

protections by enacting 28 new taxpayer rights, including the right to sue for negligence, to collect legal fees, to be notified of the reasons for an audit.

For the first time, taxpayers in advanced IRS proceedings will be considered innocent until proven guilty. This IRS reform bill is essential.

**WOULD MEMBERS GIVE FAST TRACK AUTHORITY TO A PRESIDENT THEY SAY CANNOT BE TRUSTED?**

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

Mr. TAYLOR of Mississippi. Mr. Speaker, my two previous colleagues stressed the importance of consistency in statesmanship. I am going to agree. For the past 6 years folks on this side of the aisle in particular have been saying that Bill Clinton could not be trusted, on a daily and almost hourly basis.

Well, if they really feel that way, I hope they will stick to their guns, because within the next week we will be called upon as Congressmen to give away our constitutionally mandated duty, given to us in article 1, section 8, clause 3 of the Constitution, to regulate commerce with foreign nations. Fast track will take that authority from Congress and give it to a President that they say cannot be trusted.

If Members really think he cannot be trusted, then do not give him our responsibilities. Under no circumstances should Congress be giving away our constitutionally-mandated duties. This is the highest law of the land. I would encourage all of us to live by it.

**DO AMERICANS WANT MORE BUREAUCRACY OR MORE FREEDOM FOR EDUCATION AT THE LOCAL LEVEL?**

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

Mr. PETERSON of Pennsylvania. Mr. Speaker, we have been having an ongoing educational debate here in Congress, in the 105th Congress. There are several issues that have come out that I want to share today.

Seven percent of the money for education comes from the Federal Government, yet 70 percent of the paperwork and red tape come from the Federal Government. We have discussed special education, vocational education, choice, charter schools, literacy.

The Democrats have worked for more money, more Federal control, more bureaucracy, which equals more taxes. The Republicans have fought for 90 percent to go to the classroom, which has normally been about 70 percent; for local control, allowing the community and parents to choose. Federal control means Federal bureaucracy and will not be in the best interests of our students.

Today I ask the American public, which do they want, more bureaucracy, or more freedom for education at the local level?

**PRESIDENT CALLS VIRGINIANS SELFISH FOR SEEKING LOWER TAXES**

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

Mr. HAYWORTH. Mr. Speaker, I noted with interest and I must admit, Mr. Speaker, a trace of disbelief the headline in yesterday's Washington Times: Clinton Labels Tax Cut Selfish.

□ 1030

Mr. Speaker, I would suggest to the President that it is not the American people who are selfish. Instead, it is a government that takes more and more and more of what people earn and then unfairly takes it away from them.

I would point out the experience of a 93-year-old American who suffered from Alzheimer's disease who sent a check to the Internal Revenue Service for \$7,000. Even the IRS admitted that was a mistake. But when it came time to give that money back, the Internal Revenue Service said, no, the statute of limitations had run out. So the IRS was protected with its own selfishness.

Today, Mr. Speaker, in our bill to reform the Internal Revenue Service, we take away that statute of limitations. For that senior citizen's family, including an Arizona couple, we will try to make it right. No, it is not the people who are selfish; it is a brutal, repressive tax regime.

**SELFISH TO VOTE TO SLOW THE SIZE AND GROWTH OF GOVERNMENT**

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

Mr. FOLEY. Mr. Speaker, the President says it is selfish to vote to slow the size and wasteful growth of government.

Consider this: Have you looked at your phone bill lately with all the government fees? Have you looked at your cable bill and all of its government taxes and fees, your gas taxes when you fill up your car, your sales taxes on purchases, your property taxes on real estate, your State income taxes, your payroll taxes on earning, your excise taxes on beverages, your IRS taxes on income?

Only in Washington can one say the Lord giveth and the Government taketh away. When Washington takes it from you, it is called compassionate. When you want your money back from Washington because it is wasting it, you are called selfish.

