separation Facilities Multi-Year Plan,'' pursuant to 42 U.S.C. 7252 nt.; to the Committee on National Security.

5447. A letter from the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, transmitting the Office's final rule—Assessment of Fees; National Banks; District of Columbia Banks [Docket No. 97–21] (RIN: 1557–AB60) received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

5448. A letter from the Federal Register Liaison Officer, Office of Thrift Supervision, transmitting the Office's final rule—Deposits [No. 97–108] (RIN: 1550–AB00) received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

5449. A letter from the Federal Register Liaison Officer, Office of Thrift Supervision, transmitting the Office's final rule—Risk-Based Capital Requirements; Transfers of Small Business Loan Obligations with Recourse [Docket No. 97–97] (RIN: 1550–AB11) received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

5450. A letter from the Secretary of Housing and Urban Development, transmitting a draft of proposed legislation to authorize the Secretary of Housing and Urban Development to make grants to units of general local government to stimulate economic opportunity in newly designated empowerment zones; to the Committee on Banking and Financial Services.

5451. A letter from the Deputy Executive Director and Chief Operating Officer, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits [29 CFR Part 4044] received October 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5452. A letter from the Inspector General, Department of Defense, transmitting the Superfund Financial Transactions Report for Fiscal Year 1996, pursuant to Public Law 99—499, section 120(e)(5) (100 Stat. 1669); to the Committee on Commerce.

5453. A letter from the Acting General Counsel, Department of Energy, transmitting the Department's final rule—Worker Protection Management for DOE Federal and Contractor Employees [DOE Order 440.1] received September 30, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5454. A letter from the Director, Office of Rulemaking Coordination, Department of Energy, transmitting the Department's final rule—Energy Conservation Program for Consumer Products: Test Procedures for Externally Vented Refrigerators and Refrigerator-Freezers (RIN: 1904–AA93) received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5455. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Final Determination to Extend Deadline for Promulgation of Action on Section 126 Petitions [FRL–5911–8] received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5456. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's ''Major'' final rule—Control of Emissions of Air Pollution from Highway Heavy-duty Engines [AMS-FRL–5908–8] (RIN: 2060–AF76) received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5457. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; Santa Barbara County Air Pollution Control District, California [CA157–0050a; FRL–5907–7] received October 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5458. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of Volatile Organic Compound Emissions from Yeast Manufacturers, Screen Printing, Expandable Polystyrene Operations, and Bakeries [MD 040–3017a; FRL–5906–1] received October 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5459. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Transitional and General Opt-Out Procedures for Phase II Reformulated Gasoline Requirements [FRL–5903–3] received October 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5460. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Compliance Assurance Monitoring [IL–64–2–5807; FRL–5908–6] (RIN: 2060–AD18) received October 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5461. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Acid Rain Program: Revisions to Permits, Allowance System, Sulfur Dioxide Opt-Ins, Continuous Emission Monitoring, Excess Emissions, and Appeal Procedures [FRL–5908–5] (RIN: 2060–AF43) received October 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5462. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Connecticut [CT–7202a; FRL–5902–2] received October 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5463. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; New Hampshire [NH–7157a–FRL–5906–8] received October 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5464. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Bay Area Air Quality Management District [CA 193–054; FRL–5907–9] received October 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5465. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Virginia—General Conformity Rule [VA079–5020a; FRL–5909–9] received October 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5466. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Auction of 800 MHz SMR Upper 10 MHz Band; Minimum Opening Bids or Reserve Prices—received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5467. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Newaygo, Michigan) [MM Docket No. 97–154, RM–9116] received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5468. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Expedited Safety Reporting Requirements for Human Drug and Biological Products [Docket No. 93N–0181] (RIN: 0910–AA97) received October 14, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5469. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Policy and Procedure for Enforcement Actions; Enforcement Conference Procedures [NUREG–1600] received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5470. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Integrated Materials Performance Evaluation Program (IMPEP) [Management Directive 5.6] received October 15, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5471. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory

Commission, transmitting the Commission's final rule—Codes and Standards; IEEE National Concensus Standard (RIN: 3150–AF73) received October 15, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5472. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Information to Licensees Regarding NRC Inspection Manual Section on Resolution of Degraded and Nonconforming Conditions [Generic Letter 91–18] received October 15, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5473. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Offshore Press Conferences, Meetings with Company Representatives Conducted Offshore and Press-Related Materials Released Offshore [Release Nos. 33–7470 and 34–39227; S7–26–96] (RIN: 3235–AG85) received October 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5474. A letter from the the Assistant Secretary for Legislative Affairs, the Department of State, transmitting a copy of Presidential Determination No. 97–34: Transfer of $4 million in FY 1997 Economic Support Funds to the Peacekeeping Operations Account to Support the African Crisis Response Initiative Under Section 610(a) of the Foreign Assistance Act of 1961, pursuant to 22 U.S.C. 2318(a)(1); (H. Doc. No. 105—148); to the Committee on International Relations and ordered to be printed.

5475. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance (LOA) to Korea for defense articles and services (Transmittal No. 98–01), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

5476. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance (LOA) to Turkey for defense articles and services (Transmittal No. 98–06), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

5477. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance (LOA) to Greece for defense articles and services (Transmittal No. 98–07), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

5478. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification for Fiscal Year 1998 that no United Nations agency or United Nations affiliated agency grants any official status, accreditation, or recognition to any organization which promotes and condones or seeks the legalization of pedophilia, or which includes as a subsidiary or member any such organization, pursuant to Public Law 103–236, section 102(g) (108 Stat. 389); to the Committee on International Relations.

5479. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting President Clinton's determination that the Board of the International Fund is, as a whole, broadly representative of the interests of the communities in Ireland and Northern Ireland, and that disbursements from the International Fund are distributed in accordance with the principle of equality of opportunity and nondiscrimination in employment, without regard to religious affiliation, and will address the needs of both communities in Northern Ireland, pursuant to Public Law 99–415, section 5(c) (100 Stat. 948); to the Committee on International Relations.

