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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. PETRI).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 30, 1998.

I hereby designate the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

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 Virginia (Mr. GOODLATTE) for 5 minutes.

THE SECURITY AND FREEDOM THROUGH ENCRYPTION ACT

Mr. GOODLATTE. Mr. Speaker, strong encryption products are the locks and keys of the digital age. To ensure that the computer files of American citizens are protected, I have introduced H.R. 695, the SAFE Act, Security and Freedom through Encryption, which has 250 bipartisan cosponsors. The SAFE Act is supported by organizations from across the political spectrum. It is not often that legislation brings together such a diverse array of Members and interest groups.

On one side of this debate are the United States Chamber of Commerce, the National Association of Manufacturers, the Law Enforcement Alliance of America, the American Civil Liberties Union, the National Rifle Association, Americans for Tax Reform, Eagle Forum, the Center for Democracy and Technology, and a whole host of business organizations concerned about the security of their computer communications.

Who is on the other side? The administration, which continues to pursue a policy that threatens the privacy of American citizens. If the Government can access your encrypted computer files, medical records, tax returns and personal financial information, then hackers can, too.

I am pleased to be the sponsor of this legislation with the gentlewoman from California (Ms. LOFGREN), the lead Democrat cosponsors. There are about 150 Republican cosponsors of this legislation, and over 100 Democrat cosponsors as well.

This is truly a bipartisan effort. This legislation is designed to do three things: First, protect the privacy of law-abiding American citizens. People know today that their e-mail, their credit card numbers, their medical records, their tax returns, if they are submitted electronically, their industrial trade secrets, their copyrighted material, are all subject to invasion by hackers, by criminals and others who will make their communications available to who knows who for what reason.

Privacy is important in the Information Age, and we need to protect it.

Secondly, this is an important anticrime measure. This legislation will help to make sure that people who do use the Internet for electronic commerce will have that credit card number protected from a hacker stealing it.

The New York Stock Exchange, which has to encrypt its financial communications, which go all over the world, to make sure somebody does not break into that system and cause a financial crisis by changing the numbers in the computer system, or the same thing for a nuclear power plant, somebody breaking into its computer system and causing a meltdown. This is something that protects the infrastructure of our country and it protects individuals using the Internet, making sure their medical records are secure.

Industrial espionage is one of the largest problems we have in the criminal area in this country. The FBI has estimated more than $24 billion and/or more a year in industrial espionage takes place, and what is the prime place of that? Breaking into somebody's computer to steal information. Encryption, the scrambling of information to make sure it cannot be decoded by somebody intercepting it, is the Number one way to make sure this is safe.

Finally, this is an issue about jobs, jobs of American citizens. We dominate the software industry in the world. Today, nearly 75 percent of all the software sold in the world is created in the United States. But our foreign competition is on to the fact that this administration is using our export control laws to limit access to strong encryption by our software companies, by our citizens, and by those overseas who would like to buy the quality software products American companies make and cannot do so because of the fact that we have these export laws that limit access to this valuable software.

So they are using that to gain a competitive advantage, and we will lose the advantage we have in the world as we move more and more into encrypted software, as we move into the next century.

So these three things, protecting the privacy of American citizens, fighting crime, and making sure that we protect and create new jobs in a growing

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dynamic Information Age industry, are reasons why this legislation has been offered.

What does it do? It eases our export control laws and says that if foreign competition is offering a particular type of software, or if it is available off-the-shelf, our American industry should be allowed to compete and offer the same software overseas.

It prohibits the Federal Government from setting up what is called a mandatory key recovery system. What is that? That is where the government requires you to put the key to your computer, your encrypted computer software, the contents of your computer, in a location where government can get ahold of it without your knowledge.

Mr. Speaker, this is something that I would urge my colleagues to strongly support. This legislation has bipartisan support. Support the SAFE Act, H.R. 695.

SUPPORT THE SAFE ACT, H.R. 695

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentlewoman from California (Ms. LOFGREN) is recognized during morning hour debates for 5 minutes.

Ms. LOFGREN. Mr. Speaker, I am also here to discuss my proud cosponsorship of the SAFE Act. As the preceding speaker, my colleague from Virginia has noted, it is time, finally, for the United States to take the forward-thinking policy to avoid and abandon the flawed policies of key recovery, and to allow Americans to have complete protection from hackers and others who would steal and invade their privacy, and, in some cases, their well-being.

Mr. Speaker, the current administration is searching for answers to the current encryption dilemma. As with their preceding administrations, they are listening, as they should, to the concerns of law enforcement and their needs to keep us safe from predators and terrorists. That is absolutely appropriate, but it is not appropriate to fail to take action when the policy that we have today is so seriously flawed.

Mr. Speaker, I am hopeful that as we continue this dialogue, the American people will become more vigorous in standing up for their rights to privacy in the digital age and on the Internet. There are many things that Republicans and Democrats disagree about. Today, we will have most likely very vigorous, perhaps even acrimonious disagreements, about the way campaign finance reform has been brought to this floor, the limitations on debate, and really the very unfortunate attention that has been given to campaign finance reform, legitimate campaign finance reform, by the majority.

Putting that to one side, we should, nevertheless, work together where we do agree, and there is broad support among both Democrats and Republicans for a sound encryption policy that makes sure that all of us have access to the strongest encryption available in the world at large.

I commend my colleague, the gentleman from Virginia, Mr. GOODLATTE, for his leadership in this effort, and look forward to resounding support from the entire House, and later the Senate.

DEBATING CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Massachusetts (Mr. MEEHAN) is recognized during morning hour debates for 5 minutes.

Mr. MEEHAN. Mr. Speaker, April Fool's Day has come to the House 2 days early, and, unfortunately, the joke is on all of us who took the Speaker at his word when he promised last December to allow a fair debate and vote on campaign finance reform.

Today, we are going to consider four so-called reform bills under the suspension calendar. Now, the suspension calendar is usually reserved for noncontroversial legislation. Campaign finance reform is a tough issue and a controversial issue.

Here it is now, it is 12:30 in the afternoon. We are supposed to have a debate on this at 2 o'clock. We do not even have the language of all of the various proposals that on Friday afternoon the Republican leadership said we were going to vote on. We do not even have all of the language that we are going to be asked to vote on later on this afternoon.

The truth is, during the 104th Congress, Mr. Speaker, the Republicans passed a House rule that required the Speaker to notify the minority before scheduling suspensions. Yet these bills were put on the calendar without any consultation with the minority or the bipartisan group of legislators interested in passing real campaign finance reform legislation.

Needless to say, absent from the list of those bills to be voted on today is the bipartisan McCain-Feingold-Shays-Meehan bill, which could pass on a simple majority vote. It is clear to me that the Speaker and the Republican leadership have been promoting an outrageous lie that the House will seriously consider reform. It is a disgrace.

After all of the time and money that we have dedicated to discussing and investigating the problems with our current system, here we are, we cannot get a fair vote on bipartisan reform.

Yes, Mr. Speaker, April Fool's Day has come to the House early, and, unfortunately, the joke is on the American people. And one need not look very far to find out what independent sources are saying about today's mockery.

For example, if you look at today's New York Times and look at the lead editorial, it states, Today in place of real debate on campaign finance reform, the House is set to stage a mock debate on phony campaign finance reform. It is outrageous enough that the Republican House leaders' version of reform is the Thomas bill, which fails to end the corrupt soft money system, would triple contribution limits, and is laced with poison pill provisions.

Mr. Speaker, many in this House, on both sides of the aisle, have been working literally for years to try to form a consensus to pass real meaningful campaign finance reform. The American people have watched the news on all the major networks and have watched the debate and the hearings that have been held about the abuses of the soft money system and the influx of literally millions and millions of dollars into our campaign finance system.

Yet, when this debate is held today, it will be held under a suspension of the rules. There will not be an offer to have a vote up or down on bipartisan campaign finance reform, even though a majority of the Members of the United States Senate passed real campaign finance reform by a majority vote of 53, only to have that majority vote burst asunder by a filibuster that requires 60 votes in the other body.

Now, we have an opportunity to get that bill back to the United States Senate and have the United States Senate decide to pass real campaign finance reform by simply only allowing a majority vote. But we are going to be unable to do that this afternoon. We are going to be unable to do that because the leadership on Friday afternoon decided that we are going to have a debate under suspensions, that requires a two-thirds vote to pass anything. That is why usually when suspensions are up, noncontroversial items are brought up.

You look at the New York Times this morning. The New York Times says, ''Now by bringing the phony Thomas bill up under suspension of the rules, the Republican leadership has rigged the process for this rigged bill, prohibiting House Members from offering any amendments or any alternative legislation and denying them a way to vote against the process.''

□ 1245

The American people deserve a real debate on campaign finance reform,'' especially, according to the New York Times, after the campaign fundraising scandals and abuses in the last elections.

Finally, Mr. Speaker, the New York Times said that the Shays-Meehan bipartisan bill, which is a companion measure to the McCain-Feingold bill that received a majority vote in the Senate, deserves a fair vote.

Mr. Speaker, let us take this suspension back, and let us come back with a real vote on campaign finance reform and allow the vote on bipartisan reform.

CONCERN REGARDING CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Connecticut (Mr. SHAYS) is recognized during morning hour debates for 5 minutes.

Mr. SHAYS. Mr. Speaker, I do not usually address the House on 5 minutes before the session, but I am not sure how much time will be given to debate campaign finance reform when these bills are brought before us under suspension. I just want to make a number of points for the RECORD for that debate.

First, I want to express my concern that on a Friday afternoon, after Members were proceeding to leave, the House was told for the first time that we would have debate on four campaign finance bills, debate that likely will begin before many Members get back to Washington.

I would also like to express concern as to how we will be debating these bills. We will have four campaign bills debated under suspension of the calendar, which has three major flaws:

We cannot amend a bill under suspension.

The debate is limited to each side having 20 minutes, so a total of 40 minutes for the major issue of campaign finance reform. Admittedly, there will be four 40-minute debates, because there are four bills.

And it takes, as has been pointed out by my colleague, the gentleman from Massachusetts (Mr. MEEHAN), a two-thirds vote to pass legislation. In the Senate, they need 60 votes to invoke cloture and actually end debate and have a vote on a bill, 60 votes out of 100, or 60 percent. Here we need, in the House, under suspension, 66 and two-thirds percent of the membership's vote. Mr. Speaker, this is not the Senate, thank goodness, and it should not take a supermajority to pass meaningful campaign finance reform.

I would like to now address the issue of what bills are coming forward. They are all bills that have been promoted by Republicans, not Democrats, so the Democrat party and leadership was not consulted in what bills would come up. It strikes me that, at the very least, they should have been. Had I been in the minority, I would be outraged to see Democrats do the same thing to a Republican minority.

Second, not only were Democrats not consulted, Democrat proposals are not being allowed to be debated. I am wondering why we would not allow such a debate, given the rule says we need two-thirds to pass.

Third, I would like to express the concern that a bipartisan group of Members who have been working in good faith have not been consulted and that some of the bills are bipartisan. So there are many reasons to express concern about the process, which, is deplorable.

Having said that, I want to acknowledge that three of these bills, in my judgment, merit support. I do not intend to vote against a good bill just because I do not like the process. I vote against a rule because I do not like the process. I have been in public life 24 years in the State House and in Congress, and I learned a long time ago you do not vote against a good bill simply because you do not like the process.

The Thomas bill is a comprehensive bill worked on just by Republicans. It is a good-faith attempt to get a bill the Republican party likes. To me, it is not a bill that merits support in its present condition. It has flaws to it that I hope are pointed out during the debate, but it was a comprehensive effort to deal with Republican concerns.

The FEC bill, providing disclosure when you raise and spend money, is a no-brainer for me. That should get our support.

A ban on foreign contributions, how could we vote against a bill that bans foreign contributions? It gets my support, if that is, in fact, the bill that comes forward.

Paycheck protection is a little more controversial. I understand why some might not vote for it. It basically says if you are a member of a union, the union has to get your permission before it supports particular candidates or political causes. I think they should get permission of a member beforehand.

My wife had to get out of the union because her money was being given to candidates she did not support. The only way she could prevent this was to invoke the Beck rule and say her money could not be used. Under the Beck rule she is forced out of the union, and pays an agency fee.

Mr. Speaker, 84 percent of my constituents said they believe, and I quote, ''Our democracy is threatened by the influence of unlimited campaign contributions by individuals, corporations, labor unions, and other interest groups.'' A biased statement?

I asked what my constituents felt in a questionnaire I sent to them. Fifty-one percent strongly agreed, 33 percent agreed. Eighty-four percent of my constituents believe our democracy is threatened by the influence of unlimited campaign contributions by individuals, corporations, labor unions, and other interest groups. Regrettably, their Representative will not be able to vote for the McCain-Feingold bill, which prevents soft money, those unlimited contributions my constituents abhor.

CAMPAIGN FINANCE REFORM PROCESS HAS BEEN RIGGED

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from California (Mr. FARR) is recognized during morning hour debates for 5 minute.

Mr. FARR of California. Mr. Speaker, let the record show that we have three former Peace Corps volunteers on the floor today, the gentleman from Connecticut (Mr. SHAYS), I appreciate his remarks, the Speaker pro tempore, and myself.

Mr. Speaker, I rise today to discuss probably the issue of today, which is campaign finance reform. What is happening today is that the process has been rigged. We have a suspension of democracy, not a suspension of consent items before the House.

We are scheduled to vote this evening on campaign finance reform, on four bills, as the gentleman from Connecticut (Mr. SHAYS) pointed out, all Republican bills without any Democrat input, although the Democrat bill that I authored has 106 cosponsors, the most that any campaign finance reform bill has ever had in the history of this House.

I would like to speak a little bit about that history, because we have, in the past, passed campaign finance reform. In fact, if Members will go back to probably times when some of the Members here were serving, the 100th Congress, in 1987 and 1988, the House bill was introduced by a House Member from California, Mr. Coelho. It had 96 cosponsors in all.

Then the Senate bill, which was S. 2, was introduced by a Democrat from Oklahoma, Senator Boren. That bill was filibustered by the Republicans for a record of seven cloture votes, and it was defeated by the Republican filibuster.

In the 101st Congress, 1991 to 1992, again Mr. Swift, a Democrat from Washington, introduced the House bill here, which had several cosponsors, and it passed the House. It passed on a bipartisan vote, 255 to 155, including 15 Republicans that voted for the bill.

Then what happened is that the conferees, because the Senate blocked the conferees, were never appointed. So, again, the second time that a bill had gotten blocked by Republican efforts.

In the 102nd Congress, which is 1991 to 1992, the gentleman from Connecticut (Mr. GEJDENSON) sponsored the bill. It had 82 cosponsors in all. It passed the House on November 25, 1991, by a vote of 273 to 156. The Senate had a similar measure.

The House agreed to the Senate measure and it passed the Senate, it was again by Senator Boren, by a vote of 56 to 42. It went to conference. The conference report was voted on by this House 259 to 165 on April 9, 1992. Guess what happened in 1992? On May 5, President Bush vetoed the bill.

That is similar to the bill that I have up today, H.R. 600. There is not much difference. It became, I think, the bill, most of which is in the Shays-Meehan bill. Again, an effort by the Republicans to block campaign finance reform.

Then in the 103rd Congress, the gentleman from Connecticut (Mr. GEJDENSON) again introduced this bill, H.R. 3. It passed the House on November 22, 1993, by a vote of 255 to 175. The Senate

bill passed again, introduced by Senator Boren, a Democrat from Oklahoma, passed the Senate on June 7, 1993, by a vote of 60 to 38. The cloture failed on the motion to go to conference on September 23; and due to a filibuster by Senator GRAMM, a Republican from Texas, the cloture failed on September 27.

Again, in the 104th Congress I took over the work of the gentleman from Connecticut (Mr. GEJDENSON), I guess because both of us are SAMs, and I guess the Sam Caucus sticks together. I introduced the H.R. 3505. It had numerous cosponsors. It was a substitute to the Republican campaign finance reform bill, and it failed on this floor by 177 to 243. It received bipartisan support. And the act goes on.

Now we are in the 105th Congress. I have introduced H.R. 600. It had a 106 cosponsors. It cannot get out of committee. It cannot even be offered as a substitute. So history has shown that when the Democrats were in power, we were able to get bills off this floor. We were able to get more substantive bills than are being addressed today.

I think what is happening today a real sham. It is a sham on democracy. It is shameful what we are doing.

There is a funeral going on right now in New Mexico. Most of our Members are there. They cannot even participate in this discussion.

The vote is on the suspense calendar, which requires a two-thirds vote, an extraordinary vote. The suspense calendar is for things that are automatic, that people have no debate on. They are not controversial issues. Yet, this day was the day chosen to hear this.

Let me tell the Members what has been going on in this House. We ought to all be outraged because, since the beginning of this year, this session, the oversight committee chaired by our colleague, the gentleman from Indiana (Mr. BURTON), and by Senator FRED THOMPSON have subpoenaed in the House 587 people, put 114 depositions, had 13 days of public hearings, had 33 witnesses and spent $6.8 million, and nothing coming out for campaign finance reform. This is outrageous.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PETRI). Members are reminded not to make reference to individual Members of the other body when they speak.

THE SPEAKER PROMISED DEBATE AND A VOTE ON REAL, BIPARTISAN CAMPAIGN FINANCE REFORM

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. Mr. Speaker, a promise is a promise. Back in November, the Speaker promised us a bipartisan campaign finance bill, a vote here on this floor. This is not a bipartisan campaign finance bill. It is a partisan campaign finance reform bill. This plan to put campaign finance bills up for suspension votes is like a magic trick: Now you see them, now you do not. The House leadership is using the process to ensure that these reform bills disappear into their magic black hats.

The American people must know that their own democratic process is being used against them. There are enough Members of this House willing to vote for reform, and the House leadership simply will not put the bill out on the floor for a vote. They are manipulating the system. We need pressure; and we will keep pressure on until we bring a real bill, like Shays-Meehan, up for a real vote on this House floor.

If the House leadership spent as much time fixing the Nation's problems as it spends figuring out how to avoid having a vote on this Shays-Meehan bill on the floor, our work here in Washington would have been completed. If the House leadership appropriated as much money trying to fix the Nation's problems as it spends figuring out how to shoot down the opposition, our work here in Washington would be finished.

Millions have been spent so far on clearly partisan investigations into the 1996 elections, but there has been no serious attempt to reform the system. We have had many, many hearings in the Burton committee on alleged campaign finance abuses; and absolutely every single one of the abuses involved the use of soft money. Instead of continuing to look at problems, we should be spending time on how to fix the problems.

Even if we just had a vote on one segment out of Shays-Meehan, which is banning soft money, we would have removed the ability for campaign finance abuse, which is being alleged in the many hearings before the Burton committee.

□ 1300

Another point that is particularly troubling is the funding for the Federal Elections Commission. This is the only body that is empowered, and it is a bipartisan body, it is the only body that is empowered to look at campaign finance abuses and to try to correct the system, and to find those that abuse it. Yet the Federal Elections Commission has not been appropriated the money that they requested just to investigate the abuses that are before them. Yet there have been multimillions appropriated, $40 million appropriated to look into investigations before the House Committee on Government Reform and Oversight on alleged abuses. Yet the Federal Elections Commission, the one bipartisan body that is empowered to actually do something about it, has not received the funding that they requested to get the job done.

The money keeps pouring in. The FEC recently released a report showing that congressional candidates are setting new fund-raising records. In 1997 candidates for House and Senate seats raised $232.1 million. That is a $48 million increase from the same period in the cycle before.

Mr. Speaker, the problem is getting worse on both sides of the aisle and Members from both sides of the aisle are asking for reform. More than 300 Members of this body have signed on to one form or another of reform campaign finance legislation before this body. Mr. Speaker, let us bring it to the floor for a vote. We certainly need to vote for campaign finance reform before we go back to our constituents and ask them to vote for us in our own reelection bids.

Mr. Speaker, a promise is a promise, and it is time to turn the promise of the Speaker's handshake with President Clinton and others confirming support for campaign finance, it is time to turn the promise of that handshake into the reality of a law. At the very least, we should bring Shays-Meehan to the floor for a vote.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 1 o'clock and 2 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GIBBONS) at 2 p.m.

PRAYER

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

We recognize, O God, how we long for unity in our communities and we pray for a harmony that brings people together in a spirit of cooperation and teamwork. Yet, we know, too, that there can be enmity and animosity which does no one any good and which weakens us as a Nation.

So we pray, gracious God, that we will be instruments of Your peace, and messengers of Your reconciliation so that our faith will be active in love, and our citizenship will be seen in our deeds. Help us to translate our words of prayer this day into respect for others and a reverence for all Your people. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Ohio (Mr. TRAFICANT) come forward and lead the House in the Pledge of Allegiance.

Mr. TRAFICANT 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.