Mr. Speaker, it is the American taxpayers' money, not ours, not Congress', not the White House's, the taxpayers'. It is not selfish to ask for fiscal dis-

cipline. It is not selfish to save for the future. It is not selfish to give more money to your children so that they can invest for their education. It is not selfish to ask government to restrain its wasteful spending patterns. It is time government recognizes that it is for the people, by the people, of the people, not for the President.

**POLICY AGAINST CHINESE GOVERNMENT**

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

Mr. ADERHOLT. Mr. Speaker, I rise today to ask my colleagues a question. What exactly are we waiting for? What trade practice? What military threat? What human rights atrocity will finally move us to take a stand against the policies of the Chinese Government?

America fought a war to end slavery, yet we wink at the sale of human body parts. We stand in line at the Holocaust Museum, yet we also line up to make deals with a government that murders Christians and Buddhists. We had sanctions against South Africa, yet we extend MFN to China. Why?

No one has a stronger desire to see U.S. businesses flourish, but profit comes at a price. If it costs a little more to make a product in the United States, I will gladly pay the difference.

History will judge us harshly if we fail to take a stand. I urge Members to vote for the Cox package and to support H.R. 1865, the Freedom from Religious Persecution Act.

**THE JOURNAL**

The SPEAKER pro tempore (Mr. SUNUNU). Pursuant to clause 5 of rule I, the pending business is the question de novo of agreeing to the Speaker's approval of the Journal.

The question is on agreeing to the Speaker's approval of the Journal of the last day's proceedings.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 353, nays 48, not voting 31, as follows:

[Roll No. 575]

YEAS—353

Ackerman	Baessler	Bartlett
Aderholt	Baker	Barton
Allen	Baldacci	Bass
Andrews	Ballenger	Bateman
Archer	Barcia	Bentsen
Armey	Barrett (NE)	Bereuter
Bachus	Barrett (WI)	Berman

Berry  
 Bilbray  
 Bilirakis  
 Bishop  
 Blagojevich  
 Bliley  
 Blumenauer  
 Blunt  
 Boehlert  
 Boehner  
 Bonilla  
 Bono  
 Boucher  
 Boyd  
 Brady  
 Brown (FL)  
 Bryant  
 Bunning  
 Burr  
 Burton  
 Buyer  
 Callahan  
 Calvert  
 Camp  
 Campbell  
 Canady  
 Cannon  
 Cardin  
 Carson  
 Castle  
 Chabot  
 Chambliss  
 Chenoweth  
 Christensen  
 Clement  
 Coble  
 Collins  
 Combest  
 Condit  
 Conyers  
 Cook  
 Costello  
 Cox  
 Coyne  
 Cramer  
 Crapo  
 Cummings  
 Cunningham  
 Danner  
 Davis (FL)  
 Davis (VA)  
 Deal  
 DeGette  
 DeLay  
 Deutsch  
 Diaz-Balart  
 Dickey  
 Dicks  
 Dingell  
 Doggett  
 Dooley  
 Doolittle  
 Doyle  
 Dreier  
 Duncan  
 Dunn  
 Edwards  
 Ehlers  
 Ehrlich  
 Emerson  
 Eshoo  
 Etheridge  
 Evans  
 Ewing  
 Farr  
 Fattah  
 Fawell  
 Foley  
 Forbes  
 Ford  
 Fowler  
 Frank (MA)  
 Franks (NJ)  
 Frelinghuysen  
 Frost  
 Furse  
 Gallegly  
 Ganske  
 Gejdenson  
 Gekas  
 Gilchrest  
 Gillmor  
 Gilman  
 Goode  
 Goodlatte  
 Goodling  
 Gordon  
 Goss  
 Graham