5480. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to Turkey (Transmittal No. DTC–106–97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5481. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to NATO AEW&C Programme Management Organization (Transmittal No. DTC–116–97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5482. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to Korea (Transmittal No. DTC–28–97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5483. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to Belgium, Canada, Denmark, Germany, Greece, Italy, Portugal, Turkey, United Kingdom, and Norway (Transmittal No. DTC–115–97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5484. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

5485. A communication from the President of the United States, transmitting the Compliance Report on Armenia and Other Parties in the Caucasus Region, in accordance with Condition 5(F) of the resolution of advise and consent to ratification on the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe of November 19, 1990 (''The CFE Flank Document''), adopted by the Senate of the United States on May 14, 1997; to the Committee on International Relations.

5486. A letter from the Deputy Congressional Liaison, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Rules Regarding Availability of Information [Docket No. R–0975] received October 15, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

5487. A letter from the Executive Director, Office of Navajo and Hopi Indian Relocation, transmitting the FY 1997 annual report under the Federal Managers' Financial Integrity Act (FMFIA) of 1982, and the Inspector General Act of 1988, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

5488. A letter from the Chairman, Postal Rate Commission, transmitting a report noting some discrepancies, since corrected, to the Commission's IMPAC Credit Card report for fiscal year 1997; to the Committee on Government Reform and Oversight.

5489. A letter from the Staff Director, United States Commission on Civil Rights, transmitting a report of activities under the Freedom of Information Act for the calendar year 1996, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

5490. A letter from the the Chief Administrative Officer, the U.S. House of Representatives, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period April 1, 1997, through June 30, 1997 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a; (H. Doc. No. 105–154); to the Committee on House Oversight and ordered to be printed.

5491. A letter from the Director, Fish and Wildlife Service, transmitting the Service's final rule—Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for Nine Plants from the Grasslands or Mesic Areas of the Central Coast of California (RIN: 1018–AD36) received September 30, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5492. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in Central Regulatory Area of the Gulf of Alaska [Docket No. 961126334–7025–02; I.D. 100997A] received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5493. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Tuna Fisheries; Recreational Fishery Adjustments [I.D. 100697B] received October 15, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5494. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; ''Other Rockfish'' Species Group in the Bering Sea Subarea [Docket No. 961107312–7021–02; I.D. 100797A] received October 14, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5495. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Tuna Fisheries; Atlantic Bluefin Tuna General Category [I.D. 100797B] received October 15, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5496. A letter from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule—Reporting and Procedures Regulations; Foreign Terrorist Organizations Sanctions Regulations [31 CFR Parts 501 and 597] received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5497. A letter from the Director, Executive Office for United States Trustees, Department of Justice, transmitting the Department's final rule—Procedures for Suspension and Removal of Panel Trustees and Standing Trustees (RIN: 1105–AA54) received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5498. A letter from the Director, Federal Bureau of Prisons, transmitting the Bureau's final rule—Drug Abuse Treatment and Intensive Confinement Center Programs: Early Release Consideration [BOP–1070–I] (RIN: 1120–AA66) received October 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5499. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's nineteeth Annual Report to Congress pursuant to section 201 of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, pursuant to 15 U.S.C. 18a(j); to the Committee on the Judiciary.

5500. A letter from the Commissioner, Immigration and Naturalization Service, transmitting the Service's ''Major'' final rule—Affidavits of Support on Behalf of Immigrants [INS No. 1807–96] (RIN: 1115–AE58) received October 17, 1997, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on the Judiciary.

5501. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend section 1129 of the Bankruptcy Code; to the Committee on the Judiciary.

5502. A letter from the the Acting Assistant Secretary (Civil Works), the Department of the Army, transmitting a report on the authorization of navigation improvements for Boston Harbor, Massachusetts, pursuant to Public Law 104–303, section 101(a)(13); (H. Doc. No. 105–150); to the Committee on Transportation and Infrastructure and ordered to be printed.

5503. A letter from the the Acting Assistant Secretary (Civil Works), the Department of the Army, transmitting a report on a flood damage reduction project for the American River Watershed, California, pursuant to Public Law 104–303, section 101(a)(1); (H. Doc. No. 105–151); to the Committee on Transportation and Infrastructure and ordered to be printed.

5504. A letter from the the Acting Assistant Secretary (Civil Works), the Department of the Army, transmitting a report on a flood damage reduction and agricultural water supply project at the Terminus Dam, Kaweah River Basin, California, pursuant to Public Law 104–303, section101(b)(5); (H. Doc. No. 105–152); to the Committee on Transportation and Infrastructure and ordered to be printed.

5505. A letter from the the Acting Assistant Secretary (Civil Works), the Department of the Army, transmitting a report on a storm damage reduction and shoreline protection project for Brigantine Inlet to Great Egg Harbor Inlet, Absecon Island, New Jersey, pursuant to Public Law 104–303, section 101(b)(13); (H. Doc. No. 105–153); to the Committee on Transportation and Infrastructure and ordered to be printed.

5506. A letter from the General Counsel, Department of Transportation, transmitting a letter to correct the ''Major'' status originally attributed to the non-major rule, Executive Communication 5066; to the Committee on Transportation and Infrastructure.