UNFAIRNESS IN TAX CODE: MARRIAGE TAX PENALTY

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

Mr. WELLER. Mr. Speaker, questions are often asked why should we pass the Marriage Tax Elimination Act, and I think a series of questions best explain why. Do Americans feel that it is fair that working married couples pay more, that they pay higher taxes than identical couples living together outside of marriage? Do Americans feel that it is fair that 21 million married working couples pay on the average of $1,400 more in higher taxes just because they are married? Do Americans feel that it is fair that there is actually an incentive in our Tax Code which encourages divorce? Of course not.

Americans recognize the marriage tax penalty is unfair, that 21 million married working couples pay $1,400 more in higher taxes just because they are married. On the south side of Chicago and the south suburbs, $1,400 is 1 year's tuition at Joleit Junior College, 3 months of day care at a local day care center in the south suburbs.

The Marriage Tax Elimination Act, which would eliminate the marriage tax penalty, eliminate it now, now has 238 cosponsors. It deserves bipartisan support. Let us eliminate the marriage tax penalty. Let us eliminate it now.

THE CONSTITUTION NEVER INTENDED TO BAN SCHOOL PRAYER

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

Mr. TRAFICANT. Mr. Speaker, America is still in shock. Two boys, age 11 and 13, gunned down four young students in a middle school in Arkansas, and the experts are asking what happened to parents? What happened to values? What happened to our schools?

Schools are overrun with drugs, violence, guns, rape, murder, and now even mass murder. It seems America's schools have everything, Congress, everything except prayer. Maybe the so-called experts might finally realize that a nation that denies God in our schools is a nation that encourages the devil in our schools. The Constitution never, never intended to ban school prayer and never intended to separate God and the American people. Think about it.

YUCCA MOUNTAIN IS NOT SUITABLE FOR NUCLEAR WASTE STORAGE

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

Mr. GIBBONS. Mr. Speaker, when I was a child, people thought that little green men lived on Mars and that the Moon was made of cheese. That was when imagination was stronger than science. Unfortunately, many of my colleagues look at transporting and storing nuclear waste in much the same way.

A recent scientific study claimed that the proposed storage site at Yucca Mountain, Nevada, is at least 10 times, that is right, 10 times more prone to earthquakes and lava flows than government scientists previously estimated. Nevada ranks third in the Nation for current earthquake activity.

Recognition and proper use of this information could potentially save thousands of lives. With over 30 earthquakes a year, clearly, Yucca Mountain is not suitable, and it may very well be the worst place to store the deadliest material man has ever created.

The space program proved that little green men did not live on Mars. And as long as the DOE applies this new scientific information, America will not force little green people to live in Nevada.

SECOND ANNUAL UNITED STATES-MEXICO BORDER CONFERENCE TO BE HELD ON CAPITOL HILL TOMORROW

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

Mr. REYES. Mr. Speaker, tomorrow, the second annual U.S.-Mexico Border Conference will be held on Capitol Hill. The purpose of this conference is to familiarize Members of Congress and their staff with the unique changes facing the U.S.-Mexico border.

Speakers from the border area will address issues under consideration by Congress that directly affected the southwest border, including infrastructure and economic development, education and the workforce, immigration and drug trafficking, health and the environment. The luncheon keynote speaker will be Ambassador of Mexico to the United States Jesus Reyes-Heroles.

During this 1-day event, you will hear about the effects of immigration policy, problems with illegal drugs, dislocated workers, the economy of both sides of the border, and the strain on our border infrastructure due to issues in NAFTA, and health care will also be discussed.

I hope that you will join me and the U.S.-Mexico Chamber of Commerce as we explore the needs of our 2,000-mile border with Mexico and discuss serious policy issues concerning the U.S.-Mexican border. I urge my colleagues to come and spend 1 day learning about the U.S.-Mexican border.

TAX SYSTEM IN THIS COUNTRY IS ANTIFAMILY

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

Mr. JONES. Mr. Speaker, I see a lot of problems with our current tax burden, but today I want to highlight one of the biggest. The tax system in this country is antifamily. American families today spend more money on taxes than they spend on food, clothing and housing combined. They are taxed for most everything they do, even for taking the first step in getting married.

The marriage penalty is just one of many antifamily taxes in this country. It penalizes more than 21 million couples an average of $1,400 annually simply because they are married. In my opinion, this penalty goes against the tradition moral fabric of our Nation.

It is past time that we terminate the marriage penalty and other antifamily taxes that are placing such a tremendous burden on American families. Mr. Speaker, we need to be helping families, not penalizing families.

MORALITY IN LEADERSHIP

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

Mr. PITTS. Mr. Speaker, the current situation at the White House has, at some point, caused each of us to pause and ask how has this soap opera changed the debate in this country? What do people care about? Is it really just the economy, stupid? Or do American citizens, as I know each of us wants to believe, hope for a truly honest and moral individual in the White House and, for that matter, in all positions of leadership.

Whatever happened to the expecting leaders who exemplified ideals of fidelity, character, honesty, and trustworthiness. If our children are not seeing these traits in us from the White House to the Halls of Congress, can we expect them to hold this high and timeless standard for themselves?

How unfortunate, the first thing that Americans now think of when we hear the name, President Clinton, has nothing to do with an African safari or balanced budget. What message is Bill Clinton sending to America? By his silence, is Bill Clinton condoning improper behavior? When will the Americans finally hear the truth? Character counts. It is that simple.

PUT THE SOCIAL SECURITY SURPLUS IN A TRUE TRUST FUND

(Mr. KINGSTON asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, not since Neil Armstrong walked on the Moon and Mod Squad was on our television screens in the houses of America, the New York Mets were on their way back to one of the best come-back stories in baseball history, have we had a balanced budget or surplus in the budget.

But it is true, this year we are on our way to a budget surplus. So how does Washington react? The President goes out and breaks last year's budget agreement and calls for $56 billion in new spending. And there you go, status quo in Washington.

Why do we have this balanced budget to begin with? Well, a couple things. Number one, we have slowed down the growth of government spending. Number two, we have a robust economy. And number three, sadly to say, we have put the Social Security surplus in with general revenues.

I believe, as do most Republican Members of Congress, if you want to put Social Security first and protect and preserve it, not just for the current generation of retirees, but for future generations, that you must separate the Social Security surplus and take it off budget and put it in a true trust fund with a fire wall from general revenue. I believe that is the number one thing this Congress should be doing.

U.S. SHOULD LEARN HOW TO DISPOSE OF NUCLEAR WASTE

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

Mr. FALEOMAVAEGA. Mr. Speaker, I want to offer my personal welcome to the distinguished members of the House of Commons, the Parliament of Canada. They are members of the Canadian Parliament Committee on International Relations and Trade.

They have expressed an interest to discuss with our colleagues the important issues of nuclear nonproliferation and its impact, not only to our Nation, to the region, and to the world for that matter.

Mr. Speaker, with approximately a $34 billion budget for the production and safeguard for our own nuclear arsenal, Mr. Speaker, we do not even know what to do with the billions of dollars expended on what to do with nuclear waste.

Why is Nevada made the only State to carry such a tremendous burden? We have developed the technology on perfecting the nuclear trigger, Mr. Speaker, but we do not even know how to control nuclear waste. What a travesty, Mr. Speaker. We need to look a little closer into this important issue.

SUPPORT BESTEA

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

Mr. METCALF. Mr. Speaker, I rise in strong support of H.R. 2400, the Building Efficient Surface Transportation and Equity Act or BESTEA. The House will consider BESTEA on Wednesday, and I urge my colleagues to support this violation legislation.

BESTEA provides $217 billion in contract authority from the Highway Trust Fund over the next 6 years. This amount represents a 43 percent increase in funding over the 6 years of ISTEA. Further, this legislation was off the Transportation Trust Fund and ends the assault on the fund to mask the deficit and fund other domestic priorities.

A few of my colleagues have expressed concern over funding levels in BESTEA, and I would like to address this for a moment. Mr. Speaker, BESTEA keeps our commitment to the American people to spend gas tax revenue solely for transportation.

Mr. Speaker, I am a budget hawk who came here to balance the budget. BESTEA ends the Washington charade of masking the deficit with money that should have been spent on the Nation's transportation. I look forward to the overwhelming passage of BESTEA Wednesday and urge my colleagues to support it.

CAMPAIGN FINANCE REFORM

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

Mr. ROEMER. Mr. Speaker, certainly the American people have a great deal of cynicism and outright apathy some days about the United States Congress because of the way that they handle campaign finance reform and other kinds of activities, sometimes late at night, sometimes at 2 or 3 o'clock in the morning, and sometimes not at all.

Tonight, I think we have the worst of all possible worlds. The Republican leadership has put an important issue to the American people, campaign finance reform, on the Suspension Calendar. Many Members are coming back home. They will not even be able to be involved in the debate. It requires two-thirds vote for passage on the Suspension Calendar. That is an unbelievably high hurdle or obstacle to overcome for any bill, let alone campaign finance. So we have got more and more cynicism, more and more distrust of our system here in Washington, D.C.

Let us debate this bill in the middle of the day so the American people can pay attention and decide which way they think legitimate campaign finance reform needs to go.

CAMPAIGN FINANCE REFORM

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

Mr. FARR of California. Mr. Speaker, I rise today just to point out to the House what we have been doing this year when we have been here, both the House and the Senate when they began looking into campaign filings of the White House.

This House subpoenaed 587 subpoenas. They deposed 114 people. They held 13 days of public hearings. They had 33 witnesses. The House gave them $5 million. On the Senate side figures are about the same, only the Senate gave them $3.5 million.

□ 1415

In addition to what the House gave the committee they have now appropriated another $1.8 million, and what have we gotten for it? Nothing but a sham.

These bills that come before my colleagues tonight are bills that require a two-thirds vote. Most of the Members of Congress are not even here for the debate. This is not campaign finance reform, this is a travesty on democracy.

CYNICISM IN THE AMERICAN ELECTORATE

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

Mr. ABERCROMBIE. Mr. Speaker, I began my political career after I left the University of Hawaii, was teaching at Leeward Community College, had little or nothing in the way of fiscal resources. We had the backing of young people, ran a grass roots campaign in 1974 when we had campaign expenditure limits. No matter how wealthy one was, and I was up against candidates who had great wealth available to them, we could not spend any more than the amount that was allocated.

We will not have an opportunity today to even debate whether we can get democracy back to the ordinary person. That is why we have such cynicism in the electorate today. And the approach today, and I ask my Republican colleagues to take this into account, I do not want to make this a partisan issue; but if we put this bill forward today with the two-thirds requirement when the membership is not even here, it will add to the cynicism of the American people that prevents young people from being able to run for office or even consider it.

Please do not move forward with this bill today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GIBBONS). Pursuant to the provisions of clause 5, rule I, the Chair announces that he 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 6 p.m. today.

PROVIDING ASSISTANCE TO NATIONAL HISTORIC TRAILS INTERPRETIVE CENTER IN CASPER, WYOMING

Mrs. CUBIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2186) to authorize the Secretary of the Interior to provide assistance to the National Historic Trails Interpretive Center in Casper, Wyoming.

The Clerk read as follows:

H.R. 2186

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

SECTION 1. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds and declares the following:

(1) The city of Casper, Wyoming, is nationally significant as the only geographic location in the western United States where 4 congressionally recognized historic trails (the Oregon Trail, the Mormon Trail, the California Trail, and the Pony Express Trail), the Bridger Trail, the Bozeman Trail, and many Indian routes converged.

(2) The historic trails that passed through the Casper area are a distinctive part of the national character and possess important historical and cultural values representing themes of migration, settlement, transportation, and commerce that shaped the landscape of the West.

(3) The Bureau of Land Management has not yet established a historic trails interpretive center in Wyoming or in any adjacent State to educate and focus national attention on the history of the mid-19th century immigrant trails that crossed public lands in the Intermountain West.

(4) At the invitation of the Bureau of Land Management, the city of Casper and the National Historic Trails Foundation, Inc. (a nonprofit corporation established under the laws of the State of Wyoming) entered into a memorandum of understanding in 1992, and have since signed an assistance agreement in 1993 and a cooperative agreement in 1997, to create, manage, and sustain a National Historic Trails Interpretive Center to be located in Casper, Wyoming, to professionally interpret the historic trails in the Casper area for the benefit of the public.

(5) The National Historic Trails Interpretive Center authorized by this Act is consistent with the purposes and objectives of the National Trails System Act (16 U.S.C. 1241 et seq.), which directs the Secretary of the Interior to protect, interpret, and manage the remnants of historic trails on public lands.

(6) The State of Wyoming effectively joined the partnership to establish the National Historic Trails Interpretive Center through a legislative allocation of supporting funds, and the citizens of the city of Casper have increased local taxes to meet their financial obligations under the assistance agreement and the cooperative agreement referred to in paragraph (4).

(7) The National Historic Trails Foundation, Inc. has secured most of the $5,000,000 of non-Federal funding pledged by State and local governments and private interests pursuant to the cooperative agreement referred to in paragraph (4).

(8) The Bureau of Land Management has completed the engineering and design phase of the National Historic Trails Interpretive Center, and the National Historic Trails Foundation, Inc. is ready for Federal financial and technical assistance to construct the Center pursuant to the cooperative agreement referred to in paragraph (4).

(b) PURPOSES.—The purposes of this Act are the following:

(1) To recognize the importance of the historic trails that passed through the Casper, Wyoming, area as a distinctive aspect of American heritage worthy of interpretation and preservation.

(2) To assist the city of Casper, Wyoming, and the National Historic Trails Foundation, Inc. in establishing the National Historic Trails Interpretive Center to memorialize and interpret the significant role of those historic trails in the history of the United States.

(3) To highlight and showcase the Bureau of Land Management's stewardship of public lands in Wyoming and the West.

SEC. 2. NATIONAL HISTORIC TRAILS INTERPRETIVE CENTER.

(a) ESTABLISHMENT.—The Secretary of the Interior, acting through the Director of the Bureau of Land Management (in this section referred to as the ''Secretary''), shall establish in Casper, Wyoming, a center for the interpretation of the historic trails in the vicinity of Casper, including the Oregon Trail, the Mormon Trail, the California Trail, and the Pony Express Trail, the Bridger Trail, the Bozeman Trail, and various Indian routes. The center shall be known as the National Historic Trails Interpretive Center (in this section referred to as the ''Center'').

(b) FACILITIES.—The Secretary, subject to the availability of appropriations, shall construct, operate, and maintain facilities for the Center—

(1) on land provided by the city of Casper, Wyoming;

(2) in cooperation with the city of Casper and the National Historic Trails Interpretive Center Foundation, Inc. (a nonprofit corporation established under the laws of the State of Wyoming); and

(3) in accordance with—

(A) the Memorandum of Understanding entered into on March 4, 1993, by the city, the foundation, and the Wyoming State Director of the Bureau of Land Management; and

(B) the cooperative agreement between the foundation and the Wyoming State Director of the Bureau of Land Management, numbered K910A970020.

(c) DONATIONS.—Notwithstanding any other provision of law, the Secretary may accept, retain, and, subject to the availability of appropriations, expend donations of funds, property, or services from individuals, foundations, corporations, or public entities for the purpose of development and operation of the Center.

(d) ENTRANCE FEE.—Notwithstanding section 4 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–6a), the Secretary may—

(1) collect an entrance fee from visitors to the Center; and

(2) subject to appropriations, use amounts received by the United States from that fee for expenses of operation of the Center.

(e) CONCESSIONS.—The Secretary may—

(1) take actions to encourage and enable private persons to provide and operate facilities and services at the Center in the same manner and extent as the Secretary may take such actions, with respect to areas administered by the National Park Service, under the Public Law 89–249 (16 U.S.C. 20a et seq.), popularly known as the National Park System Concessions Policy Act; and

(2) subject to appropriations, use amounts received by the United States from such facilities and services for development and operation of the Center.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary $5,000,000 to carry out this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Wyoming (Mrs. CUBIN) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentlewoman from Wyoming (Mrs. CUBIN).

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

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

Mr. Speaker, this bill would establish the National Historic Trails Center and Interpretive Center in Casper, Wyoming.

H.R. 2186 was introduced in an effort to preserve and interpret several historic trails which crossed western America during the 1800s. These historic trails represent valuable historic and cultural themes that help shaped the West. This bill is the result of a cooperative partnership with Federal and non-Federal interests which will help fund, construct, operate and maintain the trails center. The partnership includes the Bureau of Land Management, the City of Casper, the State of Wyoming and the nonprofit National Historic Trails Foundation, which have been invaluable in their contribution to this effort. The non-Federal partners have made a clear commitment to share approximately one-half of the total cost to construct, maintain and operate the trails center.

At this point the design work is done, the land is available, and most of the non-Federal funds have been accrued. Now the actual interpretive center needs to be constructed. H.R. 2186 authorizes the appropriation of funds to complete this construction.

This bill really is a showpiece of what can be accomplished as a result of cooperative partnerships between Federal and non-Federal interests. This bill is noncontroversial, Mr. Speaker, and is supported by the administration. I urge my colleagues to voice support for passage of H.R. 2186.

H.R. 2186, the National Historic Trails Interpretive Center Authorization Act, requests an amount of $5 million be authorized for use by the Bureau of Land Management in the Department of the Interior to construct the National Historic Trails Interpretive Center in Casper, Wyoming.

Over a century and a half has now passed since the historic overland migrations of people across America's western frontier began. Their stories of hardship, perseverance and courage are legendary, and they figure prominently in the history of the West. The trails they traveled, especially in Wyoming, still remain a visible testimony to the great struggles of these early American pioneers.

During the mid-1800's, Casper, Wyoming was the only geographic location in the western United States where the Oregon, Mormon, California and Pony Express trails, as well as many Indian trails converged. A fork of the Bozeman Trail and the beginnings of the Bridger Trail also originated in Casper. These

trails are a distinctive part of our nation's past and they possess important historical and cultural values representing themes of migration, settlement, transportation, and commerce that shaped the landscape of the West.

Congress has recognized the historical significance of these trails. The National Trails Systems Act, as amended in 1978 and 1992, designates the Oregon, Mormon, California, and Pony Express Trails as National Historic Trails. The Act also directs the Secretary of the Interior to protect, interpret and manage the remnants of these trails on federal lands.

While large segments of these trails, and their associated historic sites, lie on Bureau of Land Management (BLM) lands in Wyoming, no interpretive center is available in Wyoming, or any adjacent state, to educate the public on the role of these trails in our nation's history.

In an effort to preserve and interpret this important history, I have introduced H.R. 2186 to establish the National Historic Trails Interpretive Center (NHTIC) in Casper, Wyoming. The bill encompasses a unique partnership of federal and non-federal interests to jointly construct and operate this Center. These interests include the BLM, the city of Casper, and the nonprofit National Historic Trails Foundation. These entities came together in 1992 to build a center to memorialize and interpret the national historic trails in the West.

The interpretive and educational programs that will be associated with the Trails Center in Casper will enable visitors to discover and appreciate the miles of untouched trails that lie on public lands in the West. The Center will identify and help protect sensitive historic trail remnants to prevent degradation. The National Historic Trails Centers will also provide an opportunity for the BLM to showcase public lands emphasizing the bureau's commitment to preserve lands of historical value.

Under the cooperative agreement, there is a clear commitment of non-federal partners to share costs to construct, maintain and operate the Trails Center. City, state, foundation and private interests will bear approximately half of the total costs of the project. The City of Casper provided funds to initiate work on the Center. The city has also donated more than 10 acres of prime land overlooking the site of the North Platte River crossings of the historic trails for the Center. Furthermore, the citizens of Casper increased local sales taxes and have raised the required 1.5 million of construction dollars to meet their financial commitment under the cooperative agreement. The State of Wyoming has joined the partnership by giving $700,000 for the Center. The cooperative agreement also requires non-Federal entities to establish a $1 million endowment, the interest thereof to maintain exhibits for the life of the Center. The overwhelming amount of non-federal support for the Center is precisely the kind of cooperation Congress intended in managing and interpreting the historic trails of the nation.

The BLM, under the cooperative agreement, has an important but limited role in establishing and operating the National Historic Trails Interpretive Center. The BLM has already completed a striking design as well as the engineering blueprints of the Center. With this work completed, the land available, and most of the non-federal funds in hand, the Center is now ready for construction This legislation provides congressional authorization of funds for the BLM to do so. Once the Center is completed, the BLM will own and operate the facility. However, with the endowment, the authorization to charge visitors a modest entrance fee, and commitments for volunteer staffing, the facility will be largely self-sustaining from a financial perspective. This is important in view of the present and anticipated future funding restrictions of the Federal government.

In Wyoming, we are experiencing great interest in the historic trails that cross the state. In 1992, a year when visitation to Yellowstone National Park and Grand Teton National Park was down, the Wyoming Department of Tourism reported an increase in tourism along the Oregon Trail route during the sesquicentennial of that trail. This year is the sesquicentennial of the Mormon Pioneer Trail. BLM officials have estimated that between 200,000 and one million visitors participated in ''trails'' events in Wyoming this year. We expect similar interest in trails during the sesquicentennials of the California and Pony Express historic trails. In truth, an increasing number of Americans are discovering, enjoying, and learning the history of these treks and are seeking to experience natural settings, landmarks, and physical remains of the trails.