Granger  
 Green  
 Greenwood  
 Gutierrez  
 Hall (OH)  
 Hall (TX)  
 Hamilton  
 Hansen  
 Harman  
 Hastert  
 Hastings (WA)  
 Hayworth  
 Hefner  
 Herger  
 Hill  
 Hilleary  
 Hinojosa  
 Hobson  
 Hoekstra  
 Holden  
 Hooley  
 Horn  
 Hostettler  
 Houghton  
 Hoyer  
 Hunter  
 Inglis  
 Istook  
 Jackson (IL)  
 Jackson-Lee  
 (TX)  
 Jenkins  
 John  
 Johnson (CT)  
 Johnson (WI)  
 Jones  
 Kanjorski  
 Kasich  
 Kelly  
 Kennedy (MA)  
 Kennedy (RI)  
 Kennelly  
 Kildee  
 Kilpatrick  
 Kim  
 Kind (WI)  
 King (NY)  
 Kingston  
 Kleczka  
 Klink  
 Klug  
 Knollenberg  
 Kolbe  
 LaFalce  
 LaHood  
 Lampson  
 Lantos  
 Largent  
 Latham  
 LaTourette  
 Lazio  
 Leach  
 Levin  
 Lewis (CA)  
 Lewis (KY)  
 Linder  
 Livingston  
 Lofgren  
 Lowey  
 Lucas  
 Luther  
 Maloney (CT)  
 Maloney (NY)  
 Manton  
 Manzullo  
 Markey  
 Martinez  
 Mascara  
 Matsui  
 McCarthy (MO)  
 McCarthy (NY)  
 McCollum  
 McCrery  
 McDade  
 McGovern  
 McHale  
 McHugh  
 McInnis  
 McIntosh  
 McKeon  
 McKinney  
 Meehan  
 Metcalf  
 Mica  
 Millender-  
 McDonald  
 Miller (FL)  
 Minge  
 Mink

Moakley  
 Moran (VA)  
 Morella  
 Murtha  
 Myrick  
 Nadler  
 Neal  
 Nethercutt  
 Neumann  
 Ney  
 Northup  
 Norwood  
 Obey  
 Olver  
 Ortiz  
 Owens  
 Oxley  
 Packard  
 Pallone  
 Pappas  
 Parker  
 Pascrell  
 Pastor  
 Paul  
 Paxon  
 Payne  
 Pease  
 Pelosi  
 Peterson (MN)  
 Peterson (PA)  
 Petri  
 Pickering  
 Pitts  
 Pombo  
 Pomeroy  
 Porter  
 Portman  
 Poshard  
 Price (NC)  
 Pryce (OH)  
 Quinn  
 Radanovich  
 Rahall  
 Rangel  
 Redmond  
 Regula  
 Reyes  
 Rivers  
 Rodriguez  
 Roemer  
 Rogan  
 Rogers  
 Rohrabacher  
 Ros-Lehtinen  
 Rothman  
 Roukema  
 Roybal-Allard  
 Rush  
 Ryun  
 Sanchez  
 Sanders  
 Sandlin  
 Sanford  
 Sawyer  
 Saxton  
 Scarborough  
 Schaefer, Dan  
 Schumer  
 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  
 Spratt  
 Stabenow  
 Stark  
 Stearns  
 Stenholm  
 Stokes  
 Strickland

Stump  
 Sununu  
 Talent  
 Tamer  
 Tauzin  
 Taylor (NC)  
 Thomas  
 Thornberry  
 Thune  
 Thurman  
 Tiahrt  
 Tierney  
 Torres

Towns  
 Traficant  
 Turner  
 Upton  
 Velazquez  
 Walsh  
 Wamp  
 Watkins  
 Watt (NC)  
 Watts (OK)  
 Waxman  
 Weldon (FL)  
 Weldon (PA)

Wexler  
 Weygand  
 White  
 Whitfield  
 Wicker  
 Wise  
 Wolf  
 Woolsey  
 Wynn  
 Yates  
 Young (FL)

NAYS—48

Abercrombie  
 Becerra  
 Bonior  
 Borski  
 Brown (CA)  
 Brown (OH)  
 Clay  
 Clayton  
 Clyburn  
 DeFazio  
 DeLauro  
 English  
 Ensign  
 Everrett  
 Fazio  
 Filner