5507. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; SOCATA—Groupe AEROSPATIALE Model TBM 700 Airplanes (Federal Aviation Administration) [Docket No. 97–CE–15–AD; Amdt. 39–10148; AD 97–20–11] (RIN: 2120–AA64) received October 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5508. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace Model HS 748 Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–218–AD; Amdt. 39–10143; AD 97–20–05] (RIN: 2120–AA64) received October 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5509. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300, A300–600, and A310 Series Airplanes (Federal Aviation Administration) [Docket No. 96–NM–215–AD; Amdt. 39–10146; AD 97–20–08] (RIN: 2120–AA64) received October 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5510. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Fees for Air Traffic Services for Certain Flights Through U.S.-Controlled Airspace (Federal Aviation Administration) [Docket No. 28860; Amdt. No. 187–9] (RIN: 2120–AG17) received October 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5511. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—List of Nonconforming Vehicles Decided to be Eligible for Importation (National Highway Traffic Safety Administration) [Docket No. 97–067; Notice 1] (RIN: 2127–AG98) received October 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5512. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airspace Designations; Incorporation By Reference (Federal Aviation Administration) [Docket No. 29030; Amendment No. 71–29] received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5513. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Restricted Areas; Camp Lejeune, NC (Federal Aviation Administration) [Airspace Docket No. 94–ASO–18] (RIN: 2120–AA66) received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5514. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737 Series Airplanes (Federal Aviation Administration) [Docket No. 96–NM–149–AD; Amdt. 39–10116; AD 97–18–06] (RIN: 2120–AA64) received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5515. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Hiller Aircraft Corporation Model UH–12A, UH–12B, UH–12C, UH–12D, and UH–12E Helicopters (Federal Aviation Administration) [Docket No. 96–SW–32–AD; Amdt. 39–10151; AD 97–20–15] (RIN: 2120–AA64) received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5516. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Canada (BHTC) Model 430 Helicopters (Federal Aviation Administration) [Docket No. 97–SW–24–AD; Amdt. 39–10152; AD 97–15–16] (RIN: 2120–AA64) received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5517. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter Deutschland GmbH (ECD) (Eurocopter) Model MBB-BK117 A–1, A–3, A–4, B–1, B–2, and C–1 Helicopters (Federal Aviation Administration) [Docket No. 97–SW–15–AD; Amdt. 39–10153; AD 97–20–16] (RIN: 2120–AA64) received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5518. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Model BAe 125–800A Series Airplanes and Hawker 800 Series Airplanes (Federal Aviation Administration) [Docket No. 95–NM–142–AD; Amdt. 39–10156; AD 97–21–03] (RIN: 2120–AA64) received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5519. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Vessel Identification System (Coast Guard) [CGD 89–050] (RIN: 2115–AD35) received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5520. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operations Regulations; Bronx River, New York (Coast Guard) [CGD01–97–018] (RIN: 2115–AE47) received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5521. A letter from the Administrator, Environmental Protection Agency, transmitting the 1996 Clean Water Needs Survey report on the ''Assessment of Needs for Publicly Owned Wastewater Treatment Facilities, Correction of Combined Sewer Overflows, and Management of Storm Water and Nonpoint Source Pollution in the United States,'' pursuant to 33 U.S.C. 1375(b)(1); to the Committee on Transportation and Infrastructure.

5522. A letter from the Acting General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Disaster Assistance; Snow Assistance (RIN: 3067–AC58) received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5523. A letter from the Director, Office of Management and Budget, transmitting the annual report summarizing all explanations received for agency's declining to use the consensus technical standards, pursuant to Public Law 104–113, section 12(d)(3) (110 Stat. 783); to the Committee on Science.

5524. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Loan Guaranty: Credit Standards (RIN: 2900–AI16) received October 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5525. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Informed Consent for Patient Care (RIN: 2900–AH72) received October 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5526. A letter from the Acting Director, Office of Personnel Management, transmitting OPM's Fiscal Year 1996 annual report on Veteran's Employment in the Federal Government, pursuant to 38 U.S.C. 4214(e)(1); to the Committee on Veterans' Affairs.

5527. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rewards for Information Relating to Violations of Internal Revenue Laws [TD 8737] (RIN: 1545–AU88) received October 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5528. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rev. Proc. 97–46, Correction [Announcement 97–107] received October 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5529. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Source of Income from Sales of Inventory Partly from Sources within a Possession of the United States; Also, Source of Income Derived from Certain Purchases from a Corporation Electing Section 936 [REG–251985–96] (RIN: 1545–AU79) received October 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5530. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting

the Service's final rule—Nonbank Trustees and Custodians for Education Individual Retirement Accounts [Notice 97–57] received October 15, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5531. A letter from the Chairman, United States International Trade Commission, transmitting the combined report on the Caribbean Basin Economic Recovery Act—Impact on the United States, and the Andean Trade Preference Act—Impact on the United States, pursuant to Public Law 102–182, section 206(a) and 215(a); to the Committee on Ways and Means.

5532. A letter from the Director, Defense Security Assistance Agency, transmitting a report on the authorization of up to $100M in defense articles and services to the Government of Bosnia-Herzegovina, pursuant to Public Law 104–107, section 540(c); jointly to the Committees on International Relations and Appropriations.

5533. A letter from the Director, Office of Budget and Management, transmitting the report on costs and benefits of Federal regulatory programs, pursuant to Public Law 104–208, section 645(a) (110 Stat. 3009–366); jointly to the Committees on Government Reform and Oversight and Appropriations.

5534. A letter from the the Executive Director, the Office of Compliance, transmitting the first annual report on the use of the Office of Compliance by covered employees, pursuant to section 301(h) of the Congressional Accountability Act; (H. Doc. No. 105–149); jointly to the Committees on House Oversight and Education and the Workforce, and ordered to be printed.

5535. A letter from the Assistant Secretary for Force Management Policy, Department of Defense, transmitting a letter of notification of determinations that institutions of higher education have been deemed ineligible for certain Federal funding, pursuant to Public Law 104–208, section 514; jointly to the Committees on National Security, Education and the Workforce, and Appropriations.

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:

[Filed on October 14, 1997]

Mr. GOODLING: Committee on Education and the Workforce. H.R. 2616. A bill to amend titles VI and X of the Elementary and Secondary Education Act of 1965 to improve and expand charter schools; with an amendment (Rept. 105–321). Referred to the Committee of the Whole House on the State of the Union.