I am pleased with the broad level of support the National Historic Trails Interpretive Center enjoys. Wyoming State Representative Dorothy Perkins, who testified on behalf of the bill before the Resource Subcommittee on National Parks and Public Lands, along with Executive Director of the Center, Edna Kennell, have both worked tirelessly to make this project a reality. As noted earlier, the city of Casper and the State of Wyoming have provided tremendous assistance to the effort—for that I thank them. The governor of Wyoming, Jim Geringer, as well as Wyoming's former governor, Mike Sullivan, have endorsed the Center from the beginning. Wyoming's U.S. Senators, MIKE ENZI and CRAIG THOMAS, support the project. Especially gratifying has been the support and encouragement from interests outside of Wyoming, such as the Oregon-California Trails Association. I deeply appreciate the support of my respected colleague from Utah, Representative JIM HANSEN, Chairman of the House National Parks and Public Lands Subcommittee.

The establishment of the National Historic Trails Interpretive Center is in the public interest. The project contains the best elements of private and public cooperation. The construction and operation of this Trails Center is altogether consistent with the BLM's criteria for projects of this kind. I urge my colleagues to help advance our efforts to preserve and interpret a significant chapter of American history by lending their support for this legislation.

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

Mr. FALEOMAVAEGA. Mr. 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. Mr. Speaker, H.R. 2186 directs the Secretary of the Interior to establish a National Historic Trails Interpretive Center in Casper, Wyoming, and to carry out this legislation the bill authorizes an appropriation of $5 million, and I want to certainly commend my good friend, the gentlewoman from Wyoming (Mrs. CUBIN), who is the chief sponsor of this piece of legislation.

Mr. Speaker, the center would encompass 4 designated historic trails, national historic trails, the Oregon Trail, the California trail, the Mormon Pioneer Trail and the Pony Express Trail, that pass through the Casper area. The center would include displays and provide visitor education on the historical impacts of the trails. Exhibits would depict the pioneers' travels, and I have been told that that would also include a focus on Native Americans.

The Bureau of Land Management is currently a partner with the State of Wyoming, the City of Casper and the National Historic Trails Center Foundation on this project. The partners are operating under a 1992 memorandum of understanding and a 1997 cooperative agreement.

The Bureau of Land Management has also committed $450,000 for the engineering and design of the center, and the Wyoming legislature has appropriated $700,000, and the local county has provided $1.5 million for the center through local sales taxes. The City of Casper has donated $700,000 to the foundation and has pledged to provide the land on which the center will be built. The foundation has raised $3 million towards the $4.5 million commitment to the project. In addition, efforts are underway to establish an endowment of at least $1 million to help with the maintenance and operation costs of the center.

Mr. Speaker, as this statement shows, there has already been a significant amount of work done to establish a National Historic Trails Center in Casper, Wyoming, and I add my support to these efforts in the bill. I believe H.R. 2186 is a noncontroversial measure, it does have the support of the administration, and I ask my colleagues to support this piece of legislation.

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

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

I wish to thank my colleague from American Samoa for his support and work on this bill.

I do not have any further speakers, so is the gentleman prepared to yield back the balance of his time?

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. ROEMER) to speak on this legislation.

Mr. ROEMER. Mr. Speaker, I thank my good friend for yielding this time to me, and congratulate him and gentlewoman from Wyoming (Mrs. CUBIN) for her hard work on this very important noncontroversial bill on the trails interpretive center. Certainly the engineering design center that they are discussing is important in a host of different ways, and the money they have worked to allocate for this legislation is extremely important too. But I would say, Mr. Speaker, in terms of

this historic trail that is going to lead somewhere and has been designed for specific purposes, certainly the campaign trail for finance reform in this country is leading absolutely nowhere.

Mr. Speaker, we have scheduled it tonight, we have scheduled it at a time when we are supposed to be debating during the course of today's calendar, we are debating, I am sure, a very important piece of legislation here today for this National Historic Trails Interpretive Center in Casper, Wyoming, and we are giving 20 minutes to this particular bill and the same amount of time and importance to each one of the campaign finance bills tonight, 20 minutes apiece.

Then, Mr. Speaker, we are also saying tonight that these bills have to be on the suspension calendar, which I think is a travesty to the system, it is unfair to the American people's desire for campaign finance reform, and it does not do justice to the amount of work that many Members of Congress have put into this historic campaign finance reform legislation that they have worked hard on, that they think that their constituents are very interested in, that they think is important for the integrity of our system here in America.

And certainly as we look at the calendar for the rest of the day, 20 minutes today on this National Historic Trails Interpretive Center in Casper, Wyoming, 20 minutes on these particular bills on campaign finance reform, I am sure that we are going to spend more than 20 minutes on the tobacco legislation that is going to be coming before Congress. And with the amount of money that big tobacco has put into the legislation that is going to be before Congress, certainly there might be some out there, Mr. Speaker, that do not want any kind of legitimate campaign finance reform going on tonight to talk about the roles of special interest groups in the system today.

I think the American people, whether they are in Indiana or California or New Jersey, want to do specific things to try to clean up the system. They want to have more faith in their people in public service, they want to see some lids on the amount of money being spent in campaigns across the country today. They want to see this soft money or sewer money not being flushed into every particular district in the country at the last minute and having no accountability to either one of the candidates, Democrat or Republican. They want to see that we have a fair system in the campaign finance reform system in the future.

I think more and more, Mr. Speaker, we are seeing the candidates that are running for different elective office out there more and more reflective of the higher income groups, and more and more the middle class and lower income people are not going to be able to run for office in the future if we are not able to debate and discuss in a genuine sense, with a lot of integrity and some considerable time, campaign finance reform.

So to put campaign finance reform on a Monday night, to put campaign finance reform before the American people at the same time that there is a very important basketball game taking place tonight, to put campaign finance reform at 20-minute intervals, the same 20 minutes that I am sure that this important bill deserves, but I think campaign finance reform is certainly something the American people are probably more interested in and affects more of them than this National Historic Trails Interpretive Center in Casper, Wyoming.

We need to make sure that we are doing a service to campaign finance reform, and let the American people know what is in these bills, let the American people contact our offices and let us know how we should vote on a particular matter of this kind of importance to the American people.

I would hope that the Republican leadership, Mr. Speaker, would do a service to the body, do a service to the people of this country and not put such an important bill up for debate when Members are traveling back from the Midwest and back from the West Coast, when many of them are not even here to partake in the debate or listen to the debate, and when we only put 20 minutes forward on such an important piece of legislation.

So, Mr. Speaker, I rise in support of this very important bill before us, and I appreciate my colleagues' patience.

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

Mr. Speaker, I thank the fine gentleman from Indiana for his support, and I congratulate him on his creativity in debate. I would add one little bit of information. Actually there is 20 minutes of time allocated to each side, so if it makes my colleague feel any better, it is 40, but I doubt that is the case.

Mr. Speaker, I have no further speakers, so I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Speaker, it is nice to see a speaker from Nevada, an author from Wyoming and a legislator from California all up here to support the National Historic Trails Center in Casper, Wyoming. I am a big supporter of historic trails. In fact, we are going to authorize to spend $5 million of taxpayers' money, and I think it is money well spent. But we are going to see probably everybody is voting for this bill because it is a good thing to do, to support historic trails.

I wonder if this trail is going to lead us into some meaningful campaign finance reform. Do my colleagues think that we could sort of get, in a bipartisan spirit, this idea that we ought to probably limit the amount of money that goes into campaigns, not expand them, that I understand is the proposal, kind of limit it down here? I mean, there was so much money spent in campaigns in the 1996 election, if we limited it to $5 million like the center would have, we would have meaningful reform.

□ 1430

Mr. Speaker, I appreciate this, and I hope that when we have similar type legislation for similar bills in California, that Wyoming supports us as well. I hope this trail center, when you interpret it, it will be able to interpret why we have not had meaningful campaign reform here on the floor of the House in March of 1998.

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

Mr. Speaker, I thank the gentlewoman for her tremendous patience, and I want to commend the gentleman from California for his remarks. I think that perhaps we should provide a special area in this historic center we are going to build in Casper, Wyoming, and put all the memorabilia about campaign finance reform in it. Maybe that might be of help.

I want to truly thank the gentlewoman for our dialogue this afternoon and in passage of this bill. I urge my colleagues to vote for passage of this legislation.

Mr. HANSEN. Mr. Speaker, I wish to support H.R. 2186, a bill introduced by my colleague Congresswoman BARBARA CUBIN from the State of Wyoming. Mrs. CUBIN has worked very hard for the citizens of Wyoming to help establish the National Historic Trails Interpretive Center. These historic trails, including four Congressionally designed trails, form a distinctive part of our Nation's history and represent valuable historic and cultural themes which helped shaped the West.

This bill is showpiece of a cooperative partnerships between federal and non-federal interests that will fund, construct, operate, and maintain the Trails Center.

This bill is non-controversial and is supported by the Administration, trails groups, and the City of Casper, Wyoming. I urge my colleagues to support H.R. 2186.

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

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

The SPEAKER pro tempore (Mr. GIBBONS). The question is on the motion offered by the gentlewoman from Wyoming (Mrs. CUBIN) that the House suspend the rules and pass the bill, H.R. 2186.

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

Mrs. CUBIN. Mr. 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. 2186.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

RHINOCEROS AND TIGER CONSERVATION REAUTHORIZATION ACT OF 1998

Mrs. CUBIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3113) to reauthorize the Rhinoceros and Tiger Conservation Act of 1994.

The Clerk read as follows:

H.R. 3113

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 ''Rhinoceros and Tiger Conservation Reauthorization Act of 1998''.

SEC. 2. REAUTHORIZATION OF RHINOCEROS AND TIGER CONSERVATION ACT.

Section 7 of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5306) is amended by striking ''fiscal years'' and all that follows through ''2000'' and inserting ''fiscal years 1998, 1999, 2000, 2001, 2002, 2003, and 2004''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Wyoming (Mrs. CUBIN) and the gentleman from California (Mr. FARR) each will control 20 minutes.

The Chair recognizes the gentlewoman from California (Mrs. CUBIN).

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

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

Mrs. CUBIN. Mr. Speaker, I am pleased to present the House of Representatives H.R. 3113, to extend the Rhinoceros and Tiger Conservation Act of 1994 until September 30, 2004.

The fundamental purposes of this landmark law were to establish a conservation fund and to authorize the Congress to appropriate up to $10 million per year to finance worthwhile projects to assist highly endangered species of rhinos and tigers.

Since its enactment, the Congress has appropriated $1 million over the last three fiscal years. While this is much less than the $30 million that was authorized, this money has funded 31 conservation projects at a cost of $585,000. The sponsors of these projects will match these funds, and I am confident that these grants will help stop the destruction of these animals.

According to the U.S. Fish and Wildlife Service, 16 rhino projects, 7 tiger projects, and 8 projects to benefit both species have been funded. These have included an adopt-a-warden program in Indonesia, aerial monitoring of rhinos in Zaire, investigation of poaching and illegal trade of wild tigers in India, and the training of wildlife rangers in Tanzania.

Without this fund, I am convinced that rhinos and tigers would continue to slide toward extinction. After all, there are only 11,000 rhinos and fewer than 5,000 tigers living in the wild.

This small investment has become a powerful weapon in the international fight to stop the poaching of these species, and it is one of the only continuous sources of money available to range states.

During the subcommittee hearing on this legislation, every witness, including the administration, the American Zoo and Aquarium Association, Safari Club International, and the World Wildlife Fund spoke in strong support of H.R. 3113. Each of these witnesses testified that the grants made under this act will make a positive difference in conserving rhinos and tigers.

Mr. Speaker, I urge my colleagues to vote aye on this important wildlife conservation bill.

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

Mr. FARR of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise also to enthusiastically support this legislation. This will provide much-needed funds, again, taxpayer money, for the protection of highly endangered rhinos and tigers throughout the world.

Why do we spend American taxpayer money on this? There is probably no two animals more urgently in need of strong conservation programs. Throughout their range, these two magnificent species have been brought to their knees by habitat destruction and commercial trade in products made from their carcasses, essentially, greed.

Today, our President is viewing wildlife on a safari in Botswana. Hopefully, he will be able to see a rhino, perhaps a black or even more endangered and rare, a white rhino.

If we do not act and pass legislation like this, the next President to visit Africa may not be so fortunate to ever see a rhino.

While CITES, which is the Convention on International Trade in Endangered Flora and Fauna, has made great strides in controlling the international trade of rhino horn daggers and tiger skins, these species continue to decline due to massive habitat destruction and the black market demand for traditional medicines using rhino and tiger products.

Here in the United States, we sometimes find it hard to believe that a relatively small amount of money can produce such tremendous conservation benefits when applied to on-the-ground programs in other parts of the world, but, believe me, it works. The desperate situation of all species of rhinos and tigers worldwide makes every conservation dollar that much more critical in the battle to save them from extinction.

Since its enactment in 1994, the rhino and tiger conservation fund has supported the investigation of poaching and illegal trade in wild tigers in India, a Tiger Community Education Program in Indonesia, aerial monitoring of white rhinos in Zaire, and other programs that are desperately needed if we are to have any hope of saving these species for future generations.

This is simple and straightforward law, thanks to the excellent management and implementation by the Department of the Interior, which has provided great conservation bang for a very limited buck.

Mr. Speaker, I urge my colleagues to support this much-needed legislation.

Mr. SAXTON. Mr. Speaker, I am pleased to speak in favor of H.R. 3113, a bill introduced by the distinguished Chairman of the House Resources Committee, to extend the Rhinoceros and Tiger Conservation Act.

Prior to 1994, the United States had not provided any financial assistance to those countries that were desperately trying to stop the slaughter of their rhino and tiger populations. In fact, today all species of rhinos and tigers are listed as endangered in the United States and internationally.

With the passage of the Rhinoceros and Tiger Conservation Act, this Nation took a bold step when we told the rest of the world that we would support conservation projects to assist these two irreplaceable species.

While the amount of assistance has been small, about $585,000, our government has now funded 31 conservation projects for rhinos and tigers, and the Department of the Interior is now carefully reviewing an additional 70 proposals.

It is essential that this assistance be available in the future, and that is why I support H.R. 3113. During our Subcommittee hearing on this legislation, Secretary Bruce Babbitt testified that ''the Rhino and Tiger Conservation Fund has gotten off to an excellent start over the past three years. The job has only just begun, however. There is much more work to do and no shortage of committed partners seeking our help in Africa and Asia.'' At the same hearing, Dr. Terry Maple, the President-Elect of the American Zoo and Aquarium Association, states that ''this Fund is designed to be a 'quick strike' in assisting conservation organizations on the front lines of saving these animals from extinction.''

Mr. Chairman, it was no surprise that every witness strongly supported the enactment of H.R. 3113 because they believe, as I do, that the grants made from this Fund are making a positive difference in the international fight to save rhinos and tigers.

I urge an AYE vote on this important wildlife conservation measure.

Mr. FARR of California. Mr. Speaker, there is such unanimous support on this legislation that no one asked for time, and I yield back the remainder of my time.

Mrs. CUBIN. Mr. 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 gentlewoman from Wyoming (Mrs. CUBIN) that the House suspend the rules and pass the bill, H.R. 3113.

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

Mrs. CUBIN. Mr. 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. 3113.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

CONSOLIDATING CERTAIN MINERAL INTERESTS IN NATIONAL GRASSLANDS IN BILLINGS COUNTY, NORTH DAKOTA

Mrs. CUBIN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 750) to consolidate certain mineral interests in the National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, and for other purposes.

The Clerk read as follows:

S. 750

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

SECTION 1. EXCHANGE OF CERTAIN MINERAL INTERESTS IN BILLINGS COUNTY, NORTH DAKOTA.

(a) PURPOSE.—The purpose of this Act is to direct the consolidation of certain mineral interests in the Little Missouri National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests in order to enhance land management capability and environmental and wildlife protection.

(b) EXCHANGE.—Notwithstanding any other provision of law—

(1) if, not later than 45 days after the date of enactment of this Act, Burlington Resources Oil & Gas Company (referred to in this Act as ''Burlington'' and formerly known as Meridian Oil Inc.), conveys title acceptable to the Secretary of Agriculture (referred to in this Act as the ''Secretary'') to all oil and gas rights and interests on lands identified on the map entitled ''Billings County, North Dakota, Consolidated Mineral Exchange—November 1995'', by quitclaim deed acceptable to the Secretary, the Secretary shall convey to Burlington, subject to valid existing rights, by quit-claim deed, all Federal oil and gas rights and interests on lands identified on that map; and

(2) if Burlington makes the conveyance under paragraph (1) and, not later than 180 days after the date of enactment of this Act, the owners of the remaining non-oil and gas mineral interests on lands identified on that map convey title acceptable to the Secretary to all rights, title, and interests in the interests held by them, by quitclaim deed acceptable to the Secretary, the Secretary shall convey to those owners, subject to valid existing rights, by exchange deed, all remaining Federal non-oil and gas mineral rights, title, and interests in National Forest System lands and National Grasslands identified on that map in the State of North Dakota as are agreed to by the Secretary and the owners of those interests.

(c) LEASEHOLD INTERESTS.—As a condition precedent to the conveyance of interests by the Secretary to Burlington under this Act, all leasehold and contractual interests in the oil and gas interests to be conveyed by Burlington to the United States under this Act shall be released, to the satisfaction of the Secretary.

(d) EQUAL VALUATION OF OIL AND GAS RIGHTS EXCHANGE.—The values of the interests to be exchanged under subsection (b)(1) shall be deemed to be equal.

(e) APPROXIMATE EQUAL VALUE OF EXCHANGES WITH OTHER INTEREST OWNERS.—The values of the interests to be exchanged under subsection (b)(2) shall be approximately equal, as determined by the Secretary.

(f) LAND USE.—

(1) EXPLORATION AND DEVELOPMENT.—The Secretary shall grant to Burlington, and its successors and assigns, the use of Federally-owned surface lands to explore for and develop interests conveyed to Burlington under this Act, subject to applicable Federal and State laws.

(2) SURFACE OCCUPANCY AND USE.—Rights to surface occupancy and use that Burlington would have absent the exchange under this Act on its oil and gas rights and interests conveyed under this Act shall apply to the same extent on the federally owned surface estate overlying oil and gas rights and interests conveyed to Burlington under this Act.

(g) ENVIRONMENTAL PROTECTION FOR ENVIRONMENTALLY SENSITIVE LANDS.—All activities of Burlington, and its successors and assigns, relating to exploration and development on environmentally sensitive National Forest System lands, as described in the ''Memorandum of Understanding Concerning Certain Severed Mineral Estates, Billings County, North Dakota'', executed by the Forest Service and Burlington and dated November 2, 1995, shall be subject to the terms of the memorandum.

(h) MAP.—The map referred to in subsection (b) shall be provided to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives, kept on file in the office of the Chief of the Forest Service, and made available for public inspection in the office of the Forest Supervisor of the Custer National Forest within 45 days after the date of enactment of this Act.

(i) CONTINUATION OF MULTIPLE USE.—Nothing in this Act shall limit, restrict, or otherwise affect the application of the principle of multiple use (including outdoor recreation, range, timber, watershed, and fish and wildlife purposes) in any area of the Little Missouri National Grasslands. Federal grazing permits or privileges in areas designated on the map entitled ''Billings County, North Dakota, Consolidated Mineral Exchange—November 1995'' or those lands described in the ''Memorandum of Understanding Concerning Certain Severed Mineral Estates, Billings County, North Dakota'', shall not be curtailed or otherwise limited as a result of the exchanges directed by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Wyoming (Mrs. CUBIN) and the gentleman from California (Mr. FARR) each will control 20 minutes.

The Chair recognizes the gentlewoman from Wyoming (Mrs. CUBIN).

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

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

Mrs. CUBIN. Mr. Speaker, I rise in support of Senate 750, an act to consolidate certain mineral interests in the National Grasslands in Billings County, North Dakota through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, and for other purposes.

Mr. Speaker, S. 750, introduced by the senior Senator from North Dakota, Mr. DORGAN, is identical to H.R. 2574, introduced by our House colleague, the gentleman from North Dakota (Mr. POMEROY). Indeed, it is the request of the gentleman from North Dakota (Mr. POMEROY) that the full House take up the Senate bill rather than his own in order to expedite passage of this legislation. The gentleman's bill was referred to the Committee on Resources and then to the Subcommittee on Energy and Mineral Resources, as well as the Subcommittee on Forests.

The legislation directs the Secretary of Agriculture to conclude an equal-value exchange of 9,582 of private oil and gas rights for 8,796 acres of Federal oil and gas rights beneath a national grassland within Billings County, North Dakota, managed by the U.S. Forest Service. The legislation also authorizes the exchange of any other private mineral rights in the same area. S. 750 passed the Senate by unanimous consent.