Fox  
 Gephardt  
 Gibbons  
 Gutknecht  
 Hastings (FL)  
 Hefley  
 Hilliard  
 Hinchey  
 Hulshof  
 Johnson, E. B.  
 Kucinich  
 Lewis (GA)  
 Lipinski  
 LoBiondo  
 McDermott  
 McNulty

Menendez  
 Miller (CA)  
 Moran (KS)  
 Nussle  
 Oberstar  
 Pickett  
 Ramstad  
 Sabo  
 Schaffer, Bob  
 Stupak  
 Tauscher  
 Taylor (MS)  
 Thompson  
 Vento  
 Visclosky  
 Weller

NOT VOTING—31

Barr  
 Boswell  
 Coburn  
 Cooksey  
 Crane  
 Cubin  
 Davis (IL)  
 Delahunt  
 Dellums  
 Dixon  
 Engel

Flake  
 Foglietta  
 Gonzalez  
 Hutchinson  
 Hyde  
 Jefferson  
 Johnson, Sam  
 Kaptur  
 McIntyre  
 Meek  
 Mollohan

Riggs  
 Riley  
 Royce  
 Salmon  
 Schiff  
 Scott  
 Spence  
 Waters  
 Young (AK)

□ 1056

Mr. GIBBONS changed his vote from "yea" to "nay."

So the Journal was approved.  
 The result of the vote was announced as above recorded.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The Speaker laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
 HOUSE OF REPRESENTATIVES,  
 Washington, DC, November 5, 1997.

Hon. NEWT GINGRICH,  
*The Speaker, House of Representatives, Wash-  
 ington, DC.*

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Mr. Peter S. Kosinski, Deputy Executive Director, State Board of Elections, State of New York, indicating that, according to the unofficial returns for the general election held November 4, 1997, the Honorable Vito Fossella was elected Representative in Congress for the Thirteenth Congressional District, State of New York.

With warm regards,

ROBIN H. CARLE.

STATE OF NEW YORK,  
 STATE BOARD OF ELECTIONS,  
 Albany, NY, November 5, 1997.

ROBIN H. CARLE,  
*Clerk, House of Representatives, The Capitol,  
 Washington, DC.*

DEAR MS. CARLE: Based on the unofficial returns, Vito Fossella was elected to the Office of Representative in Congress from the 13th Congressional District of New York at the General Election held on November 4, 1997.

Sincerely,

PETER S. KOSINSKI,  
 Deputy Executive Director.

#### SWEARING IN OF THE HONORABLE VITO FOSSELLA, OF NEW YORK, AS A MEMBER OF THE HOUSE OF REPRESENTATIVES

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. VITO FOSSELLA] be permitted to take the oath of office today. His certificate of election has not arrived, but there is no contest, and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The Chair requests that the Member-elect from New York present himself in the well of the House escorted by the New York delegation.

Mr. FOSSELLA appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion, and that you will well and faithfully discharge the duties of the office on which you are about to enter. So help you God?

The SPEAKER. Congratulations, you are a Member of the House.

#### WELCOMING THE HONORABLE VITO FOSSELLA TO THE HOUSE OF REPRESENTATIVES

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

Mr. GILMAN. Mr. Speaker, it is indeed an honor to be able to introduce the newest Member of our New York delegation, VITO FOSSELLA, who is joined today by his good lady, Mary Pat, who is here with him watching this beautiful occasion.

□ 1100

Mr. Speaker, it is a great honor for the Staten Island population to have such an accomplished legislator join us. VITO was formerly on the New York City Council for many years. He is now going to fill the shoes of the 13th Congressional District, who was so ably represented by Mrs. Paxon, Susan, whom we all know and did such an outstanding job in the days gone by.

VITO, we wish you the best of luck. God bless in all of your new endeavors.

#### WELCOMING THE HONORABLE VITO FOSSELLA TO THE HOUSE OF REPRESENTATIVES

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

Mr. RANGEL. Mr. Speaker, this was hardly the way I expected this to turn out. Having said that, the Members of