[Submitted October 21, 1997]

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1270. A bill to amend the Nuclear Waste Policy Act of 1982; with an amendment (Rept. 105–290 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. GOODLING. Committee on Education and the Workforce. H.R. 2535. A bill to amend the Higher Education Act of 1965 to allow the consolidation of student loans under the Federal Family Loan Program and the Direct Loan Program; with an amendment (Rept. 105–322). Referred to the Committee of the Whole House on the State of the Union.

Mr. COBLE: Committee on the Judiciary. H.R. 1534. A bill to simplify and expedite access to the Federal courts for injured parties whose rights and privileges, secured by the U.S. Constitution, have been deprived by final actions of Federal agencies, or other Government officials or entities acting under color of State law; to prevent Federal courts from abstaining from exercising Federal jurisdiction in actions where no State law claim is alleged; to permit certification of unsettled State law questions that are essential to resolving Federal claims arising under the Constitution; and to clarify when Government action is sufficiently final to ripen certain Federal claims arising under the Constitution; with an amendment (Rept. 105–323). Referred to the Committee of the Whole House on the State of the Union.

Mr. GEKAS: Committee on the Judiciary. H.R. 764. A bill to make technical corrections to title 11, United States Code, and for other purposes; with an amendment (Rept. 105–324). Referred to the Committee of the Whole House on the State of the Union.

Mr. COBLE: Committee on the Judiciary. H.R. 1967. A bill to amend title 17, United States Code, to provide that the distribution before January 1, 1978, of a phonorecord shall not for any purpose constitute a publication of the musical work embodied therein (Rept. 105–325). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on the Judiciary. H.R. 1085. A bill to revise, codify, and enact without substantive change certain general and permanent laws, related to patriotic and national observances, ceremonies, and organizations, as title 36, United States Code, ''Patriotic and National Observances, Ceremonies, and Organizations''; with an amendment (Rept. 105–326). Referred to the House Calendar.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 134. A bill to authorize the Secretary of the Interior to provide a loan guarantee to the Olivenhain Water Storage Project, and for other purposes; with an amendment (Rept. 105–327). Referred to the Committee of the Whole House on the State of Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 136. A bill to amend the National Parks and Recreation Act of 1978 to designate the Marjory Stoneman Douglas Wilderness and to amend the Everglades National Park Protection and Expansion Act of 1989 to designate the Ernest F. Coe Visitor Center; with an amendment (Rept. 105–328). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1856. A bill to amend the Fish and Wildlife Act of 1956 to direct the Secretary of the Interior to conduct a volunteer pilot project at one national wildlife refuge in each U.S. Fish and Wildlife Service region, and for other purposes; with an amendment (Rept. 105–329). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. House Concurrent Resolution 151. Resolution expressing the sense of the Congress that the United States should manage its public domain National Forests to maximize the reduction of carbon dioxide in the atmosphere among many other objectives and that the United States should serve as an example and as a world leader in actively managing its public domain national forests in a manner that substantially reduces the amount of carbon dioxide added to the atmosphere: with an amendment (Rept. 105–330). Referred to the House Calendar.

Mr. BURTON: Committee on Government Reform and Oversight. H.R. 1962. A bill to provide for the appointment of a Chief Financial Officer and Deputy Chief Financial Officer in the Executive Office of the President; with amendments (Rept. 105–331). Referred to the committee of the Whole House on the State of the Union.

Mr. ARCHER: Committee on Ways and Means. H.R. 2646. A bill to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes; with an amendment (Rept. 105–332). Referred to the Committee of the Whole House on the State of the Union.

Mr. DREIER: Committee on Rules. House Resolution 269. Resolution providing for consideration of the joint resolution (H.J. Res. 97) making further continuing appropriations for the fiscal year 1998, and for other purposes (Rept. 105–333). Referred to the House Calendar.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 270. Resolution providing for consideration of the bill (H.R. 2247) to reform the statutes relating to Amtrak, to authorize appropriations for Amtrak, and for other purposes (Rept. 105–334). Referred to the House Calendar.

Mr. MCINNIS: Committee on Rules. House Resolution 271. Resolution providing for consideration of the bill (H.R. 1534) to simplify and expedite access to the Federal courts for injured parties whose rights and privileges, secured by the U.S. Constitution, have been deprived by final actions of Federal agencies, or other government officials or entities acting under color of State law; to prevent Federal courts from abstaining from exercising Federal jurisdiction in actions where no State law claim is alleged; to permit certification of unsettled State law questions that are essential to resolving Federal claims arising under the Constitution; and to clarify when government action is sufficiently final to ripen certain Federal claims arising under the Constitution (Rept. 105–335). Referred to the House Calendar.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

[Omitted from the Record of October 10, 1997]

H.R. 2513. Referral to the Committee on the Budget extended for a period ending not later than October 20, 1997.

[The following action occurred on October 20, 1997]

H.R. 2513. Referral to the Committee on the Budget extended for a period ending not later than October 21, 1997.

[Submitted October 21, 1997]

H.R. 2513. Referral to the Committee on the Budget extended for a period ending not later than October 22, 1997.

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. MICA (for himself, Mr. CUMMINGS, Mr. PAPPAS, Mrs. MORELLA, Mr. SESSIONS, Mr. FORD, and Ms. NORTON):

H.R. 2675. A bill to require that the Office of Personnel Management submit proposed legislation under which group universal life insurance and group variable universal life insurance would be available under chapter 87 of title 5, United States Code, and for other purposes; to the Committee on Government Reform and Oversight.