Mr. Speaker, our colleague from North Dakota has worked diligently to bring together differing interests to make this bill happen. The private mineral owner is the successor in interest to a land grant to the Northern Pacific Railroad. The land surface estate was acquired by the Secretary of Agriculture many decades ago, but the mineral estate was reserved by the railroad.

To have meaning, such reservations obviously must include the right to use the surface estate to the extent necessary to access one's own mineral rights. Such is the case here, but the oil and gas company that has these rights has patiently negotiated with Forest Service and the environmental community to avoid actions which would disturb the roadless character and solitude of the area in question.

Mr. Speaker, now is the time to ratify the exchange contemplated in the moratorium of understanding referenced by the bill. Although it may well be possible to administratively exchange the mineral estates in question, all parties seek the blessing of Congress in order to expedite the deal already struck.

Further delay is unwarranted. Without this exchange, the Boundary Butte area of the National Grassland, which the Forest Service and the environmental community wish to protect from intrusions such as oil and gas development, remains threatened by the exercise of legitimate private property rights.

If we do not act, the long delay to legally access the private mineral estate will be exacerbated further and could possibly lead to a successful takings claim against the United States.

Mr. Speaker, this legislation makes both economic and environmental sense by consolidating mineral ownership and by reducing any potential conflict between surface and subsurface management of the National Grasslands. I urge its adoption.

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

Mr. FARR of California. Mr. Speaker, I yield such time as he may consume to the gentleman from North Dakota, Mr. POMEROY.

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

Mr. Speaker, I want to thank everyone involved with the Committee on Resources for allowing this bill to come to the floor today, specifically the gentlewoman from Wyoming (Mrs. CUBIN), the gentlewoman from Idaho (Mrs. CHENOWETH), the chairs of the subcommittees of the Committee on Resources, the gentleman from Alaska (Chairman YOUNG) and the ranking member, the gentleman from California (Mr. MILLER), for their participation.

Mr. Speaker, I am proud of this legislation. This bill to authorize a mineral exchange has been the result of extensive negotiations between Burlington Resources, an oil and gas development company, the U.S. Forest Service, the North Dakota chapters of the Sierra Club and Wildlife Society, the Governor of North Dakota and the Bureau of Land Management Resources Advisory Council.

Now, why so much time and attention put on such an issue? As you can see, this is some of the most beautiful scenic area in western North Dakota. It is of a unique historical nature as well. General Custer and his troops rolled through this area looking for gold. Teddy Roosevelt ranched and hunted bison and grizzly in this region. There are unique geological formations which have caused the area to be considered sacred by the native Mandan and Hidatsa Indian tribes.

In this area alone, 26 archeological, 8 historical and 27 isolated artifact sites are known to exist. By passing this legislation, you will help us protect this region.

The bill is a win-win, because both the environmental and mineral exploration in western North Dakota are advanced by this legislation. Because of the fragmented land ownership pattern in this area, this exchange is going to have the effect of better protecting bighorn sheep habitat and lambing areas, and the viewshed of the Little Missouri River, indicated by this picture. For the mineral company, the exchange facilitates exploration in a way that is compatible with the unique features of the area.

□ 1445

The bill accomplishes the following:

Swaps mineral interests of the Federal Forest Service for mineral interests of the Burlington resources area; it authorizes the exchange of any other private mineral rights for the Federal mineral rights within 180 days of enactment subject to the Secretary's approval; it requires Burlington Resources, as a condition of exchange, to secure the release of any contractual property rights that may exist; assures no provision of the legislation can be interpreted to limit, restrict, or otherwise affect the application of the principle of multiple use in the national grasslands.

Also, the bill does not change the amount of surface ownership of the Federal Forest Service; decrease the Federal land available for oil and gas development; decrease the revenue to the county, State, or Federal governments. It does not provide Burlington Resources or the Forest Service with mineral rights of a greater value than those they now hold, and it does not change or address the ongoing issue of wilderness designation in this area.

In conclusion, this is simply positive legislation that allows for optimal preservation and optimal development in western North Dakota.

There is a specific issue raised by the Committee on Commerce which I want to speak to in the concluding portion of my remarks.

After the Committee on Resources reported out H.R. 2574, an identical version of the bill before us today, S. 750, a question was raised by the Committee on Commerce regarding the applicability of section 120(h) of the Comprehensive Environmental Response, Compensation and Liability Act, known as CERCLA, or Superfund, to the exchange involved in this legislation.

Section 120(h) imposes certain requirements on the Federal agencies concerning hazardous substances whenever the agencies dispose of real property, particularly when any hazardous substance was stored for 1 year or more, known to have been released, or disposed of there, and when the Federal Government plans to terminate the Federal Government operations there. CERCLA does not define ''real property''.

This legislation involves the exchange of only private and Federal undeveloped oil and gas rights, all of which will remain under federally-owned surface in the National Grasslands. We understand no hazardous substance was stored for 1 year or more, known to have been released, or disposed of on this Federal surface. Furthermore, the United States does not plan to terminate the Federal Government operations on this Federal surface.

For all these reasons, we believe that section 120(h) of CERCLA is not applicable to the transaction authorized by this legislation. It is, therefore, not the sponsor's intention nor the committee's intention that the legislation affect in any way the responsibilities and obligations of the parties to the transaction directed by the legislation under any applicable provisions of CERCLA.

That said for the RECORD, Mr. Speaker, I again want to thank really very sincerely the leadership of the Committee on Natural Resources and the ranking minority member for their assistance. This is important to us in North Dakota. I thank the Members for their help.

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

Mr. Speaker, it has been a pleasure to work with the gentleman from North Dakota (Mr. POMEROY) on behalf of his constituents.

Mr. FARR of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have not had the privilege of visiting this area, but I understand that President Theodore Roosevelt was among one of many Americans who appreciated the stark beauty of the North Dakota lands. In this bill we are really providing an opportunity for what he noticed generations ago to be saved for generations to come; and I applaud the work of our colleague, the gentleman from North Dakota (Mr. POMEROY), on this.

I do want to point out, Mr. Speaker, that the administration supports the objectives of this exchange; but they did raise some concerns in the hearing testimony about the procedural language in the bill.

We, too, would have preferred it had the Forest Service prepared a legislative environmental impact statement for Congress to consider ratifying; and we urge the Forest Service to do so in the future. But in this case the Forest Service has engaged in a thorough process of extensive public outreach in negotiating this exchange. The major stakeholders in North Dakota, including environmental groups, support the exchange in the bill; and there appears to be nothing to be gained by undue delay in its implementation.

Therefore, Mr. Speaker, I compliment the gentleman from North Dakota for his dedication and work on this important legislation. I urge my colleagues to support this bill.

Mr. Speaker, I rise in support of S. 750. This bill is identical to H.R. 2574, sponsored by our Democratic colleague Representative EARL POMEROY. The gentleman from North Dakota is a strong advocate for the interests of his constituents and has worked very hard on this legislation.

The purpose of this bill is to ratify an exchange of mineral assets between the U.S. Forest Service and Burlington Resources in order to consolidate federal land holdings in the National Grasslands of North Dakota. The exchange is deemed desirable because the land and mineral ownership pattern in this area is fragmented, with the Forest Service managing the surface estate of the lands while Burlington Resources owns subsurface mineral rights.

The Forest Service supports the objectives of the exchange in order to protect significant resources values in the National Grasslands, including the Kinley Plateau roadless area which provides critical habitat for bighorn

sheep. The exchange will also have the benefit of protecting view-shed lands along the scenic Little Missouri River. A Memorandum of Understanding between the Forest Service and Burlington Resources concerning exploration and development of Burlington's mineral rights is also intended to provide additional protection to sensitive lands.

I have not had the privilege of visiting this area, but it is my understanding that President Theodore Roosevelt is among the many Americans who have appreciated the stark beauty of these North Dakota lands. In this bill, we are providing the opportunity for future generations to use and enjoy these lands as well.

Mr. Speaker, the Administration supports the objectives of this exchange but did raise concerns in hearing testimony about procedural language in the bill. We, too, would have preferred it had the Forest Service prepared a legislative environmental impact statement for Congress to consider and ratify. And we urge the Forest Service to do so in the future.

But in this case, the Forest Service has engaged in a thorough process with extensive public outreach in negotiating this exchange. Major stakeholders in North Dakota, including environmental groups, support the exchange and the bill. There appears nothing to be gained by undue delay in its implementation.

Again, I compliment the gentleman from North Dakota for his dedication and work on this important legislation. I urge my colleagues to support the bill.

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

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

The SPEAKER pro tempore (Mr. GIBBONS). The question is on the motion offered by the gentlewoman from Wyoming (Mrs. CUBIN) that the House suspend the rules and pass the Senate bill, S. 750.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. CUBIN. Mr. 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 S. 750, the Senate bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

URGING THE PRESIDENT TO PROVIDE HELICOPTERS TO THE COLOMBIAN NATIONAL POLICE

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H.Res. 398) urging the President to expeditiously procure and provide three UH–60L Blackhawk utility helicopters to the Colombian National Police solely for the purpose of assisting the Colombian National Police to perform their responsibilities to reduce and eliminate the production of illicit drugs in Colombia and the trafficking of such illicit drugs, including the trafficking of drugs such as heroin and cocaine to the United States, as amended.

The Clerk read as follows:

H. RES. 398

Whereas Colombia is the leading illicit drug producing country in the Western Hemisphere;

Whereas 80 percent of the world's cocaine originates in Colombia;

Whereas based on the most recent data of the Drug Enforcement Administration (DEA), more than 60 percent of the heroin seized in the United States originates in Colombia;

Whereas the Colombian National Police is led by the legendary and incorruptible Director General Jose Serrano, who has dedicated his life to fighting drugs;

Whereas the elite anti-narcotics unit of the Colombian National Police (''DANTI''), under the direction of Colonel Leonardo Gallego, is one of the best and most effective anti-narcotics police forces in the region and the world;

Whereas in the last 10 years more than 4,000 officers of the Colombian National Police have died fighting the scourge of drugs;

Whereas in one recent year alone, according to data of the United States Government, the United States had 141,000 new heroin users and the United States faces historic levels of heroin use among teenagers between the ages of 12 and 17;

Whereas once Colombian heroin is in the stream of commerce it is nearly impossible to interdict because it is concealed and trafficked in very small quantities;

Whereas heroin does not require the traditional large quantities of precursor chemicals and large laboratories to produce and therefore there are fewer opportunities to disrupt its production and distribution;

Whereas the best and most cost efficient method of preventing Colombian heroin from entering the United States is to destroy the opium poppies in the high Andes mountains where Colombian heroin is produced;

Whereas the elite anti-narcotics unit of the Colombian National Police has the responsibility to eradicate both coca and opium in Colombia, including the reduction and elimination of cocaine and heroin production, and they have done a remarkably effective job with the limited and outdated equipment at their disposal;

Whereas more than 40 percent of the anti-narcotics operations of the Colombian National Police involve hostile ground fire from narco-terrorists and 90 percent of such operations involve the use of helicopters;

Whereas the need for better high performance helicopters by the Colombian National Police, especially for use in the high Andes mountains, is essential for more effective eradication of opium in Colombia;

Whereas on December 23, 1997, one of the antiquated Vietnam-era UH–1H Huey helicopters used by the Colombian National Police in an opium eradication mission crashed in the high Andes mountains due to high winds and because it was flying above the safety level recommended by the original manufacturer;

Whereas in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998 (Public Law 105–118), amounts were appropriated for the procurement by the United States for the Colombian National Police of three UH–60L Blackhawk utility helicopters that can operate safely and more effectively at the high altitudes of the Andes mountains where Colombian opium grows at altitudes as high as 12,000 feet;

Whereas the Blackhawk helicopter is a high performance utility helicopter that can perform at the high altitudes of the Andes mountains, as well as survive crashes and sustain ground fire, much better than any other utility helicopter now available to the Colombian National Police in the war on drugs;

Whereas because the Vietnam-era Huey helicopters that the United States has provided the Colombian National Police are outdated and have been developing numerous stress cracks, a sufficient number should be upgraded to Huey IIs, and the remainder should be phased-out as soon as possible;

Whereas these Huey helicopters are much older than most of the pilots who fly them, do not have the range due to limited fuel capacity to reach many of the expanding locations of the coca fields or cocaine labs in southern Colombia, nor do they have the lift capacity to carry enough armed officers to reach and secure the opium fields in the high Andes mountains prior to eradication;

Whereas the elite anti-narcotics unit of the Colombian National Police has a stellar record in promoting respect for human rights and has received the seal of approval of a leading international human rights group in their operations to reduce and eradicate illicit drugs in Colombia;

Whereas the Congress also would support assistance to the Colombian military if the military demonstrates the will to fight effectively while respecting civilian non-combatants in the same way the anti-narcotics unit of the Colombian National Police has;

Whereas the narco-terrorists of Colombia have announced that they will now target United States citizens, particularly those United States citizens working with their Colombian counterparts in the fight against illicit drugs in Colombia;

Whereas a leading commander of the Revolutionary Armed Forces of Colombia (''FARC'') announced recently that the objective of these narco-terrorists, in light of recent successes, will be ''to defeat the Americans'';

Whereas United States Government personnel in Colombia occasionally fly in these helicopters with the Colombian National Police on their missions are now at even greater risk from these narco-terrorists and their drug trafficking allies;

Whereas in the last six months four anti-narcotics helicopters of the Colombian National Police have been downed in operations;

Whereas the Congress intends to provide the necessary support and assistance to wage an effective war on illicit drugs in Colombia and provide the equipment and assistance needed to protect all of the men and women of the Colombian National Police as well as those Americans who work side by side with the Colombian National Police in this common struggle against illicit drugs; and

Whereas the Administration, in a letter to the Miami Herald from the Office of National Drug Control Policy (ONDCP) concerning the issue of anti-narcotics assistance to Colombia, stated that the strategy of the ''source country'', such as the strategy of Colombia, is the best and most effective methods to fight the war on illicit drugs:

Whereas the new Government of Bolivia has made a commitment to eradicate coca/cocaine production in that country within 5 years;

Whereas the United States should support any country that is interested in removing the scourge of drugs from its citizens;

Whereas Bolivia has succeeded in reducing acreage used to produce coca, which is the basis for cocaine production; and

Whereas United States assistance has been a crucial element of this success: Now, therefore, be it

Resolved, That—

(1) the House of Representatives urges the President to expeditiously procure and provide to the Colombian National Police three UH–60L Blackhawk utility helicopters solely for the purpose of assisting the Colombian National Police to perform their responsibilities to reduce and eliminate the production of illicit drugs in Colombia and the trafficking of such illicit drugs, including the trafficking of drugs such as heroin and cocaine to the United States; and

(2) if the President determines that the procurement and transfer to the Colombian National Police of three UH–60L Blackhawk utility helicopters is not an adequate number of such helicopters to maintain operational feasibility and effectiveness of the Colombian National Police, then the President should promptly inform the Congress as to the appropriate number of additional UH–60L Blackhawk utility helicopters for the Colombian National Police so that amounts can be authorized for the procurement and transfer of such additional helicopters; and

(3) the House of Representatives supports maintaining assistance for Bolivia at least at the level assumed in the fiscal year 1998 budget submission of the President and directs the Administration to act accordingly.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

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

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

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 398.

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

There was no objection.

Mr. GILMAN. Mr. Speaker, late last week the Committee on International Relations passed House Resolution 398, a resolution in support of providing high-tech helicopters to assist the Colombian National Police in their fight against the drug traffickers in Colombia.

Colombia is a key drug source nation in our Western Hemisphere. Eighty percent of the world's cocaine originates there. More than 60 percent of the heroin seized in the United States originates there, as well. The Vice President has estimated that illicit drugs have been costing American society some $67 billion annually.

Experts agree that stopping the flow of drugs at their source is the best and most effective way to combat this program. Stopping drugs before they reach our shores should be a top foreign policy priority of our Nation. It is what our American people want us to do.

The struggle to change administration policy to permit more anti-narcotic aid to Colombia ended in February of this year, when President Clinton certified Colombia in the vital national interest of our Nation. We now have an opportunity to begin a new chapter in U.S.-Colombia relations in our fight against illicit drugs and the narco-guerrillas. Let us hope that the administration's latest action on certification is not too little, too late.

General Charles Wilhelm, the head of our U.S. Southern Command, notified Congress 2 weeks ago that Colombia is a nation at grave risk. I believe Wilhelm stated that the drug crisis there poses a serious regional threat to Panama, to Ecuador, to Venezuela, and to its southern neighbors as the tentacles of narco-guerrilla activity spreads to those countries.

The guerrillas' monthly income from drugs exceed the entire annual budget of the nation's Drug Control Program and is more than the U.S. annual aid to Colombia. We must take this drug problem seriously. The Colombian National Police need these high-performance utility helicopters. Ninety percent of their anti-drug missions involve choppers that have been taking hostile fire 40 percent of the time.

This resolution calls for the administration to deliver those Black Hawks which we promised in the foreign operations appropriations bill that was signed into law nearly 6 months ago.

A few days ago the Colombian National Police suffered a severe loss that cost the lives of four officers because they did not have a Black Hawk helicopter. On a mission to destroy a cocaine lab, a police Huey helicopter was damaged and forced to land. Four men were left to guard that helicopter until a crew of mechanics could return the next morning to repair the damage. When the repair unit returned the next morning, they found one officer slain and the other missing.

Had a Black Hawk helicopter been available the day before, it would have been able to lift out that stricken Huey, saving both it and the lives of those brave officers who are now among the missing.

In addition, we are now informed that four Americans taken hostage last week by the narco-guerrillas are being held at an altitude of 12,000 feet in the Andes. The Colombian National Police need these Black Hawks in order to reach those altitudes and to get enough armed officers to rescue our fellow citizens.

This legislation also takes note of the important efforts being made by the government of Bolivia. The Department of State has been trying to play Bolivia and Colombia off against one another. This is an improper choice. There are ample funds available to aid both of those countries, which are helping us in the struggle against drugs.

This may require the administration to reprogram funds from other recipients; and, in passing this resolution, the House is calling upon the administration to provide sufficient funds for both Colombia and Bolivia to address the ongoing crisis by reprogramming funds needed from another source.

I want to take this opportunity to express my thanks to the Speaker for his permanent support in providing the kind of help that is needed for our allies in the Colombian National Police. His support is most important and most meaningful, and so it is duly noted by the Department of State.

I include for the RECORD the U.S. Army's grounding notice on U.S. Hueys, as well as a letter from Col. Gallego of the CMP'S anti-drug unit to the gentleman from Indiana (Chairman BURTON) on the critical need for these Black Hawk helicopters.

The material referred to is as follows:

SUBJECT: GROUNDING OF THE UH–1 HELICOPTER FLEET

1. Purpose: To provide information on the Army's decision to ground its UH–1 Helicopter fleet.

2. Facts.

a. Since November 1997, the Army has placed flight restrictions on UH–1 helicopters in response to a trend of spur gear failures in the aircraft's T–53 engines caused by vibration.

b. After careful consideration and as a prudent measure of safety, the Army is grounding its fleet of UH–1 helicopters until each helicopter engine can be tested to determine if the vibration is present. Those aircraft with engines that are experiencing the vibration will remain grounded until new carrier assemblies and spur gears can be installed. Engines that are not experiencing vibration will be temporarily returned to flight with restrictions imposed by the current safety of flight message, until a new improved coated spur gear can be procured and installed in the engines. Once the improved spur gears are installed and tested in the engines that do not exhibit the vibration, those aircraft will be returned to full service without flight restrictions. The Army is making every effort necessary to ensure that essential missions continue.

c. The Army's UH–1 fleet currently consists of 907 aircraft, 284 are in the active Army and 623 are in the Army National Guard. The Army National Guard leadership has been an integral part in the decision process to ground the UH–1 fleet. Although the majority of the UH–1s belong to the Army National Guard, they have more than 400 UH–60 Blackhawks in 37 states which will help alleviate the operational impact until the UH–1 fleet is ungrounded.

d. A ''Blue Team'' was formed at the US Army Aviation and Missile Command to address the engine problem. The team includes members from the Army and Allied Signal, the engine manufacturer. The team is dedicated to identifying and isolating the root cause of the failures and to developing and implementing a corrective action plan to lift the aircraft flight restrictions as soon as possible.

e. The team has conducted 25 engines tests at the Allied Signal facility in Arizona to isolate the root cause or cause of this vibration. Based on analysis of these extensive tests, the team has found that an engine vibration causes the spur gear failures. It has been determined that the gear fractures are due to high cycle fatigue as the result of excessive vibratory stresses that appear to occur when the engine power turbine operates close to 98% N2 speed. These stresses cause the spur gear to fracture.

f. The long-term solution is to redesign the gear and the N2 Carrier Drive Assembly so that it operates at acceptable stress levels. This solution also incorporates additional features that will improve reliability/durability of the assembly. Over the next 2–3 months development and testing will be underway to verify the corrective action. When the corrective action is verified, we can immediately begin fielding of the improved parts. The lead-time for corrective implementation to begin is driven by 6-month lead-time to design and manufacture new N2 Carrier housings. Installation of the new carrier assembly is scheduled to begin in October of 1998 and will take 18–24 months to complete fleet-wide implementation.

g. An interim approach has been recommended involving spray coating of the spur gear to attenuate the stresses to lower levels. In conjunction, engines on all aircraft will be screened for the root cause vibration using vibration analyzers. Pending successful results from the fatigue life test on the spur gears and engine screening procedures, fielding of the interim fix should be underway by late May 1998. These interim measures will be accomplished with a modification to the Aviation Vibration Analyzer currently fielded in the Army. A scheduled buy of new-coated spur gears will be executed. Delivery of the first 40 gears is scheduled in mid-May with the balance to be delivered in mid-July.