By Mr. ARCHER (for himself, Mr. PORTMAN, and Mr. CARDIN):

H.R. 2676. A bill to amend the Internal Revenue Code of 1986 to restructure and reform the Internal Revenue Service, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Government Reform and Oversight, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself, Mr. HYDE, Mr. LANTOS, Mr. MORAN of Virginia, Mr. KENNEDY of Massachusetts, Ms. ROS-LEHTINEN, Mr. SANDERS, Mr. MILLER of California, and Mr. FALEOMAVAEGA):

H.R. 2677. A bill to impose certain sanctions on countries that do not prohibit child labor; to the Committee on International Relations, and in addition to the Committees on Ways and Means, and Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself, Mr. HYDE, Mr. LANTOS, Mr. MORAN of Virginia, Mr. KENNEDY of Massachusetts, Ms. ROS-LEHTINEN, Mr. SANDERS, Mr. MILLER of California, and Mr. FALEOMAVAEGA):

H.R. 2678. A bill to impose certain sanctions on countries that do not prohibit child labor; to the Committee on International Relations, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIBBONS:

H.R. 2679. A bill to restore the traditional day of observance of Memorial Day; to the Committee on Government Reform and Oversight, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIBBONS (for himself and Mr. DOOLITTLE):

H.R. 2680. A bill to designate the Lake Tahoe Basin National Forest in the States of California and Nevada to be administered by the Secretary of Agriculture, and for other purposes; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KENNEDY of Rhode Island (for himself, Mr. CAMPBELL, and Mr. SANDERS):

H.R. 2681. A bill to establish a program of pharmacy assistance fee for elderly persons who have no health insurance coverage; to the Committee on Commerce.

By Mr. MEEHAN (for himself and Mr. SANFORD):

H.R. 2682. A bill to amend the Social Security Act to improve the information made available in social security account statements and to provide for annual distribution of such statements to beneficiaries; to the Committee on Ways and Means.

By Mr. SCHUMER:

H.R. 2683. A bill to amend the auto theft provisions of title 49, United States Code, to add air bag modules to the list of major auto parts protected under such provisions; to the Committee on the Judiciary, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHAW:

H.R. 2684. A bill to amend the Internal Revenue Code of 1986 to provide for the elimination of certain foreign base company shipping income from foreign base company income; to the Committee on Ways and Means.

By Mr. SNOWBARGER:

H.R. 2685. A bill to amend the Internal Revenue Code of 1986 to allow an individual taxpayer to elect a flat alternative individual return tax as an alternative to the current Internal Revenue Code; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SPRATT:

H.R. 2686. A bill to suspend temporarily the duty on beta hydroxyalkylamide; to the Committee on Ways and Means.

By Mr. STARK:

H.R. 2687. A bill to amend title XVIII of the Social Security Act to provide for payment for drugs furnished incident to hospital outpatient department services under the prospective payment system for hospital outpatient department services; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TRAFICANT:

H.R. 2688. A bill to establish an Office of Economic Development Information in the Economic Development Administration; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMBO:

H.R. 2689. A bill to correct an oversight in earlier legislation by directing the National Park Service to grant to three individuals a right of use and occupancy of certain property on Santa Cruz Island; to the Committee on Resources.

By Mr. LIVINGSTON:

H.J. Res. 97. A joint resolution making further continuing appropriations for the fiscal year 1998, and for other purposes; to the Committee on Appropriations.

By Mr. GOODLATTE (for himself and Mr. GOODE):

H. Con. Res. 171. Concurrent resolution declaring the memorial service sponsored by the National Emergency Medical Services (EMS) Memorial Service Board of Directors to honor emergency medical services personnel to be the ''National Emergency Medical Services Memorial Service''; to the Committee on Commerce.

By Mr. BAESLER (for himself, Mr. TURNER, Mr. PETERSON of Minnesota, Mr. CONDIT, and Mr. STENHOLM):

H. Res. 272. A resolution providing for consideration of the bill (H.R. 1366) amending the Federal Elections Campaign Act of 1971 to reform the financing of campaigns for election for Federal office, and for other purposes; to the Committee on Rules.

By Mr. MENENDEZ (for himself, Mr. ROYCE, and Mr. HASTINGS of Florida):

H. Res. 273. A resolution condemning the military intervention by the Government of the Republic of Angola into the Republic of the Congo, and for other purposes; to the Committee on International Relations.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

213. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Puerto Rico, relative to House Resolution Number 1928 requesting the President and the Congress of the United States of America give the utmost attention and active support to the Republic of China in Taiwan as an important participant in international commerce and trade and as a former ally, and in support of its efforts to attain its fullest participation in the international community bodies; to the Committee on International Relations.

214. Also,a memorial of the House of Representatives of the Commonwealth of Puerto Rico, relative to House Concurrent Resolution No. 2 expressing gratitude to the leaders and all the members of the House of Representatives of the United States of America; to exhort all the members of the House of Representatives of the Unted States of America to approve legislation that will allow Puerto Ricans to select their own political destiny and to further request that they promulgate said selection promptly; to the Committee on Resources.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. LIVINGSTON introduced A bill (H.R. 2690) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel DULARGE; which was referred to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 7: Mr. WATTS of Oklahoma.

H.R. 20: Mrs. MORELLA and Mr. HOLDEN.

H.R. 51: Mr. LUCAS of Oklahoma.

H.R. 59: Mr. NUSSLE, Mr. PICKERING, Mr. INGLIS of South Carolina, and Mr. LATOURETTE.

H.R. 66: Ms. DELAURO.

H.R. 80: Mr. STRICKLAND.

H.R. 146: Mr. LOBIONDO.

H.R. 165: Mr. CALVERT.

H.R. 168: Mr. KENNEDY of Rhode Island.

H.R. 230: Mr. BUNNING of Kentucky.

H.R. 306: Mr. SCOTT and Mr. BAESLER.

H.R. 367: Mr. SALMON, Mr. ROEMER, Mr. NUSSLE, and Mr. MURTHA.

H.R. 450: Mr. EWING and Mr. BARCIA of Michigan.

H.R. 493: Mr. SHERMAN.