SANTA FE DE BOGOTÁ, D.C.
March, 1998.

Hon. DAN BURTON, *Chairman,*
Government Reform and Oversight Committee,
U.S. Congress, Washington, DC.

DEAR CHAIRMAN BURTON: I wanted to thank you for your comments at the International Relations hearing last month. I appreciate your courage and dedication to the men and women of the Colombian National Police.

I want to reemphasize a point from my testimony in front of the International Relations Committee last month. Since that time Colombia has seen a horrible increase in violence by the narco-terrorists. Hundreds of government troops have been killed in attacks by the FARC. This new activity by the FARC validates my testimony that the Colombian National Police need at least six Blackhawk helicopters to operate anti-narcotics missions in the poppy growing region in the high altitudes of the Andes Mountains.

Congressman, my men need these Blackhawks to reach these high altitudes. If we are to have a reasonable chance of eradicating the opium poppy, the Blackhawk is essential to accomplishing this mission.

Thank you again for all of your efforts.

Sincerely,

JOSÉ LEONARDO GALLEGO CASTRILLÓN,
Colombian National Police.

Mr. Speaker, I will quote from the article in the Washington Times, which reported that ''The military has grounded Huey helicopters as of today.''

The report goes on to say, ''The U.S. Army and the National Guard have grounded their fleets of UH–1 Huey helicopters, which have an unexplained history of potentially catastrophic mechanical problems.'' These are the same helicopters we provided to the Colombian police to help them fight the narcotics.

The report goes on to state, ''In all, 907 Huey helicopters are expected to be grounded between 6 months and 2 years. The majority of those are used by the National Guard.

''Gearbox problems in the Hueys were blamed for some near disasters last year. Pilots reported the engines would speed up while gauges dropped to zero.

''The Army still has not found out the cause. According to an internal review, 22 'mishaps' related to the gearbox were reported in the last 2 years. None resulted in death.''

These were, again I underscore, the very same Hueys we have provided to the Colombian police and are being used today in Colombia to try to fight their drug war. Leaders such as General Serrano and Colonel Gallego deserve the support of our Nation in the struggle against drugs. They deserve the support with proper equipment.

Accordingly, I ask my colleagues to support this resolution to provide the kind of help that the dedicated police in Colombia deserve and need as they fight our fight, as well as theirs.

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

Mr. FALEOMAVAEGA. Mr. 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. Mr. Speaker, I want to commend the gentleman from New York (Mr. GILMAN), chairman of the Committee on International Relations, for raising the important matter of the United States' support for Colombia in the war against narcotics production in that country.

Mr. Speaker, however, I, along with the ranking Democratic leader of the Committee on International Relations, the gentleman from Indiana (Mr. HAMILTON), must reluctantly oppose the measure, House Resolution 398 before us, because there are, I believe, better alternatives to aid the Colombian government in their drug-fighting efforts than by sending three Blackhawk utility helicopters.

□ 1500

Mr. Speaker, the United States is facing a narcotics epidemic of troubling dimension, especially with heroin addiction. Recent government estimates project that we add over 141,000 new users of heroin a year. With the use of heroin by America's teenagers at historic levels, I find it particularly tragic that many of these new addicts are only children, some as young as 12 years of age now.

According to the Drug Enforcement Agency, the vast majority of heroin in the U.S. comes from Colombia, which produces over 80 percent of the world's supply of cocaine as well.

Mr. Speaker, the most effective way I believe to stop this flow of narcotics is to destroy the growing fields of opium poppy and coca plants at its sources in Colombia's Andes Mountains using helicopters. To that effect, I applaud the courageous efforts of the Colombian national police and its Director General, Jose Serrano, in waging the ground war of crop eradication against narcoterrorists. The war has taken a high toll, with over 4,000 Colombian police officers having sacrificed their lives.

Mr. Speaker, I think we all agree that the United States needs to support the Colombian national police in their drug fighting efforts, which rely heavily on helicopters for field operations. However, I believe it is clearly more cost-effective to upgrade the present fleet of 36 Huey helicopters used by the Colombian national police rather than to provide three new Blackhawk helicopters.

The Blackhawks provided in the past to the Colombian Army have proven to be a financial strain for their government to maintain and even to operate. Furthermore, the Colombian national police does not have pilots and mechanics trained to operate these Blackhawks.

Another important consideration, Mr. Speaker, is that the funds to purchase these Blackhawks, approximately $36 million, may well jeopardize our important counternarcotics programs in the countries of Peru and perhaps even Bolivia.

Mr. Speaker, I urge our colleagues to oppose House Resolution 398. There are, I believe, better ways to provide assistance to the Republic of Colombia, and I sincerely hope that our colleagues will support us in this effort.

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

Mr. GILMAN. Mr. Speaker, I yield 5 minutes to the gentleman from Connecticut (Mr. GEJDENSON), a senior member of our committee.

Mr. GEJDENSON. Mr. Speaker, I think all of us are frustrated in trying to deal with the drug epidemic. There is no question that there are multiple approaches that we should be involved in. Clearly trying to reduce demand is as important an effort as any trying to deal with the addiction issues of American citizens.

But when we look at these other nations and the cost in human lives where their police, government officials, judicial officials have been assassinated, murdered, victims of bombs and other assaults, and to say that they need to be the front line of this battle against these drug cartels which are in reality small armies, and to tell them as we have grounded the helicopters they have in this country, that we will not allow them to have the technology necessary to confront what is a serious threat to their national security and to the lives of many children and adults in this country, I just think is unacceptable.

Mr. Speaker, I think many of my colleagues are correct, we ought to be doing more. We ought to be doing other things as well. But to tell countries whose military and police personnel have died in large numbers in a battle that we have a hard time imagining, because of the economic attraction to a very large degree of the profits that come out of the American market, to

turn around and say that we are not going to sell them, we are not going to allow them to have the very best technology to confront these military drug units, and they are of military capability, a helicopter that recently was downed in the jungle, the police were killed by the drug lords. The equipment was devastated.

I understand people's concerns, but let me tell my colleagues something. We have sold and given helicopters to countries that had a lot less serious threat than what the Colombians are facing and we have given things more powerful than helicopters to countries that are a lot less stable and have been a lot less cooperative than they have.

This is something that I think, if we are going to continue to have credibility when someone who wants to join us in the fight against drugs says this is what we need, then it seems to me the United States Government ought to make sure they have at least the basic tools to confront the drug cartel. Without these helicopters, the Colombians are going to be at a military disadvantage, and I do not think that is what anybody in this Chamber wants.

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

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

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

Mr. GILMAN. Mr. Speaker, first of all, I thank the gentleman from Connecticut (Mr. GEJDENSON) for his supportive arguments.

Mr. Speaker, I think the gentleman from American Samoa (Mr. FALEOMAVAEGA) stated there must be a better way of doing this than just providing Hueys. But I ask the gentleman to note this article that I noted that was in the Washington Times today, that said the military has grounded our Huey helicopters. We are put in a position where we are trying to help them fight a battle, we have given them secondhand, Vietnam-era Huey helicopters that our own Nation now has grounded for at least 6 months to 2 years while they are trying to find out what is wrong with them. It would seem to me that in that kind of a situation, that we could provide the kind of equipment that is truly needed to fight a war.

Mr. FALEOMAVAEGA. Mr. Speaker, reclaiming my time, I fully appreciate the gentleman's position on this issue, but it is my understanding that it is the intention of the administration to do an upgrading and make sure that these Huey helicopters will be in performance.

Now, we do have problems with the Hueys. There is no question about that. But we also have problems with the Blackhawk helicopters. We do not even have properly trained Colombian officers even to operate and to maintain the Blackhawk helicopters, even if we should give them three of them.

While I can appreciate the concerns of the gentleman from New York here, our concern is that they already know how to operate these Hueys. We do have maintenance problems with them, but it is our hope that the administration will fulfill their commitment to make sure that we not only provide proper maintenance, because in fact these Huey helicopters can be operated and piloted by Colombian officers, that is the concern that we have.

Mr. GILMAN. Mr. Speaker, if the gentleman would continue to yield, I have been informed that the Huey IIs do not survive the kind of fighting that is taking place. And they cannot take the kind of shoot-downs that they have been involved with.

Blackhawk helicopters have trained mechanics and have now hired some trained pilots to utilize them. This is something that is needed now, not to wait 6 months to a year or 2 years until our own military has found out what is wrong with the Huey helicopters.

Mr. FALEOMAVAEGA. Mr. Speaker, again reclaiming my time, I would say with utmost respect to the gentleman from New York, our chairman and my good friend, I think the problem that we have here is that we need to have the administration come forward and explain to the Congress what their firm commitment is about not only providing proper maintenance for these 26 Hueys, but to make sure that they operate well.

Now the fact that we do have problems with the Blackhawks, I think we also need a firm commitment from the administration that they will not only give the three helicopters, the Blackhawks, but make sure that the Colombian officers of that country are able to operate them. I think this is one of the problems that we are faced with here.

Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise with great concern about this bill. I do not think this is about Colombian drugs; I think this is about Colombian pork, and I will tell my colleagues why.

I lived in Colombia. I know the country well. What we are getting is the Colombian military coming up here and asking us to give them $36 million for three new Blackhawks. We give $120 million for all of Latin America to fight drugs, so this is about 25 percent of the entire Latin American drug budget going to Colombia for those three Blackhawk helicopters.

Mr. Speaker, let me tell my colleagues how Colombia has taken advantage of us. Not only do they come here and get free helicopters, but they are importing every day 70 percent of the cut flower market into the United States. They come in free.

We ought to get that money from the business that is making $300 million off of United States consumers buying Colombian flowers that do not have to pay any tariffs that all other flowers from all other countries in the world have to pay. And our flower growers in California and New York and other States are going out of business because of the free Colombian imports.

So here we have a bill where the Colombians come up here, ask us for $36 million for Blackhawks, we give it to them because we are fighting drugs, and at the same time we will not close that open door that we have given them to grow other crops other than drugs.

Mr. Speaker, they are getting it both ways. They get free military equipment, and that free military equipment sometimes is used to suppress human rights in Colombia. More than 3,500 human people were killed in Colombia last year at the hands of military, paramilitary, and guerrilla forces. Yes, there are some bad dudes in Colombia, and the Colombian military supported civilian paramilitary groups which have murdered, tortured and forced the migration of thousands of peasants and villagers.

So here we have a country that does not have the personnel to fly the helicopters, does not have the mechanics to repair the helicopters, but because it is in the drug war, we support it. I think we need to get our priorities straight. We cannot have it both ways. If they get three helicopters eating up most of the drug money for all of Latin America, at the same time we allow them to import all of their flowers here and do not charge them anything, no tariff whatsoever, that is outrageous.

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

Mr. Speaker, I would like to note that the gentleman is mixing flowers with coca bushes, and I think he fails to recognize the serious impact that the coca trade has had upon the youth of our Nation. 80 percent of the cocaine in the entire world is coming out of Colombia.

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

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

Mr. SKELTON. Mr. Speaker, as the gentleman from New York (Mr. GILMAN) knows, I serve on the Committee on National Security, and I have a couple of questions I would like to put to the chairman of the Committee on Foreign Affairs. I understand this is a $36 million price tag; is that right?

Mr. GILMAN. Mr. Speaker, the gentleman is correct. It already has been approved and appropriated by our committees last year.

Mr. SKELTON. Mr. Speaker, out of whose budget does this come, if I may ask?

Mr. GILMAN. The State INF, International Narcotics Fund.

Mr. SKELTON. Mr. Speaker, this did not come before the Committee on National Security whatsoever, did it?

Mr. GILMAN. Mr. Speaker, I would say to the gentleman that it went before the Appropriations Committee.

Mr. SKELTON. But not the Committee on National Security. I have no

recollection of it. I think I would, had it come before that committee.

Mr. GILMAN. Mr. Speaker, I would just like to note that in fiscal year 1998, $50 million was appropriated for 12 Huey IIs and three Blackhawk choppers. Colombia is the only nation in South America facing a very heavy guerrilla insurgency, and as I noted before, Colombia is a prime supplier of cocaine not only to our Nation but throughout the world. If we are going to turn our back on their request to give them the proper equipment to fight this war, we are doing a disservice not only to our own Nation but to other nations throughout the world.

Some nine Blackhawk-qualified pilots have been flying more than 3,000 flying hours in Blackhawk helicopters. The question was whether there were qualified pilots. I just would like to notify the gentleman from American Samoa that there are also 11 trained mechanics to keep these Blackhawk helicopters in the air.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 5 minutes to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. GILMAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Hawaii (Mr. ABERCROMBIE).

The SPEAKER pro tempore (Mr. GIBBONS). The gentleman from Hawaii (Mr. ABERCROMBIE) is recognized for 6½ minutes.

Mr. ABERCROMBIE. Mr. Speaker, I rise to speak against this bill, and reluctantly because of my friendship and high regard for the gentleman from New York (Mr. GILMAN), which I think goes without saying, as well as my regard for the gentleman from Connecticut (Mr. GEJDENSON).

Nonetheless, I feel, Mr. Speaker, that it is imperative that everyone recognize, as has been indicated by the gentleman from Missouri (Mr. SKELTON) our ranking member on the Committee on National Security, that this particular purchase has not come through the procedures and hearings in National Security. I believe we should properly have jurisdiction in this regard.

We are criticized constantly for having a defense budget that is not adequate, or we are criticized for the transfer of technology for profit as opposed to actually meeting the defense interest of this country, and I most certainly understand the idea that we have to defend ourselves against drugs. But in this instance we have advanced navigational and plotting systems associated with the Blackhawk that I believe may very well fall into the category of transfer of technology which many members of the Committee on National Security on a bipartisan basis oppose.

□ 1315

Now, I believe that we will be taking funds away from Peru and Bolivia. Whether that is true or not, I am not exactly certain because we have not had the hearings on it. Colombia, as has been well stated, already has a minimum capacity apparently at the present time to deal with the Black Hawk program. Yet, I understand that Colombia is cutting its defense budget.

Now, if we are to form that budget forum, I think that we need to make that part of the dialogue that takes place in the Committee on National Security. Black Hawks are used by our frontline troops. The administration, I understand, is indicating that it will propose super Huey helicopters that are adequate for the drug missions, that can be utilized for night vision, for example, and that the situation now about insurgency requires that we take very, very careful notice of whether or not the military utilizing these helicopters would be people who are actually going to take up the cause against drug trafficking. The corruption factor, aside from those who are heroically trying to pursue it right now within the Colombian military, is a very real question that needs to be answered.

Now, we have already had arguments on this floor or discussion on this floor today about the capabilities of the Black Hawk versus the Huey helicopter, the survivability of the Black Hawks versus the Huey helicopter. That is the proper jurisdiction and purview of the Committee on National Security. I think that we need to take it up in that context.

My understanding is, as well, that the administration is claiming, as has been asserted elsewhere, that we will be taking away from the budget allotted to counternarcotics programs elsewhere in Latin and South America.

Now, Mr. Speaker, that may be the case, or it may not. I am not entirely certain. But I do know this, that in order for us to proceed on these matters, I implore my colleagues, please make these kinds of things a matter of joint jurisdiction with the Committee on National Security which sets the policy here. I think there is a fundamental point not just of procedure in the House, but of acting in the best interests of the security interests of the United States by asking that this be done.

If we are going to simply move to the appropriations committees and have the appropriations committees make these decisions with respect to expenditures, how are we supposed to put together a rational national defense policy in coordination with the international relations aspect that we need to sustain and maintain?

I think, Mr. Speaker, that the distinguished chairman, and I mean that in every sense, that is not a pro forma utilization of the word by me. The distinguished chairman of the Committee on International Relations would agree that those of us who are on the national security side of policy have worked with him in the past and in every instance where he has requested it. He knows that not only myself, but every member of the Committee on National Security would be willing to work with him in any instance where the international relations and national security interests of this country are at stake.

On that basis, I would appeal, then, to the chairman of the Committee on International Relations to recognize that our interest is legitimate and that we want to work very closely with him to have a resolution of this matter that would be in the interest of everyone, Colombians and the people of the United States alike.

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

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

Mr. GILMAN. Mr. Speaker, it was in October of 1996 that the administration supported the sale of 12 Black Hawks to the Colombian Army. These choppers were delivered, three were destroyed last month in fighting. Nine of the police pilots have had more than 3.000 hours flying helicopters. Eleven Black Hawk maintenance men have been qualified to work on Black Hawks.

So there is an adequate ability to utilize this equipment. And 36 million of the appropriation that was approved last year included maintenance and training for the police. What I am saying is, they are adequately trained. They need this equipment. They need it now. Their police are dying on the battlefront. We are not helping them. What we have given them are used Huey helicopters from the Vietnam era that have now just this week been grounded because of a failure of equipment.

Mr. ABERCROMBIE. Mr. Speaker, I do not dispute any of that. As I said, I have great respect for the gentleman. However, we battle every day in the Committee on National Security for those millions of dollars. We are not able to maintain our own troops. We are not able to train our own troops. We are not able to equip our own troops. We are not able to maintain quality of life for our own troops.

I am quite willing, in fact I will state that I am prepared today to work with the gentleman to try to accomplish this, but the gentleman is making a case for having joint consideration by the Committee on National Security and the Committee on International Relations so that our own forces can be adequately funded as well.

I thank the gentleman for his kind indulgence.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 3 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in support of this legislation to send three Black Hawk utility helicopters to help the Colombian national police win the war on drugs. That is what this is about. Illegal drugs rob Americans of their futures.

Today, approximately 600,000 Americans are heroin users; 1.45 million Americans use cocaine. At least a quarter of the 5- to 7,000 people who try cocaine each year become addicts losing

their careers, their families, and often their lives. Colombian drug traffickers dominate the supply of these illegal drugs. Eighty percent of America's supply of cocaine, and over 6 percent of the heroin seized comes from Colombia.

At a July 1997 hearing in front of the Committee on Government Reform and Oversight, Subcommittee on National Security, International Affairs, and Criminal Justice, the DEA testified that a drug ''flow reduction strategy will be extremely effective in denying transportation options to traffickers and substantially reduce the movement of cocaine in Colombia.''

By sending Black Hawks to the Colombian national police for the sole purpose of fighting the illegal drug traffickers and the thousands of guerrillas protecting them, the United States will provide state-of-the-art replacements for the national police's 36 Vietnam era Huey helicopters, four of which have crashed in the last 6 months and, I might add, which now have been grounded by the U.S. Army and the National Guard. Only Black Hawks have the capability to reach the poppy field in the Andes and to sustain ground fire attacks.

I urge support of this legislation. Send Black Hawks to the Colombian national police. Stop the flow of illegal drugs at the source and take a critical step toward ending the illegal drug crisis in America.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I yield the balance of my time to the gentleman from Indiana (Mr. HAMILTON), our distinguished democratic leader on the committee.

The SPEAKER pro tempore (Mr. GIBBONS). The gentleman from Indiana (Mr. HAMILTON) is recognized for 4½ minutes.

Mr. HAMILTON. Mr. Speaker, I rise in opposition to the resolution. We all support the work of the Colombian national police. We abhor the violence that has taken over Colombia and threats that these policemen face because of millions of dollars Americans spend on Colombian cocaine.

The chairman is certainly right in wanting to help them, but I do not really think this is the best way to do it. I oppose this resolution for several reasons. I think it is bad policy. As I understand it, the administration is consulting with Members in the hopes of reaching a compromise on this issue of funding for helicopters to the Colombian national police.

They are looking for a compromise because the earmark that designated this money for helicopters came out of accounts that were destined for counternarcotics operations in Peru and Bolivia. The resolution now expresses the sense of Congress that full funding for Bolivia should be provided. If that direction is followed, then what additional countries' counternarcotics programs must be cut?

I do not know if the resolution drafters have considered that issue. They are also looking for a compromise because our people on the ground in Colombia have a lot of questions about whether this is the best way to put the money to use.

The Colombian national police do not have pilots for the Black Hawks and they do not have mechanics for Black Hawks. Yet, getting their people up to speed may take away from the missions they already undertake. We are considering this resolution without asking, I think, a lot of the tough questions about our overall policy toward Colombia and the proper allocation of limited antinarcotics resources.

When this earmark was first discussed, the Chairman and others said that these three Black Hawks would leverage the Colombian Government to match these with three more of their own. What the Colombian Government has shown, after being decertified for the past 4 years, is that they will not commit the Black Hawks we sold them over the past decade to this fight.

So now without examining whether the Colombian national police can put this equipment straight to use, and without a committed partner in the Colombian Government, we are encouraging the President to provide as many helicopters as the Colombian national police need.

I oppose the resolution, but I do not plan to ask for a vote on it. I regret that we are not taking a clear bipartisan step while Colombia is in the midst of such turmoil.

Mr. Speaker, I commend to my colleagues' attention the attached letter that I received yesterday from the State Department regarding House Resolution 398. The letter points out the Administration's concerns with the provision, which I believe was handled in our Committee in a flawed manner. Rather than making a clear bipartisan statement in support of democracy, civilian control of the military and human rights, the Committee hurried through this flawed and partisan resolution. Before we consider it on the Suspension calendar on Monday afternoon, I encourage my colleagues to read the concerns raised by the State Department in this letter.

U.S. DEPARTMENT OF STATE,
Washington, DC, March 26, 1998.

Hon. LEE H. HAMILTON,
Committee on International Relations,
House of Representatives.

DEAR MR. HAMILTON: Thank you for the opportunity to comment on the draft House Resolution on provision of UH–60 Black Hawk helicopters to the Colombian National Police. The Administration supports the broad sentiments of the Colombia resolution even as we differ from its prescribed remedy. Our source country strategy is a regional effort. This resolution, focussed only on Colombia, would necessarily draw funds away from our programs in Peru and Bolivia, where we have witnessed dramatic successes in the past two years. Our Peruvian and Bolivian programs have been instrumental in producing a 9.6% drop in regional coca cultivation. Now is not the time to undercut these successful programs.

Colombia is a country besieged by the intertwined threats of illicit narcotics trafficking and the violent insurgency. The Colombia National Police (CNP) and its leadership have done tremendous work, performing with courage and dedication under difficult and dangerous conditions. They deserve both our support and our admiration.

Colombian heroin is a serious threat to our national interests, although the emergence of this threat has not diminished the threat posed by Colombian cocaine. We agree that eradication is the most efficient, but not the only, method for stopping the flow of heroin. Given that opium poppy is grown at high altitudes, improved performance helicopters are necessary to eradicate effectively.

The UH–1H is an older aircraft, but we note that the CNP and the INL Air Division have maintained a high readiness rate at relatively low cost with more than 45 of these helicopters for several years now. The Black Hawk is a high performance helicopter capable of performing well at higher altitudes than the UH–1H, but it is considerably more expensive to procure and maintain and would represent a new and unfamiliar aircraft in the CNP Air Wing. The difficulties of introducing an entirely new aircraft into an existing inventory should not be underestimated. For example, the Colombian Army has had an extremely difficult time integrating the Black Hawks purchased over a year ago into its force structure, and still can not operate them independently.

We believe that a UH–1H upgraded to the SuperHuey configuration can perform quite adequately at higher altitude at far lower cost and disruption to the CNP Air Wing. The State Department has such a refurbishment program underway for 10 UH–1Hs and will continue the program next fiscal year. Contracts were signed with Bell Textron and U.S. Helicopter for the first of these upgrades on March 18.

We believe that the purchase of 3 Black Hawks for the CNP is neither cost effective, nor tactically wise. To contemplate the replacement of the entire CNP UH–1H force with Black Hawks would be financially reckless for both the U.S. as the purchaser and Colombia as the operator. The financial costs of replacing all of the CNP's UH–1Hs (some 35 currently) with Black Hawks and operating them would be prohibitive.

We do not support the purchase of 3 Black Hawks for the CNP and we do not support the wholesale replacement of UH–1Hs with Black Hawks. We believe that the Huey upgrade program which is currently underway is the most cost-effective program for Colombians and the taxpayers of the United States.

As you know, the Administration is currently consulting with interested Members of Congress, including the Foreign Operations Appropriations Subcommittee, to determine an alternative approach to fulfilling the interdiction and eradication needs of the CNP. We contracted your staff on March 24 to schedule a meeting for you with Administration officials to discuss this matter, and were told that you would prefer to postpone such a meeting until after your trip to Colombia. We remain available to brief you at your earliest convenience and look forward to providing the Administration's views on Colombia before your Committee next week.

Again, we strongly support the efforts of Colombian National Police and their need for increased helicopter lift capability at higher altitudes. In the last three years, we have dramatically increased counternarcotics funding for Colombia. In FY–95, we provided a total of $28.85 million, including INL funds, FMF and other assistance. In FY–96, we increased this to $62.93 million with an increase in Air Wing spending in Colombia and a $40 million drawdown of defense equipment. In FY–97, the total climbed to more than $90 million, with dramatic increases in

INL program and Air Wing budgets in Colombia, another drawdown, and the release of up to $30 million in frozen Foreign Military Financing. This makes Colombia the single largest recipient of U.S. counter-narcotics assistance in the world, a measure of our commitment.

Please do not hesitate to contact us if you have any questions on this or any other matter.

Sincerely,

BARBARA LARKIN,
Assistant Secretary,
Legislative Affairs.

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

Mr. Speaker, we have an emergency in Colombia. Good men and women are dying. Our youth are being impacted throughout our country and throughout the entire world because of the major supply of cocaine. Just last week four more of our fellow Americans were taken hostage by the narco-guerrillas who have been openly targeting U.S. civilian military, and even our own DEA personnel.

I remind our colleagues that SOUTHCOM commander U.S. Marine Corps General Wilhelm, just a little over a week ago said this about the events in Colombia: Colombia is very much at risk today.

With regard to the defeat of the Colombian army in the cocaine regions he said, the activities of last week are grim. And on the need for good helicopters in Colombia, General Wilhelm stated, you either get there through the air or in the rivers or you do not get there at all.

Mr. Speaker, we have had hearing after hearing on the Colombian drug policy, including September 1996, when the State Department promised better helicopters for the Colombian National Police Antinarcotics Unit. None, none have yet been delivered and will not for another 4 months. And if they are going to deliver Hueys, we find out that the military has grounded those Hueys.

What this resolution is about is implementing the provisions of last year's fiscal year 1998 foreign operations appropriations bill, a bill that was signed into law by the President last November and has yet to be implemented. The law called for the purchase of three Black Hawk utility helicopters to help fight drugs before these poisons reach our shorelines and destroy our young people.

I might note, in response to the gentleman from Indiana, three Black Hawks have previously been destroyed as they were out there fighting the battle.

□ 1530

The Office of National Drug Control Policy, the ONDCP, on March 10 in a 1998 letter to the Miami Herald on Colombia anti-drug aid, stated, ''Source-country strategy to fight narcotics trafficking is the most effective way to stop the flow of drugs.''

This resolution supports more such source-nation aid for Colombia that has been producing 80 percent of the world's cocaine and, most recently, 60 percent of the heroin seized in our Nation. Even the other provision in the same bill to provide Huey upgrades for the police has not been implemented yet, and that contract was signed in March of this year and probably now will not be implemented for a year or more based on the recent grounding of those Hueys.

We are told not one upgrade chopper will even be delivered this fiscal year. The Huey upgrade first promised 18 months ago will not be delivered until a full 2 years later. That is inexcusable when there is a war going on, a war to destroy the drug-producing operations of one of the largest producers in the world.

We need to light a fire under our State Department before we have a full-blown narco-state in Colombia. That is only 3 hours away from Miami, and we are spending more than just the money for three military helicopters. If these inexcusable delays are processed, I, too, have concerns.

This resolution is an effort to send in a strong message to the administration that the Colombian police need good helicopters now and not later. We are looking at a potential narco-state that threatens our own vital interests.

On March 23, the Colombian National Police had to leave four of their officers in a downed Huey. They butchered these four officers. The CNP had Black Hawks that could have lifted that $1.4 million U.S.-provided Huey helicopter immediately and, more importantly, prevented those four CNP officers from being murdered by the narco-terrorists.

Also, our Black Hawk Huey helicopters have the lift and payload capacity to get enough police, 18, in each unit into the high Andes, where at least four Americans have been taken as hostages. Today, the Colombian police do not have any helicopters that could adequately serve to mount a rescue mission for those American hostages who are being held at some 12,000 feet in altitude.

So let us stop worrying about process and let us get on with helping our fellow Americans and, above all, to help our youth.

Mr. CALLAHAN. Mr. Speaker, I rise in support of House Resolution 398.

As Chairman of the Subcommittee on Foreign Operations, I have jurisdiction over a relatively small but important component of the War on Drugs. The International Narcotics Control account of the Department of State is responsible for counter-narcotics activities in foreign countries, in cooperation with the Drug Enforcement Administration. Most of the funds in this account are intended for eradication of coca and opium crops, primarily in Latin America. Total funding is $230 million.

One of the important countries in this effort is Bolivia. It has a new government that is committed to eliminating coca and cocaine production in that country in the next five years.

Unfortunately, the State Department decided to reduce United States funding for Bolivia's counter-narcotics efforts by $31 million, or by over two-thirds from the projected level of $45 million. This reduction was taken despite the fact the House Appropriations Committee has more than doubled funding for this account in the past three years.

I strongly support providing adequate air assets for the Colombian National Police. I also strongly support maintaining Bolivia's counter-narcotics program.

I urge the Administration take the necessary steps to address both concerns in the near future. In particular, I urge the Administration to respond to the need to restore funding for Bolivia's counter-narcotics program as soon as possible.

In that regard, at my request the International Relations Committee modified the pending resolution to express support for the restoration of funding for Bolivia's programs, and directing the Administration to act accordingly.

I'd like to thank the Chairman of the International Relations Committee, the gentleman from New York, for his courtesy in agreeing to this modification. I think it makes the resolution stronger, and I urge the House to approve this resolution.

Mr. ACKERMAN. Mr. Speaker, I have both procedural and substantive problems with this resolution.

First, this resolution was circulated among committee members only last Wednesday evening. The International Relations Committee held a mark-up less than 24 hours later to consider the bill. The Subcommittee on the Western Hemisphere never had a chance to consider the resolution.

Second, committee rules require a week's notice before mark-up legislation. In this instance we got only a few hours notice. Only in unusual circumstances are such procedures allowable under the rules and then only after consultation with the ranking minority member. No such consultation took place.

Mr. Speaker, I cannot understand why we must ram this resolution through the House. It's not as though the helicopters called for by the bill will get there any more quickly. They're not even built yet.

With regard to the resolution itself, Members should be aware that, as the resolution implies, this is not about just 3 Blackhawks. This about many more. Three is nowhere near enough for the Colombian National Police to have an effective capability. In fact, to be effective, they need more like 12. The 3 Blackhawks in last year's foreign operations bill cost $36 million. That means that Congress will be on the hook for $144 million, not $36 million. And that's without even considering the outyear costs for additional training and maintenance.

Mr. Speaker, the language in last year's foreign operations bill was not considered by the House or Senate before it emerged from conference and it has never been the subject of hearings. Never aired in subcommittee or full committee in either the House or the Senate. I submit that it has skewed the entire anti-narcotics budget for Latin America, causing cuts in funding for both Bolivia and Peru, countries which have been very successful in their anti-narcotics efforts. This congressionally driven mandate has never received any sort of formal assessment to determine whether it meets the most pressing counter-narcotics needs of the Colombian police. We have never asked ourselves whether the CNP has the pilots to fly

these or whether they have the mechanics to maintain them. The answer to both is no. No pilots. No mechanics. No capability.

In fact, both the Colombian Army and Air Force already have Blackhawks, already have the pilots, and already have the mechanics. Yet they seem unwilling to support the counter-narcotics mission of the CNP. As I understand it, the Blackhawks that were sold to Colombia previously were supposed to support that counter-narcotics mission. This lack of support indicates to me that the Colombian Defense Ministry does not believe that the counter-narcotics effort is a matter of national security. I believe it is perfectly reasonable for us to ask for—and get—cooperation between the Colombian military and the CNP.

Mr. Speaker, just a month ago the GAO criticized the administration for not prioritizing the types of equipment that should be provided to Colombia. To my knowledge, no such assessment has been done with regard to Blackhawks. I think we should at least hold ourselves to the standard that we criticize the administration for not meeting.

Let me say finally, that the Colombian National Police, led by General Serrano and the anti-narcotics unit led by Colonel Gallego, have a difficult and dangerous mission. Thousands of their men have given their lives in the fight against narcotics. I believe we should assist Colombia. The question is how best to do that. Last year's bill was not the way to do it and this resolution does not make the situation any better.

I urge my colleagues to oppose the resolution. Thank you.

Mr. MANTON. Mr. Speaker, I rise in strong support of this legislation urging the President to assist the Colombian National Police by providing them with three UH–60L Blackhawk utility helicopters. As an original cosponsor of H. Res. 398, I believe it is important that we provide Colombia with the state-of-the-art equipment they need to fight their war on drugs.

The UH–60L helicopter would be an integral weapon in the war against drugs in Colombia. With its high performance, it is able to withstand the winds associated with the high altitudes of the Andes Mountains, and have the capacity to endure crashes and ground fire better than the outdated UH–1H helicopters. In addition, the UH–60L has the ability to carry sufficient armed anti-drug officers to the areas where they are needed most, in the opium fields high in the Andes mountains.

Colombia is the leading illicit drug producer in the Western Hemisphere, producing 80% of the world's cocaine. In the United States alone, 60% of the heroin seized on our streets originates in Colombia. An immense amount of these drugs arrive in my Congressional District in Queens, New York for distribution around New York City and areas of the eastern United States. It is imperative we win the war on drugs at the source—in the Andes Mountain and other producing areas of Colombia.

In 1996, the government of Colombia was afflicted with major political corruption involving President Ernesto Samper and the Cali drug cartel, leading to the country's decertification as a cooperating nation in the war on drugs by the United States. This year, although it was once again decertified, a national interest waiver allowing for continued economic aid for national security purposes was set in place for Colombia. It is important the United States recognize that Colombia has made major strides in their fight against drugs thanks in large part to the work of the Colombian National Police.

The elite anti-narcotic unit of the Colombian National Police (CNP) has played a vital role in fighting the war against drugs. The men and women who served in the CNP have risked their lives—losing more than 4,000 officers in combat over the past ten years. The impeccable attention the CNP pays to human rights has been lauded by numerous human rights groups around the world, illustrating their commitment to making their country a better place to live and work without the constant threat of drug-related violence.

While visiting Colombia last year, I saw first hand the workings of the Colombian National Police. Although they have made enormous progress in the fight against illicit drug trade, they need updated equipment to keep up with the forces which they are fighting—guerrillas and the drug cartels.

As a former New York City police officer. I have seen the devastating effects drugs have on our communities. Ignoring the circumstances in Colombia will not make the situation go away. The United States must stand up and actively help those who risk their lives everyday in the war against drugs.

I urge my colleagues to join me in supporting H.R. 398. This legislation sends the right message to the Colombian National Police and to the people they protect from the drug-related violence that has plagued their country for far too long. The UH–60L helicopter would bring the CNP one step closer to winning this ongoing war.

Mr. EVERETT. Mr. Speaker, I rise in strong support of this resolution to urge the President to promptly procure Black Hawk (UH–60) helicopters to assist the Colombian National Police in their fight against the production of heroin.

Last year, this Congress passed the Foreign Operations Appropriations bill with specific direction to the State Department under the International Narcotics Control Program. Within this program, $50 million was slated for helicopter procurement, including three new Black Hawks and a package of upgrades for Huey (UH–1) aircraft to a Huey II configuration. I'm pleased to say that the Administration has just signed a contract for the delivery of five Huey II's, with the option for five more. Now the Administration must honor the full intent of Congress, and commit to the procurement of three new Black Hawk helicopters.

The upgraded Huey's will meet most of the Colombian National Police's counter drug mission requirements, but a number of high performance Black Hawk helicopters are necessary to reach the poppy fields in the high elevations of the Andes Mountains.

Mr. Speaker, if we are serious about fighting the war on drugs, we must first keep these narcotics from reaching our borders. Our allies in Central and South America are struggling against the international drug cartels—they are out-gunned, out-manned and out-financed. These helicopters are force multipliers, and will go a long way in helping Colombia halt the flow of these drugs to America's children, and I urge the adoption of this resolution.

Mr. MALONEY of Connecticut. Mr. Speaker, I rise today to support H. Res. 398 and urge the President to expedite the procurement of three UH–60L Blackhawk utility helicopters and to provide them to the Colombian National Police in support of their efforts against drug producers and traffickers.

Eighty percent of the world's cocaine and more than 60 percent of the heroin seized in the U.S. originates in Colombia. In one recent year, the federal government estimated that there were 141,000 new users of heroin in the U.S. Indeed, the U.S. faces historic levels of heroin use among teenagers between the ages of 12 and 17. This is a significant social, crime, and health issue.

We will not win the war against cocaine and heroin solely by trying to stop these drugs at our borders. We must go to the source. H. Res. 398 urges the President to carry out current law and provide Colombia with three UH–60L Blackhawk helicopters. These aircraft will offer a significant improvement over the National Police's present abilities to eradicate poppy and coca crops in remote areas. In contrast to the much older UH–1H Huey helicopters now in use, Blackhawks have greater range, carry more personnel, and operate more effectively at the high elevations at which opium-producing poppies are grown in the Andes.

The Colombian National Police use helicopters in 90 percent of their counter-drug operations. Over the last six months, at least four crashed or were shot down during such operations. Blackhawk has increassed survivability against hostile fire and is more likely to survive crashes. The U.S. benefits directly from the National Police's drug eradication and interdiction efforts. We should ensure that Colombia has the best equipment to wage an effective war on drugs. I urge my colleagues in the House to pass this resolution unanimously.

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

The SPEAKER pro tempore (Mr. GIBBONS). The gentleman from American Samoa has 1½ minutes remaining.

Mr. FALEOMAVAEGA. Mr. 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. GILMAN) that the House suspend the rules and agree to the resolution, House Resolution 398, as amended.

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

The title of the resolution was amended so as to read as follows:

''A resolution urging the President to expeditiously procure and provide three UH–60L Blackhawk utility helicopters to the Colombian National Police solely for the purpose of assisting the Colombian National Police to perform their responsibilities to reduce and eliminate the production of illicit drugs in Colombia and the trafficking of such illicit drugs, including the trafficking of drugs such as heroin and cocaine to the United States, and for other purposes.''.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 5:30 p.m.

Accordingly (at 3 o'clock and 34 minutes p.m.), the House stood in recess until 5:30 p.m.

□ 1800

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. EMERSON) at 6 o'clock p.m.

APPOINTMENT OF MEMBERS TO ATTEND THE FUNERAL OF THE LATE HONORABLE STEVEN SCHIFF

The SPEAKER pro tempore. Pursuant to the provisions of House Resolution 395, the Chair, without objection, announces the Speaker's appointment of the following Members of the House to the committee to attend the funeral of the late Steven Schiff.

Mr. SKEEN of New Mexico;
Mr. GINGRICH of Georgia;
Mr. REDMOND of New Mexico;
Mr. SENSENBRENNER of Wisconsin;
Mrs. JOHNSON of Connecticut;
Mr. BARTON of Texas;
Mr. GALLEGLY of California;
Mr. MCNULTY of New York;
Mr. PAXON of New York;
Mr. ROHRABACHER of California;
Mr. MICA of Florida;
Mr. EHLERS of Michigan;
Mr. SHADEGG of Arizona; and
Mr. CAMPBELL of California.

There was no objection.

PERSONAL EXPLANATION

Mr. MCNULTY. Madam Speaker, due to my attendance at the wake and funeral of my good friend, Judge Francis Bergan, I missed rollcall votes 75, 76, 77 and 78 on Thursday, March 26, and rollcall votes 79 and 80 on Friday, March 27, 1998.

Had I been present, I would have voted in the following manner: ''No'' on rollcall vote number 75; ''no'' on rollcall vote number 76; ''yes'' on rollcall vote number 77; ''no'' on rollcall vote number 78; ''yes'' on rollcall vote number 79; and ''no'' on rollcall vote number 80.

THEATER MISSILE DEFENSE IMPROVEMENT ACT OF 1998

Mr. SPENCE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2786) to authorize additional appropriations for the Department of Defense for ballistic missile defenses and other measures to counter the emerging threat posed to the United States and its allies in the Middle East and Persian Gulf region by the development and deployment of ballistic missiles by Iran, as amended.

The Clerk read as follows:

H.R. 2786

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 ''Theater Missile Defense Improvement Act of 1998''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Development of medium-range ballistic missiles by potential adversaries, such as Iran, has proceeded much more rapidly than previously anticipated by the United States Government.

(2) Existence of such missiles in potentially hostile nations constitutes a serious threat to United States forces, allies, and friends in the Middle East and Persian Gulf region and cannot be adequately countered by currently deployed ballistic missile defense systems.

(3) It is a matter of high national interest to quickly reduce the vulnerability of United States forces, allies, and friends to these threats.

(4) Meaningful and cost effective steps to reduce these vulnerabilities are available and should be pursued expeditiously.