H.R. 586: Mr. GOSS and Mr. LUCAS of Oklahoma.

H.R. 590: Mr. VENTO and Mr. SABO.

H.R. 612: Ms. SLAUGHTER and Ms. CARSON.

H.R. 619: Ms. WATERS, Mr. WOLF, Mr. MILLER of California, Mr. DEUTSCH, Mr. NEAL of Massachusetts, Mr. MEEHAN, Ms. ROYBAL-ALLARD, Mr. PASCRELL, Mr. KENNEDY of Massachusetts, Mr. MENENDEZ, and Mr. MCGOVERN.

H.R. 676: Mr. NEAL of Massachusetts.

H.R. 738: Mr. NADLER, Mr. TOWNS, and Mr. SERRANO.

H.R. 777: Mr. RODRIGUEZ.

H.R. 789: Mr. HINOJOSA.

H.R. 805: Mr. DICKEY.

H.R. 815: Mr. SAM JOHNSON, Mr. SCOTT, Mr. GILCHREST, Mr. MCHUGH.

H.R. 859: Mr. HASTINGS of Washington.

H.R. 877: Mr. LUCAS of Oklahoma, Mrs. EMERSON, Ms. DUNN of Washington, Mr. RUSH, Ms. WOOLSEY, Mr. HUTCHINSON, Mr. PICKERING, Mr. QUINN, and Mr. INGLIS of South Carolina.

H.R. 880: Ms. GRANGER.

H.R. 919: Mr. PAYNE.

H.R. 971: Mr. PASCRELL and Mr. PAYNE.

H.R. 972: Mr. SUNUNU and Mr. CAMPBELL.

H.R. 981: Ms. FURSE.

H.R. 1023: Mr. CRAMER.

H.R. 1054: Mr. MICA, Mr. LINDER, Ms. PELOSI, Mr. MARTINEZ, Mr. MEEHAN, Mr. DOOLEY of California, and Mr. FAZIO of California.

H.R. 1060: Mr. WEYGAND, Mr. KOLBE, Mr. SANFORD, Mr. JENKINS, and Mr. COOK.

H.R. 1070: Ms. HOOLEY of Oregon, Mr. GEJDENSON, Mr. BROWN of Ohio, Ms. CARSON, Mrs. THURMAN, Mr. FALEOMAVAEGA, Mr. PAXON, and Mr. LANTOS.

H.R. 1072: Ms. FURSE.

H.R. 1114: Mr. SPENCE, Mr. UPTON, Ms. MILLENDER-MCDONALD, Mr. GILCHREST, Mr. BOUCHER, and Mr. BLUMENAUER.

H.R. 1126: Mr. LATOURETTE.

H.R. 1129: Mr. SANFORD, Mr. BEREUTER, Mr. WOLF, Mr. CASTLE, Mr. HYDE, Mr. SMITH of New Jersey, and Mr. CHABOT.

H.R. 1147: Mr. STUMP.

H.R. 1165: Mr. MORAN of Virginia.

H.R. 1173: Mr. MENENDEZ and Mr. LAHOOD.

H.R. 1231: Mr. STUPAK and Mr. BOUCHER.

H.R. 1234: Mr. RODRIGUEZ and Mr. STARK.

H.R. 1285: Mr. CRAMER and Mr. SHAW.

H.R. 1375: Mr. BARTLETT of Maryland and Ms. SANCHEZ.

H.R. 1415: Mr. COSTELLO, Mr. NEAL of Massachusetts, Mr. MARKEY, Ms. VELAZQUEZ, Mr. SPRATT, Mr. STENHOLM, Mr. RILEY, Mr. LUCAS of Oklahoma, Mr. BOB SCHAFFER, and Mr. PAXON.

H.R. 1425: Mr. WEXLER.

H.R. 1428: Mr. BLUNT.

H.R. 1432: Mr. WATT of North Carolina.

H.R. 1438: Mr. CAMPBELL.

H.R. 1450: Mr. FARR of California and Ms. FURSE.

H.R. 1481: Mr. GUTIERREZ.

H.R. 1500: Mr. BORSKI, Mr. KILDEE, Mr. POSHARD, and Mr. PRICE of North Carolina.

H.R. 1507: Ms. FURSE.

H.R. 1520: Mr. RAHALL.

H.R. 1524: Mr. HILL and Mr. SCARBOROUGH.

H.R. 1534: Mr. KING of New York, Mr. ROTHMAN, and Mr. HULSHOF.

H.R. 1555: Mr. JACKSON.

H.R. 1689: Ms. GRANGER, Mr. PAPPAS, Mr. MANZULLO, Mr. ADERHOLT, Mr. POMBO, Mr. LAHOOD, Mr. CAMP, and Mr. CRAMER.

H.R. 1735: Ms. FURSE, Mr. JACKSON, and Mr. LANTOS.

H.R. 1737: Mr. BENTSEN, Mr. GUTIERREZ, Mr. REGULA, and Ms. MILLENDER-MCDONALD.

H.R. 1739: Mr. SESSIONS, Mrs. CHENOWETH, and Mr. YOUNG of Alaska.

H.R. 1822: Mr. KUCINICH and Mr. WEYGAND.

H.R. 1826: Mr. CAMPBELL.

H.R. 1856: Mr. NETHERCUTT.

H.R. 1861: Mrs. LOWEY.

H.R. 1864: Mr. CAMPBELL and Mr. SUNUNU.

H.R. 1891: Mrs. JOHNSON of Connecticut, Mr. MANZULLO, Mr. ENSIGN, and Mr. CUNNINGHAM.

H.R. 1951: Mr. SKAGGS, Mr. CLEMENT, Mr. CONYERS, Mrs. MALONEY, of New York, Mr. MARKEY, Mr. FORD, and Mr. OWENS.

H.R. 1972: Mr. MCGOVERN.

H.R. 1984: Mr. BRADY, Mr. ROYCE, and Mr. VISCLOSKY.

H.R. 2001: Mr. CAMPBELL.

H.R. 2009: Mr. WAXMAN, Mr. FOLEY, Mr. WALSH, Mrs. TAUSCHER, Mr. MCHUGH, Mr. LANTOS, Mr. DELAHUNT, Mr. PALLONE, and Mr. WEXLER.

H.R. 2021: Mr. SHAYS.

H.R. 2029: Mr. HEFLEY.

H.R. 2090: Mr. BONO.

H.R. 2109: Mr. MCKEON and Mr. LUTHER.

H.R. 2121: Mr. MCNULTY.

H.R. 2124: Mr. PARKER, Mr. EHLERS, Mr. BOB SCHAFFER, Mr. CANADY of Florida, Mr. COLLINS, Mr. TALENT, Mr. BALLENGER, Mr. COOKSEY and Mr. SENSENBRENNER.

H.R. 2195: Ms. FURSE, Mr. GUTIERREZ and Mr. PORTER.

H.R. 2198: Mr. NETHERCUTT.

H.R. 2221: Mr. ISTOOK and Mr. DELAY.

H.R. 2229: Mr. SOLOMON and Mr. SMITH of New Jersey.

H.R. 2265: Mr. CLEMENT.

H.R. 2292: Mr. CALLAHAN, Mr. ROEMER, Mr. HANSEN, Mr. CANADY of Florida, Mr. SAWYER, Mr. LIVINGSTON, Mr. FORD, Mr. MCINTOSH, Mr. POMBO, Mr. LATHAM, Ms. HARMAN, Mr. MINGE, Mr. CRAMER, Mr. CHAMBLISS, Mr. CALVERT, Mr. GOODLING, Mr. THUNE, and Mr. BURTON of Indiana.

H.R. 2332: Mr. SMITH of Michigan.

H.R. 2351: Mr. STOKES, Mr. PAYNE, Mr. KILDEE, Mr. ALLEN, Mr. ABERCROMBIE, Mr. BORSKI, and Mr. ROTHMAN.

H.R. 2374: Mr. BILBRAY and Ms. HARMAN.

H.R. 2408: Mr. FROST, Mr. FILNER, Mr. STARK, Mr. HINCHEY, and Mr. BALDACCI.

H.R. 2432: Mr. GOODE, Mr. BROWN of Ohio, and Mr. PAXON.

H.R. 2456: Ms. DANNER.

H.R. 2457: Mr. UNDERWOOD and Mr. EVANS.

H.R. 2460: Mr. MEEHAN.

H.R. 2463: Ms. SLAUGHTER, Ms. WOOLSEY, Mr. BONIOR, Mrs. JOHNSON of Connecticut, and Ms. FURSE.

H.R. 2476: Mr. SHAYS.

H.R. 2481: Mrs. LINDA SMITH of Washington, Mr. QUINN, Mr. SCHUMER, and Mr. DINGELL.

H.R. 2490: Mr. BACHUS, Mr. BRADY, Mr. CONDIT, Mr. CUNNINGHAM, Ms. DUNN of Washington, Mr. GIBBONS, Mr. GUTKNECHT, Mr. ISTOOK, Mr. PETERSON of Pennsylvania, Mr. SCARBOROUGH, and Mr. THUNE.

H.R. 2493: Mr. MCKEON.

H.R. 2497: Mr. EWING, Mr. WOLF, Mr. KOLBE, Mr. NETHERCUTT, Mr. BILBRAY, Mr. GILLMOR, Mr. INGLIS of South Carolina, Mr. PICKETT, Mr. KING of New York, Mr. JENKINS, Mr. HUTCHINSON, Mr. NEUMANN, Mr. GIBBONS, Mr. ROYCE, Mr. SPENCE, Mr. SCARBOROUGH, Mr. CUNNINGHAM, Mr. BURR of North Carolina, Mr. WICKER, Mr. SAXTON, Mr. BARCIA of Michigan, Mr. OXLEY, Mrs. MYRICK, Mr. GUTKNECHT, and Mr. CHRISTENSEN.

H.R. 2503: Ms. RIVERS, Ms. PELOSI, Mr. LANTOS, and Ms. FURSE.

H.R. 2519: Mr. ACKERMAN and Ms. NORTON.

H.R. 2526: Mr. MILLER of California, Mr. BISHOP, Mr. BEREUTER, Ms. FURSE, Mr. SABO, Mr. HINCHEY, and Mrs. THURMAN.

H.R. 2535: Mr. SPENCE and Mr. BASS.

H.R. 2541: Mr. MORAN of Virginia.

H.R. 2553: Mr. EVANS.

H.R. 2560: Mr. POSHARD, Mr. GUTIERREZ, Mr. CANADY of Florida, Ms. MILLENDER-MCDONALD, Ms. CARSON, Mr. OLVER, Mr. MARTINEZ, Mr. ALLEN, Mr. ETHERIDGE, Mrs. MEEK of Florida, Ms. BROWN of Florida, and Ms. RIVERS.

H.R. 2583: Mr. PACKARD.

H.R. 2585: Mr. LEWIS of California.

H.R. 2586: Mr. POMEROY.

H.R. 2596: Mr. POMEROY.

H.R. 2597: Ms. KILPATRICK and Mr. MANTON.

H.R. 2602: Mr. BROWN of California, Mr. COYNE, and Mr. KENNEDY of Rhode Island.

H.R. 2604: Mrs. EMERSON, Mrs. MYRICK, Mr. RYUN, Mr. PICKERING, Mr. MANZULLO, Mr. FOLEY, Mr. INGLIS of South Carolina, Mr. SPENCE, and Ms. DANNER.