SEC. 3. ACCELERATION OF DEPARTMENT OF DEFENSE PROGRAMS TO COUNTER ENHANCED BALLISTIC MISSILE THREAT.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 1998 for Defense-wide research, development, test, and evaluation in the amount of $147,000,000, to be available as follows:

(1) JOINT COMPOSITE TRACKING NETWORK.—$35,000,000 to be available for the Joint Composite Tracking Network program.

(2) PATRIOT REMOTE LAUNCH CAPABILITY.—$15,000,000 to be available to accelerate development of the remote launch capability for the Patriot Advanced Capability (PAC–3) missile defense system.

(3) PAC–3 AND NAVY AREA DEFENSE TESTS.—$40,000,000 to be available to test the capabilities of the Patriot Advanced Capability (PAC–3) missile defense system, and to test the capabilities of the Navy Area Defense System, against missiles with the range of the Iranian ballistic missiles under development.

(4) EARLY WARNING ENHANCEMENT.—$6,000,000 to be available for improved integration of the various elements of the SHIELD system.

(5) PAC–3 PRODUCTION RATE ENHANCEMENTS.—$41,000,000 to be available for production rate enhancements for the Patriot Advanced Capability (PAC–3) missile defense system.

(6) ISRAELI ARROW MISSILE DEFENSE SYSTEM.—$10,000,000 to be available to improve interoperability of the Israeli Arrow tactical ballistic missile defense system with United States theater missile defense systems.

SEC. 4. IDENTIFICATION OF OTHER POSSIBLE ACTIONS.

(a) IDENTIFICATION.—The Secretary of Defense shall identify actions in addition to those authorized by section 3 that could be taken by the Department of Defense to counter the threats posed to the United States and its national security interests by the development or acquisition of medium-range ballistic missiles by Iran and other nations.

(b) SPECIFIC ACTIONS TO BE TAKEN.—The Secretary specifically shall explore—

(1) additional cooperative measures between the Department of Defense and the Ministry of Defense of Israel to further enhance Israel's ability to defend itself against the threat posed by ballistic missiles deployed by Iran and other nations; and

(2) actions within the existing Navy Theater Wide Missile Defense System program that could provide additional capabilities useful to addressing the threat posed by medium-range ballistic missiles within one to two years.

(c) INTERGOVERNMENTAL COORDINATION.—The Secretary shall undertake appropriate intergovernmental and interagency coordination that would be necessary to the conduct of any of the actions identified pursuant to subsection (a).

SEC. 5. REPORT TO CONGRESS.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report providing—

(1) a description of the Secretary's plans for use of funds appropriated pursuant to the authorizations of appropriations in this Act; and

(2) a description of possible additional actions identified by the Secretary pursuant to section 4(a) and the steps taken or planned (as of the time of the report) to carry out section 4(c).

SEC. 6. OFFSETTING REDUCTIONS IN AUTHORIZATIONS.

The total amount authorized in section 201 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85) to be appropriated for fiscal year 1998 for research, development, test, and evaluation for the Department of Defense is hereby reduced by $147,000,000, of which—

(1) $126,000,000 is to be derived from savings from the use of advisory and assistance services by the Department of Defense in accordance with section 8041 of the Department of Defense Appropriations Act, 1998 (Public Law 105–56; 111 Stat. 1230); and

(2) $21,000,000 is to be derived from savings from the use by the Department of Defense of defense federally funded research and development centers in accordance with section 8035 of the Department of Defense Appropriations Act, 1998 (Public Law 105–56; 111 Stat. 1227).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina (Mr. SPENCE) and the gentleman from Missouri (Mr. SKELTON) each will control 20 minutes.

The Chair recognizes the gentleman from South Carolina (Mr. SPENCE).

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

GENERAL LEAVE

Mr. SPENCE. 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. 2786.

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

There was no objection.

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

Madam Speaker, H.R. 2786, the Theater Missile Defense Improvement Act of 1998, is intended to address the accelerated threat posed by recent theater ballistic missile development around the world. North Korea has deployed the No Dong-1 missile. Iran's development of the Shahab-3 missile has proceeded rapidly and could be flight tested within the next year and will have sufficient range to strike Turkey, Saudi Arabia and Israel.

The speed of these developments was unanticipated by the intelligence community and they warrant an immediate response. Our currently deployed missile defense systems were designed against older and slower threats and have only limited capabilities against this new generation of more lethal missiles. The steps taken in this bill will provide additional defensive capabilities for our troops and their dependents

more quickly than is currently being planned.

The measures in this bill meet three important criteria. First, all are executable in the current fiscal year. It is therefore important for us to provide the funding and the authority to proceed in a timely manner. Second, all measures in this bill are consistent with planned missile defense systems and architectures. Third, this legislation is entirely consistent with current international agreements.

The gentleman from Pennsylvania (Mr. WELDON), who has spearheaded this effort with both patience and persistence, has been quite, quite frankly, ahead of both the Intelligence Community and the Department of Defense when it comes to the seriousness of this threat and the need for a rapid response.

Likewise, the efforts of the gentleman from Virginia (Mr. PICKETT) and the gentleman from South Carolina (Mr. SPRATT) as cosponsors have strengthened this legislation and helped make it a strong bipartisan response to a serious threat.

The bill was approved unanimous by the Committee on National Security on a vote of 45 to 0. I commend all three of the bills' sponsors for their diligence. The Department of Defense believes that the bill's measures are important and constructive steps in any effort designed to address this rapidly evolving threat.

Madam Speaker, I once again commend the gentleman from Pennsylvania (Mr. WELDON), the gentleman from Virginia (Mr. PICKETT) and the gentleman from South Carolina (Mr. SPRATT) for their leadership and their effort. I express my strong support for this measure and urge my colleagues' support as well.

Madam Speaker, I ask unanimous consent that the gentleman from Pennsylvania (Mr. WELDON) be allowed to control the remainder of my time.

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

There was no objection.

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

Madam Speaker, we are here today to approve H.R. 2786, the Theater Missile Defense Improvement Act of 1998 under the suspension of the rules of this House.

This bill addresses the earlier than expected development of theater or tactical ballistic threats to our men and women in uniform around the world, threats that I believe are real and, given the limitations of currently deployed theater missile defense systems, demand a priority response.

H.R. 2786 is a bill that responds to the recent threat developments quickly, crisply and affordably. Moreover, it was approved unanimously by the committee.

In terms of process, I cannot be more pleased. H.R. 2786 is the result of an open, deliberative and nonpartisan effort by our committee. I want to thank the gentleman from South Carolina (Chairman SPENCE) and the gentleman from Pennsylvania (Mr. WELDON), chairman of the Subcommittee on Research and Development, for their openness and willingness to work on this issue.

In addition, I believe we owe a debt of gratitude to the gentleman from Pennsylvania (Mr. WELDON), the gentleman from Virginia (Mr. PICKETT) and the gentleman from South Carolina (Mr. SPRATT), whose vision brought us this bill today.

I also want to recognize the hard work of their staffs and the committee staff in translating that vision into legislation that we can all vote for today. In the strongest possible terms, Madam Speaker, I urge all my colleagues to vote in favor of this bill.

Madam Speaker, I yield the balance of my time to the gentleman from Virginia (Mr. PICKETT), the distinguished ranking member of the Subcommittee on Research and Development, and ask that he be allowed to control the time.

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

There was no objection.

Mr. WELDON of Pennsylvania. Madam Speaker, I yield myself 4 minutes.

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Madam Speaker, first of all, I want to thank the distinguished chairman of the full committee, the gentleman from South Carolina (Mr. SPENCE), and the ranking member, the gentleman from Missouri (Mr. SKELTON), and the ranking member of my subcommittee, the gentleman from Virginia (Mr. PICKETT) and the gentleman from South Carolina (Mr. SPRATT), for their tireless efforts in putting forth this compromise legislation today.

Madam Speaker, the largest loss of life that we have had in our military troops from one single incident in this decade was 7 years ago when 28 of our young soldiers were killed by a low complexity Scud missile entering into a barracks in Dhahran. We vowed as a Nation not to let that happen again, and we have been aggressively pursuing various theater missile defense systems to protect our troops and our allies from shorter range missiles that could not hit the United States.

Unfortunately, our schedule for deploying those theater missile defense systems was not able to meet the threats as they are in fact emerging. We saw several years ago North Korea begin deploying a No Dung missile that has a range of in the range of about 1,000 kilometers, and this past summer we saw, with the help of both Russia and China, Iran get the capability to deploy two different types of missiles that will have a range between 600 and 1,200 kilometers.

Looking at the chart, Madam Speaker, we can see that this missile that Iran will be able to deploy within the period of 12 to 24 months has the capacity to hit our allies, Israel, Saudi Arabia and other countries in the area, as well as our troops stationed in the theater around Iran.

This is unacceptable to us, Madam Speaker, and so back in the fall of last year we got together and put together a bipartisan effort to provide short-term enhancements to improve our capability to defeat the missiles that Iran may in fact deploy, and that we know North Korea is already deploying.

These enhancements are basically contained in this bill. They involve providing additional footprints to existing systems with enhanced radar and providing interoperability between a number of different systems which gives us a better capability to more quickly identify a target and take that target out. So by putting forth the $147 million dollars in this legislation, we are going to allow our missile defense programs that are currently in place to come together in a unique way, to give us enhanced interoperability, to give us a longer footprint in terms of taking out systems and missiles that may in fact threaten our troops and our allies, and to also begin to cooperate with other nations.

In fact, in this legislation, we include money for interoperability with Israel, so that Israel, as it develops its Arrow program, will in fact be able to have that system interoperate with our PAC–3 program and eventually with our Navy and other Army programs.

So what we are talking about today, Madam Speaker, is a new opportunity to protect our troops in the shortest possible time using existing systems by enhancing them, not with new dollars, but with dollars that are already available within the budget agreement.

Madam Speaker, the other body has in fact passed in its supplemental bill a $151 million allocation that in fact is designed to fund almost all of our priorities in this legislation. I have received a commitment from the gentleman from Louisiana (Chairman LIVINGSTON). In fact, we will do a colloquy on the floor in the supplemental that he will work in the conference to make sure that funding is made available to fund the authorization that we provide today in this legislation.

Finally, Madam Speaker, I want to add one other dimension to this legislation. We are dedicating this legislation today to the memory of those 28 young soldiers, many of them from Pennsylvania, who were killed by that Scud missile attack 7 years ago. We do not want their names to be left unnoticed in terms of protecting our other troops, and so I will include for the record the names and classifications and titles and cities of each of those 28 brave Americans who made the ultimate sacrifice and lost their lives in Dhahran, Saudi Arabia, 7 years ago, to that Scud missile.

This legislation, Madam Speaker, in honor of those 28 brave Americans, will allow us to ensure that no other Americans will lose their lives in a similar situation.

Madam Speaker, the measure before the House today, H.R. 2786, is the result of a bipartisan effort to identify the most effective actions that could be taken to enhance our defenses against a greatly accelerated missile threat to our troops and allies around the globe.

Late last summer we learned that Iran, assisted by Russian technology transfers, could deploy a missile capable of striking U.S. forces and our allies in the Middle East within a year to eighteen months. Recognizing that threat—which the intelligence community had previously predicted to be several years away—and the lack of any U.S. system fully capable of defending against it, I asked the ballistic missile defense organization to recommend steps that could be taken to enhance our defensive capabilities as soon as possible. Based on the initial feedback I received, I introduced H.R. 2786, the Iranian Missile Protection Act.

That bill gained strong, bipartisan support, with one hundred and ten cosponsors. Although Congress adjourned before acting on the bill, the case for timely TMD enhancements is stronger than ever. In the six months since the bill was introduced, Iran successfully tested, the engines of its medium-range missile, the Shahab-3. Despite Russia's recent agreement with the U.S. to limit future missile technology transfers, reports indicate that controlling such transactions may still be a problem. Meanwhile, North Korea continues aggressive development of its No-Dong missile, and Saddam Hussein remains intent on intimidating the U.S. with all options at his disposal.

Unfortunately, seven years after twenty-eight American soldiers perished in the Iraqi Scud attack on Dharan, we have no missile defense system in place or planned for deployment within the next year fully capable of defending against the increased Iranian missile threat—or against one which could emerge sooner than we expect from North Korea. At this point, we won't be able to get our longer range TMD systems deployed in time to meet the accelerated Iranian threat. But there are things we can do to make systems that will be fielded more effective against that threat.

Initially, there was some disagreement between Congress and the administration on how to proceed with theater missile defense enhancements. But there was no argument that we would soon need better capabilities to respond to the emerging threats. That is why committee Republicans and Democrats approached the administration again requesting a refined set of recommendations for near-term TMD enhancements.

The legislation before the House today, renamed ''the Theater Missile Defense Improvement Act'' in committee, is the product of that bipartisan initiative. It reflects the advice of the services, the Joint Theater Air and Missile Defense Organization (JTAMDO), the commanders in chief of our military theaters of operation, and the ballistic missile defense organization. It reflects the administration's conclusion that there are concrete steps that we can and should take to enhance TMD capabilities in the near term, and its recommendation of several high payoff options that can be executed in fiscal year '98. Based on this input, we narrowed the scope of the bill to actions executable in 1998. As a result, the cost of the bill has been cut by more than half—from $331 million to $147 million. It includes:

(1) ($35m) Joint composite tracking network development—ensure connectivity of ground-based radar, Pac-3 and Navy cooperative engagement capability.

(2) ($15m) Pac-3 remote launch capability development—accelerates doubling of Pac-3 footprint from 2000 to 1999.

(3) ($40m) Pac-3 and Navy area defense systems testing—provides for one test on each system to determine capabilities against Iranian threat.

(4) ($41m) Pac-3 production enhancement—funds tooling and equipment to double production in 2001–2.

(5) ($10m) Arrow interoperability testing—tests with U.S. TMD systems.

(6) ($6m) Early warning enhancement—links sensors, communications and command and control to provide improved early warning.

The ballistic missile defense organization believes these are the most valuable steps we can take in the near term to enhance TMD capabilities against emerging threats. This package is supported by the administration and was reported out of committee 45–0. Our commanders in the field want this protection, and our allies such as Israel are calling for added enhancements in light of the imminent Iranian threat. The House has already passed legislation calling for sanctions against Russian entities that aided Iran in its missile development. Now it must pass this bill to provide the best protection possible for our troops and allies. Passage of this measure will do just that, allowing our existing missile defense systems to ''be all they can be'' against the near-term missile threats. In honor of those who lost their lives in the Scud attack on Dharan:

Specialist Stephen Atherton—Dayton, PA.
Specialist Stanley Bartusiak—Romulus, MI.
Specialist John Boliver—Monogahela, PA.
Sergeant Joseph Bongiomi—Hickory, PA.
Sergeant John Boxler—Johnstown, PA.
Specialist Beverly Clark—Armagh, PA.
Sergeant Alan Craver—Penn Hills, PA.
Specialist Rolando A. Deigneau—Unknown address.
Specialist Steven Famen—Salisbury, Missouri.
Specialist Duane Hollen—Bellwood, PA.
Specialist Glen Jones—Grand Rapids, Minnesota.
Specialist Frank Keough—Rochester Mills, PA.
Specialist Anthony Madison—Monessen, PA.
Specialist Steven Mason—Paragould, Arkansas.
Specialist Christine Mayes—Rochester Mills, PA.
Specialist Michael Mills—Panora, Iowa.
Specialist Adrienne Mitchell—Moreno Valley, CA.
Specialist Ronald Rennison—Dubuque, IA.
Private First Class Timothy Shaw—Alexandria, VA.
Sergeant Stephen Siko—Latrobe, PA.
Specialist Brian Simpson—Indianapolis, IN.
Specialist Thomas Stone—Falconer, NY.
Specialist James Tatum—Athens, TN.
Private First Class Robert Wade—Savannah, GA.
Sergeant Frank Walls—Hawthorne, PA.
Corporal Jonathan Williams—Portsmouth, VA.
Specialist Richard Wolverton—?, PA.
Specialist James Worthy—Albany, GA.

I urge my colleagues to vote ''yes'' for H.R. 2786 and join me in dedicating passage of this bill to their memory.

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

Madam Speaker, I rise in strong support of H.R. 2786, the Theater Ballistic Missile Defense Improvement Act of 1998. I want to thank our committee chairman and ranking member, and also our subcommittee chairman, the gentleman from Pennsylvania (Mr. WELDON), for the fine work they have done in bringing this bill to this point.

The Theater Missile Defense Improvement Act is a quick, direct and bipartisan response to the earlier than expected development of theater ballistic missile threats to our troops by Iran and North Korea. It would authorize $147 million to increase the defended footprints of our current theater missile ballistic defense system by enhancing early warning, increasing connectivity among systems and providing for an increased deployment rate for the Patriot PAC–3 TMD system.

Supported by the Department of Defense, the bill is fully consistent with current and planned United States TMD programs and can be carried out by the Pentagon almost immediately. Further, it does not require future funding that DOD is not in a position to request, and it is within the scope of existing international agreements.

Because it responds to actual threat developments that would put our deployed troops at risk, I believe it is our duty to pass this bill today. Therefore, and in the strongest possible terms, I urge my colleagues to support our men and women in uniform and vote for H.R. 2786, the Theater Missile Defense Improvement Act of 1998.

Madam Speaker, I reserve the balance of my time.

Mr. WELDON of Pennsylvania. Madam Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. LIVINGSTON), the distinguished chairman of the Committee on Appropriations, a Member who has been a tireless advocate for missile defense for this country, and we welcome his participation today.

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

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

Madam Speaker, I rise in strong support of H.R. 2786, the Theater Missile Improvement Act, because it is a good bill. It is a good initiative.

Madam Speaker, first of all, I want to thank my friend for his time, but also his dedication to our Nation's defense and to this particular subject of missile defense. This issue has gone too far unattended.

Many of us in Congress have been convinced for a very long time that we need to protect against the possible threat of incoming missiles and that we need to protect our troops and our cities but the fact is, while most American people think we can defend against such missiles, in truth we cannot defend against the first missile.

□ 1815

We do not have the first defense system deployed.

So while I might disagree in some of the assessments of priorities in this bill, I rise in support of it for two critical reasons: North Korea and Iran.

North Korea has already deployed the No Dong-1 missile, which has a range of 1,000 kilometers, a sufficient range to threaten Japan; and it is developing the Taepo Dong-1, expected to have a range in excess of 1,500 kilometers, which would have the capacity to threaten Alaska and Hawaii.

According to our own director of Central Intelligence, Iran is very close to deploying the medium range Shahab-3 Missile. This missile will have the capability of striking areas in the Middle East such as Turkey, Israel and Saudi Arabia.

Secondly, I think it is absolutely imperative that we begin to actually deploy systems; not just study them, or research them forever, as this administration continues to propose, but to deploy them. We need systems in place to defend against incoming missiles.

I believe this act will further our ability to do exactly that. I urge passage of H.R. 2786.

Mr. PICKETT. Madam Speaker, I yield 4 minutes to the gentleman from South Carolina (Mr. SPRATT).

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

Mr. SPRATT. Madam Speaker, the bill before us is carefully crafted. It was worked out in a completely bipartisan spirit by the gentleman from Pennsylvania (Mr. WELDON), the gentleman from Virginia (Mr. PICKETT), and myself and, truth be told, by our staff, in close consultation with the ballistic missile defense office, BMDO.

Over a period of weeks, we went through an exacting process to winnow down the increases to BMDO programs that can be used to deal with this emerging intermediate-range missile threat. Our process identified those programs with the most potential in the short term to enhance missile defense capability which can be executed this year, fiscal year 1998.

Wherever possible, we tried to speed up program improvements that had already been planned or programmed by BMDO and link up or improve interoperability among existing systems. As a result, we have a bill which is focused on the emerging threat, consistent with the progress that the ballistic missile defense organization is making, and affordable.

Each item in this bill has been scrubbed by the Defense Secretary, Deputy Secretary of Defense John Hamre, and stamped with his approval as a sensible use of the funds. The authorizations are fully offset within the Department of Defense, and we have sought to work with the Committee on Appropriations to find outlay offsets, in order to appropriate these dollars this year.

In addition to increasing our BMDO capabilities in the short term, this bill will enhance the long-term performance of our systems as well. The Joint Composite Tracking Network, funded by this bill at $35 million, will network the sensing, tracking, command and control capabilities of PAC–3, THAAD, Navy Area Defense system and, eventually, the Israel Arrow and the Navy's Upper Tier systems, so missiles can be detected as soon as possible after launch and defenses can be cued up as soon as possible. The total flight time for these missiles is measured in seconds, and every second we gain in locating them is a gain towards taking them out.

This network is probably the single greatest step we can take in the short term to enhance our existing capabilities. It is also the logical next step to a layered defense or a family of systems architecture, which BMDO is working on.

This bill will lower the operational risks of the PAC–3 and Navy Area Defense Systems also by funding more testing. The bill allocates $20 million each for testing of these systems against longer or intermediate range threat. Although this testing is primarily designed to probe and stretch the limits of these systems, we will gain more knowledge and we hope more confidence in their general performance by more testing. And this goes to a recommendation pointedly made by General Larry Welsh in a recently completed review of our theater ballistic missile systems.