H.R. 2609: Mr. STUMP, Mr. BOYD, Mr. MCCOLLUM, Mr. STENHOLM, Mr. BUNNING of Kentucky, Mr. MCHUGH, Mr. INGLIS of South Carolina, Mr. OXLEY, Mr. BALLENGER, Mr. DOOLEY of California, Mrs. FOWLER, Mr. ETHERIDGE, Mr. BURR of North Carolina, Mr. WICKER, and Mr. BARRETT of Nebraska.

H.R. 2611: Mr. BYUN and Mr. DELAY.

H.R. 2626: Mr. SKEEN, Mrs. KELLY, Mr. KILDEE, and Mr. LARGENT.

H.R. 2627: Mr. MCINTOSH, Mr. SCARBOROUGH, and Mr. BOEHNER.

H.R. 2639: Mr. HOLDEN, Mr. BROWN of Ohio, Mr. LAFALCE, Mrs. MORELLA, Mr. MASCARA, Mr. COBURN, Mr. BENTSEN, Mr. TOWNS, Mr. STEARNS, Mr. FROST, and Mr. MCDERMOTT.

H.R. 2646: Mr. ARMEY, Mr. DELAY, Mr. BOEHNER, Mr. BUNNING of Kentucky, Mr. CHRISTENSEN, Mr. COLLINS, Ms. DUNN of Washington, Mr. ENSIGN, Mr. HAYWORTH, Mr. HERGER, Mr. MCCRERY, Mr. WELLER, Mr. LINDER, Mr. BLILEY, Mr. INGLIS of South Carolina, Mr. HOEKSTRA, Mr. GREENWOOD, Mr. SOUDER, Mr. PARKER, Mr. MILLER of Florida, Mr. RILEY, Mr. SNOWBARGER, Mr. STEARNS, Mr. CHABOT, Mrs. EMERSON, Mr. POMBO, Mr. BACHUS, Mr. EHLERS, Mr. TALENT, Mr. NUSSLE, Ms. GRANGER, Mr. GOODLING, Ms. PRYCE of Ohio, Mr. NEUMANN, Mr. HULSHOF, Mr. FLAKE, Mr. KASICH, and Mr. LIPINSKI.

H.R. 2667: Mr. SALMON and Mr. DOOLITTLE.

H.J. Res. 89: Mr. SERRANO, Ms. FURSE, and Mr. WAXMAN.

H.J. Res. 96: Mr. HOYER, Mr. MORAN of Virginia, and Ms. NORTON.

H.Con. Res. 55: Mr. LOBIONDO and Mr. CALVERT.

H.Con. Res. 65: Mr. LEWIS of Kentucky, Mr. SANDLIN, and Mr. LUTHER.

H. Con. Res. 80: Ms. FURSE, Mr. INGLIS of South Carolina, Mr. LEACH, Mrs. MORELLA, Mr. LAFALCE, Ms. HARMAN, Ms. WOOLSEY, Ms. PELOSI, Mr. BERMAN, Mr. BARTON of Texas, and Mr. WAMP.

H. Con. Res. 107: Mr. MCNULTY, Ms. DUNN of Washington, Mr. LOBIONDO, Mr. SKELTON, Mr. HUTCHINSON, Mr. DOOLEY of California, and Mr. PETERSON of Pennsylvania.

H. Con. Res. 112: Mr. EVANS.

H. Con. Res. 116: Ms. FURSE.

H. Con. Res. 148: Mr. DOYLE, Ms. DELAURO, Mr. LAZIO of New York, and Mr. ACKERMAN.

H. Con. Res. 151: Mr. FALEOMAVAEGA.

H. Con. Res. 156: Mr. ENGEL and Ms. ROYBAL-ALLARD.

H. Con. Res. 160: Mr. ALLEN and Ms. RIVERS.

H. Res. 190: Mr. HYDE and Mr. WOLF.

H. Res. 235: Mr. BOYD, Mr. COMBEST, Mr. PASCRELL, Mr. CASTLE, Mr. RODRIGUEZ, Ms. MILLENDER-MCDONALD, and Mr. SANDERS.

H. Res. 247: Mr. SCHIFF and Ms. DEGETTE.

H. Res. 267: Mr. UNDERWOOD and Mr. SCHIFF.

DELETIONS OF SPONSORS FROM PUBLIC BILLS, AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2595: Mr. BERRY.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1534

OFFERED BY: MR. CAMPBELL

AMENDMENT NO.: Page 5, line 4, strike the quotation marks and second period.

Page 5, insert the following after line 4:

''(f) Nothing in subsections (c), (d), or (e) alters the substantive law of takings of property, including the burden of proof borne by the plaintiff.''.

Page 6, line 9, strike the quotation marks and second period.

Page 6, insert the following after line 9:

''(3) Nothing in this subsection alters the substantive law of takings of property, including the burden of proof borne by the plaintiff.''.

Page 7, line 11, insert the following after the first period: ''Nothing in this paragraph alters the substantive law of takings of property, including the burden of proof borne by the plaintiff.''.

H.R. 1534

OFFERED BY: MR. CAMPBELL

AMENDMENT NO. 2: Page 5, line 4, strike the quotation marks and second period.

Page 5, insert the following after line 4:

''(f) In each action to which subsection (c), (d), or (e) applies, the court shall designate the substantially prevailing party, and the reasonable attorney's fees of that party shall be paid by the nonprevailing parties in whole or in such part as the court deems equitable.''.

Page 6, line 9, strike the quotation marks and second period.

Page 6, insert the following after line 9:

''(3) In each action to which this subsection applies, the court shall designate the substantially prevailing party, and the reasonable attorney's fees of that party shall be paid by the nonprevailing parties in whole or in such part as the court deems equitable.''.

Page 7, line 11, insert the following after the first period: ''In each action to which this paragraph applies, the court shall designate the substantially prevailing party, and the reasonable attorney's fees of that party shall be paid by the nonprevailing parties in whole or in such part as the court deems equitable.''.