This bill also contains $41 million for production enhancements to the PAC–3 system, and that will allow for increased production of PAC–3 missiles and a faster deployment of this system, which has some potential for dealing with this threat into the field.

That is why I say this bill is a measured response to emerging threats. It is a sensible piece of legislation. I urge every Member of the House to support it.

Mr. WELDON of Pennsylvania. Madam Speaker, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. BARTLETT).

(Mr. BARTLETT of Maryland asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Madam Speaker, I have sat in hearing after hearing where our intelligence community has told us that it would take rogue nations using indigenous capabilities 10 to 15 years to develop missile technologies that would threaten us or our allies. I never quite understood this. If I needed a moped, I am not sure that I would build a factory to build a moped. I think that I would go buy one from people who build them, which is precisely what Iran has done.

A few months ago, we were informed by our intelligence community that Iran has now acquired technologies from Russia which will permit them, years and years ahead of any projected schedule, to launch missiles with 600 and 1,200 kilometer ranges that threaten our allies.

This bill is a very measured response to this. It is not forging new frontiers. What we are doing in this bill is accelerating programs which are already in existence, where additional funds could move them forward so that we could meet the emerging threats.

I want to compliment those on both sides of the aisle that worked to craft this bill. My only regret is that it could not have come to us several years ago, because we needed it then. We need it far worse now. Please support this very good legislation.

Mr. PICKETT. Madam Speaker, I yield 3 minutes to the gentlewoman from California (Ms. HARMAN).

Ms. HARMAN. Madam Speaker, I thank the gentleman for yielding me the time.

Madam Speaker, this bill is a very good example of bipartisanship producing good policy. I am proud to be an original cosponsor.

I commend my friend, the gentleman from Pennsylvania (Mr. WELDON), for his leadership and his bipartisanship. Like him, I believe the proliferation of weapons of mass destruction and the means to deliver them is the key national security threat in the post-Cold War world.

In particular, many of us have been concerned about the transfer of ballistic missile capabilities from Russia to Iran. This is profoundly destabilizing to the region, and it presents a direct threat to U.S. forces in the region and to U.S. allies. To properly stem this threat, we need a two-pronged approach, prevention and defense.

Last fall, Senator KYL and I introduced a concurrent resolution which passed both Chambers overwhelmingly, urging the President to impose sanctions on the Russian entities that have been providing technical assistance and technology to Iran's programs.

The Harman-Kyl resolution addressed the preventive aspect of a nonproliferation strategy. Sanctions make it unprofitable for anyone to transfer sensitive weapons technology to Iran, but stopping the flow is only part of the answer. We also need to defend against the capability that has already slipped through.

This bill is an important step in that process. It accelerates the development of important capability that can improve the region's missile defense in the short term. Assembled in cooperation with the Defense Department, these measures are designed to put in place the best defense possible by the time Iran's medium-range missile capability is fully realized.

Let me underscore just one measure that is in this bill and was mentioned by its sponsor, that is funding for interoperability of Israel's cost-share Arrow system, our best bet short term to protect our only democratic ally in the region.

Madam Speaker, I strongly support this bill and urge our colleagues, all of them, on a bipartisan basis, to support it, too.

Mr. WELDON of Pennsylvania. Madam Speaker, I yield 2½ minutes to the gentleman from New York (Mr. GILMAN), the distinguished chairman of the Committee on International Relations.

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

Mr. GILMAN. Madam Speaker, I rise in strong support of H.R. 2786, the Theater Missile Defense Improvement Act of 1998; and I commend the gentleman from South Carolina (Chairman SPENCE), the author of this measure, and the gentleman from Pennsylvania (Mr. WELDON) for their extensive work on this important bill.

One of our Nation's most important national security and nonproliferation objectives is to reduce the vulnerability of our own forces, allies and friends in the Middle East from the threat of ballistic missiles by Iran and other potential adversaries.

As my colleagues well know, most critical in the short term is the threat posed by Iran's acquisition of ballistic missiles with a range of up to 1,300 kilometers or more. I fully support providing additional resources for those programs which can counter that kind of threat, which is the primary purpose of this bill.

I want to focus our colleagues' attention on the language contained in section 4 of the bill, which directs the Secretary of Defense to explore additional cooperative measures between our Defense Department and the Ministry of Defense in Israel to further enhance Israel's ability to defend itself against the threat posed by ballistic missiles deployed by Iran and other nations.

Just as important, perhaps even more important, as increasing funding for programs to counter the threat posed by Iran's missile programs is the necessity to halt assistance to the Iranian program in the first place. It is obvious that Russia has already provided Iran with critical know-how and technological support which has resulted in the Iranians achieving a significant leap in their missile programs.

An incremental approach to this issue relies on friendly persuasion. It is not achieving any demonstrable results in our negotiations with the Russians. Dialogue cannot substitute for more forceful and immediate action, including the imposition of sanctions on those entities engaging in missile cooperation with Iran. That is why we urge the Senate to take action on H.R. 2709, the Iran missile Proliferation Sanctions Act of 1997, which was passed by the House last November.

As I have stated on a number of occasions, it is hard to believe that Russia's assistance to Iran does not violate Russia's international obligations as an adherent to the Missile Technology Control Regime. It is inconceivable that such transfers do not trigger U.S. missile sanctions laws.

In the 1980s, the world sat by while Saddam Hussein built up his arsenal of weapons of mass destruction that we have not yet fully identified and destroyed; and our Nation cannot afford to do the same with Iran, as it uses its petrodollars to purchase weapons systems that will threaten its neighbors and endanger our forces throughout the Persian Gulf region.

I urge my colleagues to support this important measure.

Mr. PICKETT. Madam Speaker, I yield 2 minutes to the gentleman from Guam, Mr. UNDERWOOD.

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

Madam Speaker, I enthusiastically support the bill, H.R. 2896, as offered by the gentleman from Pennsylvania (Mr. WELDON), the gentleman from Virginia (Mr. PICKETT), and the gentleman from South Carolina (Mr. SPRATT). The gentleman from Pennsylvania (Mr. WELDON) deserves our gratitude for his persistence in moving this legislation, which is cosponsored by no less than 111 members.

The Theater Missile Defense Improvement Act of 1998 is one of the most important and timely pieces of legislation to be presented before this body.

As a member of the Committee on National Security, I have become keenly aware of the many threats posed by adversarial missile defense development and deployments and illicit technology transfers around the world. We only know too well the potential for destruction these weapons hold.

In the hands of our friends and allies, these weapons are valuable tools that safeguard democracy. In the hands of our adversaries, where the potential exists to arm them with chemical and biological warheads, the results are potentially catastrophic.

Madam Speaker, in a world rocked with uncertainties, we must remove the cloak of fear utilized by our adversaries. This important legislation will ensure in no small manner that the United States will have the technology and capability to defend our troops, no matter where they are, and citizens of every State and territory in the land. The real danger posed by rogue states such as Iran, North Korea, and Iran compel us to prepare to defend our vital assets.

I support this bill because it is the best way to assure our friends and allies that we will not be placed in a tactically compromising position. I support H.R. 2786 because it is non-scenario, non-geographic specific. It cuts to the core of the issue, to produce for the defense of the United States a highly capable, highly robust TMD system that could be deployed anywhere our enemies pose a ballistic missile threat.

Finally, Madam Speaker, on behalf of the people of Guam, I support this bill for the safety and defense of our fellow U.S. citizens, who have been specifically targeted by North Korean military as they develop the Taepo Dong-1 and 2.

I congratulate this bipartisan effort and especially the work of the gentleman from Pennsylvania (Mr. WELDON) and the gentleman from Virginia (Mr. PICKETT).

Mr. WELDON of Pennsylvania. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PAPPAS), one of our young rising stars in this Congress.

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

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Mr. PAPPAS. Madam Speaker, I believe this country owes a great deal of gratitude to the gentleman from Pennsylvania (Mr. WELDON) for his leadership on this issue. This Congress is faced with a situation of whether to stick our heads in the proverbial sand or open our eyes to see the threats that we have to our national security. This bill moves us from the hand-wringing stage into the stage of action.

This bill will leverage existing systems to advance missile defense for our troops. Part of the ability to leverage existing technologies is to capitalize on what has worked elsewhere. For example, Israel has an ongoing missile defense system that has demonstrated favorable results. In this age of limited defense dollars, the Pentagon cannot afford to, quote-unquote, ''reinvent the wheel'' or be a slave to bureaucracy to develop technology and implement systems that will protect our troops now.

Recently, 36 members of the Committee on National Security signed a letter to the President circulated by myself and the gentlewoman from California (Ms. HARMAN) urging him to work with Israel and leverage existing technology to develop Arrow, THEL, and BPI. Many share my concern about a seeming lack of commitment by this administration to deal with missile defense and the very real risks our troops, interests, and allies face in the Middle East, Korea and throughout the world.

Madam Speaker, this bill is a first step and I am hopeful that this Congress will seek to protect our troops. Failure to do so would be to shirk our duty to uphold the Constitution and to provide for the common defense. I urge passage of this bill.

Mr. PICKETT. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. REYES).

Mr. REYES. Madam Speaker, I appreciate this opportunity to speak in support of this important bill which will provide our troops better protection from ballistic missile threats. I

am proud to be an original cosponsor of this bill, and I am pleased that this issue is finally getting the attention of the full House of Representatives.

Fort Bliss, which is located in my district, trains all the soldiers who provide air and missile defense for our military. Also, and perhaps most importantly for the purposes of this bill, most of the Patriot batteries are located at Fort Bliss.

As such, the increased funds for PAC–3 technologies will directly affect our soldiers. The Fort Bliss air defenders will be using these technologies to better defend our military and our allies. Our soldiers at Fort Bliss are pleased that we are working to provide the resources necessary to move PAC–3 into the field as effectively and as quickly as possible.

The bill includes $15 million to accelerate completion of the PAC–3 remote launch capability. This technology will allow the Patriot soldiers to place their missiles and launchers further out in front of the radar and the battery, which in turn expands the battle space. This will allow each Patriot unit to defend a larger area.

Second, the bill provides $41 million to allow for an increased rate of production for PAC–3. This will move PAC–3 missiles out into the field more rapidly so that every Patriot unit will have the PAC–3 capability.

At the beginning of the Gulf War conflict, our Patriot soldiers had only three PAC–2 missiles, missiles that were capable of defending against other ballistic missiles. Not only were there few PAC–2 missiles, but PAC–2 could only achieve missile kill against the incoming ballistic missile and not kill the actual warhead. As a result, some diverted incoming missiles caused collateral damage in civilian areas.

PAC–3 will have hit-to-kill capability, eliminating the fear of hitting other areas and destroying offensive missiles and their warheads which could include weapons of mass destruction. The funds we provide today will equip our Patriot units more quickly with this technology.

Third, the bill provides $40 million for tests of PAC–3 and Navy Area. Our air defenders will feel more comfortable knowing that these technologies have been sufficiently tested with live fire tests against longer range missiles.

Madam Speaker, I want to thank the gentleman from South Carolina (Mr. SPENCE), the gentleman from Missouri (Mr. SKELTON), the gentleman from Pennsylvania (Mr. WELDON), the gentleman from Virginia (Mr. PICKETT) and the gentleman from South Carolina (Mr. SPRATT) for their bipartisan work to get this bill to the House floor today. I strongly urge all of my colleagues to support this legislation in a bipartisan manner.

Mr. WELDON of Pennsylvania. Madam Speaker, I yield 2 minutes to the distinguished gentlewoman from Florida (Mrs. FOWLER), one of the leading advocates for a strong defense in our country.

Mrs. FOWLER. Madam Speaker, I rise to commend the gentleman from Pennsylvania (Mr. WELDON), my good friend, and the other authors of this bill for their hard work in putting together a measure that will help address critical threats that will soon be facing our service personnel in the Persian Gulf.

The Iran Missile Protection Act would authorize the shifting of $147 million in Defense Department funds to proceed with the most promising technologies available for enhancing theater missile defense capabilities. This step is necessary because recent intelligence indicates that Iran, thanks to Russian technology transfers, is much closer to developing a medium-range ballistic missile capable of threatening U.S. forces and regional allies that was previously believed to be the case.

This bill would pursue technologies that are executable in fiscal year 1998 and provide the most immediate return on investment. It received strong support in the House Committee on National Security and merits the approval of the House. I urge my colleagues to support H.R. 2786.

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

Mr. WELDON of Pennsylvania. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, first of all, let me again thank the leadership of our committee. The gentleman from South Carolina (Mr. SPENCE) and the gentleman from Missouri (Mr. SKELTON) are outstanding leaders working in a true bipartisan manner.

Let me also thank Ron Dellums, who was our ranking member up until a few short weeks ago. He, too, lent his support from the time we introduced the original legislation until the time it appears on the floor, and I appreciate his role in that process as well. I also thank the gentleman from Virginia (Mr. PICKETT) and the gentleman from South Carolina (Mr. SPRATT) for their tireless effort on the other side.

Madam Speaker, let me also thank the Speaker of the House, who agreed to move this legislation through, and our colleagues in the other body for their commitment to move this legislation off the desk and get it passed in the Senate as well, and to the appropriators for their commitment to fund these priorities.

Madam Speaker, when we look at what is really going to happen in terms of this legislation, I think this chart perhaps sums it up best. We cannot get into actual distances and capabilities because that is classified information.

But if we look at the Patriot system, which all of America knows was the workhorse in Desert Storm, and its capability for knocking down Scuds, the capability of the Patriot system against the kind of threat that Iran will have 1 year from now means the Patriot could not handle this at all. Patriot has no capability against a 1,000 kilometer DBM threat. None whatsoever. If we just had the original Patriot system, we could do nothing. We would be shooting missiles in the air with no real capability of knocking those offensive missiles down.

By enhancing the Patriot system as we have done to improve it to become the PAC–2, this green area shows the approximate area that this missile would be effective, in these two concentric circles. From a distance standpoint, that is the approximate distance that PAC–2 upgrade would give us.

When we implement the provisions of this legislation, we provide for the enhanced radar, the interoperability, the use of existing systems interconnected, the blue area is the result that we get. So my colleagues can see that we are much better able to protect our troops and protect our allies. We have a much greater distance where we can take out that offensive missile while it is still over the country that is shooting at us, and if there is any hostile material in the warhead of that missile, it will rain down on their own citizens and not on our troops or allies.

Madam Speaker, this legislation is critically important. It will give us a short-term capability in fiscal year 1998 to give enhanced protection for our troops and for our allies around the world. I thank my colleagues for their support.

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

Mr. PICKETT. Madam Speaker, I have no further requests for time. I urge passage of the bill, 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 Pennsylvania (Mr. WELDON) that the House suspend the rules and pass the bill, H.R. 2786, 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 of the bill was amended so as to read:

''A bill to authorize additional appropriations for the Department of Defense for ballistic missile defenses and other measures to counter the emerging threat posed to the United States and its allies by the accelerated development and deployment of ballistic missiles by nations hostile to United States interests.''.

A motion to reconsider was laid on the table.

CAMPAIGN REFORM AND ELECTION INTEGRITY ACT OF 1998

Mr. THOMAS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3581) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election for Federal office, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3581

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Campaign Reform and Election Integrity Act of 1998''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—VOLUNTARY CONTRIBUTIONS

Sec. 101. Prohibiting involuntary use of funds of employees of corporations and other employers and members of unions and organizations for political activities.

TITLE II—BANNING NONCITIZEN CONTRIBUTIONS

Sec. 201. Prohibiting noncitizen individuals from making contributions in connection with Federal elections.

Sec. 202. Increase in penalty for violations of ban.

TITLE III—IMPROVING REPORTING AND ENFORCEMENT

Sec. 301. Expediting reporting of information.

Sec. 302. Expansion of type of information reported.

Sec. 303. Promoting effective enforcement by Federal Election Commission.

Sec. 304. Banning acceptance of cash contributions greater than $100.

Sec. 305. Protecting confidentiality of small contributions by employees of corporations and members of labor organizations.

Sec. 306. Disclosure and reports relating to polling by telephone or electronic device.

TITLE IV—EXCESSIVE SPENDING BY CANDIDATES FROM PERSONAL FUNDS

Sec. 401. Modification of limitations on contributions when candidates spend or contribute large amounts of personal funds.

TITLE V—ELECTION INTEGRITY

Subtitle A—Voter Eligibility Verification Pilot Program

Sec. 501. Voter eligibility pilot confirmation program.

Sec. 502. Authorization of appropriations.

Subtitle B—Other Measures to Protect Election Integrity

Sec. 511. Requiring inclusion of citizenship check-off and information with all applications for voter registration.

Sec. 512. Improving administration of voter removal programs.

TITLE VI—REVISION AND INDEXING OF CERTAIN CONTRIBUTION LIMITS AND PENALTIES

Sec. 601. Increase in certain contribution limits.

Sec. 602. Indexing limits on certain contributions.

Sec. 603. Indexing amount of penalties and fines.

TITLE VII—RESTRICTIONS ON SOFT MONEY

Sec. 701. Ban on soft money of national political parties and candidates; ban on use of soft money by State political parties for Federal election activity.

Sec. 702. Ban on disbursements of soft money by foreign nationals

Sec. 703. Enforcement of spending limit on presidential and vice presidential candidates who receive public financing.

Sec. 704. Conspiracy to violate presidential campaign spending limits.

TITLE VIII—DISCLOSURE OF CERTAIN COMMUNICATIONS

Sec. 801. Disclosure of certain communications.

TITLE IX—EFFECTIVE DATE

Sec. 901. Effective date.

TITLE I—VOLUNTARY CONTRIBUTIONS

SEC. 101. PROHIBITING INVOLUNTARY USE OF FUNDS OF EMPLOYEES OF CORPORATIONS AND OTHER EMPLOYERS AND MEMBERS OF UNIONS AND ORGANIZATIONS FOR POLITICAL ACTIVITIES.

(a) IN GENERAL.—Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding at the end the following new subsection:

''(c)(1)(A) Except with the separate, prior, written, voluntary authorization of the individual involved, it shall be unlawful—

''(i) for any national bank or corporation described in this section to collect from or assess a stockholder or employee any portion of any dues, initiation fee, or other payment made as a condition of employment which will be used for political activity in which the national bank or corporation is engaged; and

''(ii) for any labor organization described in this section to collect from or assess a member or nonmember any portion of any dues, initiation fee, or other payment which will be used for political activity in which the labor organization is engaged.

''(B) An authorization described in subparagraph (A) shall remain in effect until revoked and may be revoked at any time. Each entity collecting from or assessing amounts from an individual with an authorization in effect under such subparagraph shall provide the individual with a statement that the individual may at any time revoke the authorization.

''(2)(A) Prior to the beginning of any 12-month period (as determined by the corporation), each corporation described in this section shall provide each of its shareholders with a notice containing the following:

''(i) The proposed aggregate amount for disbursements for political activities by the corporation for the period.

''(ii) The individual's applicable percentage and applicable pro rata amount for the period.

''(iii) A form that the individual may complete and return to the corporation to indicate the individual's objection to the disbursement of amounts for political activities during the period.

''(B) It shall be unlawful for a corporation to which subparagraph (A) applies to make disbursements for political activities during the 12-month period described in such subparagraph in an amount greater than—

''(i) the proposed aggregate amount for such disbursements for the period, as specified in the notice provided under subparagraph (A); reduced by

''(ii) the sum of the applicable pro rata amounts for such period of all shareholders who return the form described in subparagraph (A)(iii) to the corporation prior to the beginning of the period.

''(C) In this paragraph, the following definitions shall apply:

''(i) The term 'applicable percentage' means, with respect to a shareholder of a corporation, the amount (expressed as a percentage) equal to the number of shares of the corporation (within a particular class or type of stock) owned by the shareholder at the time the notice described in subparagraph (A) is provided, divided by the aggregate number of such shares owned by all shareholders of the corporation at such time.

''(ii) The term 'applicable pro rata amount' means, with respect to a shareholder for a 12-month period, the product of the shareholder's applicable percentage for the period and the proposed aggregate amount for disbursements for political activities by the corporation for the period, as specified in the notice provided under subparagraph (A).

''(3) For purposes of this subsection, the term 'political activity' means any activity carried out for the purpose of influencing (in whole or in part) any election for Federal office, influencing the consideration or outcome of any Federal legislation or the issuance or outcome of any Federal regulations, or educating individuals about candidates for election for Federal office or any Federal legislation, law, or regulations.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to amounts collected or assessed on or after the date of the enactment of this Act.

TITLE II—BANNING NONCITIZEN CONTRIBUTIONS

SEC. 201. PROHIBITING NONCITIZEN INDIVIDUALS FROM MAKING CONTRIBUTIONS IN CONNECTION WITH FEDERAL ELECTIONS.

(a) PROHIBITION APPLICABLE TO ALL NONCITIZENS.—Section 319(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e(b)(2)) is amended by striking ''and who is not lawfully admitted'' and all that follows and inserting a period.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to contributions or expenditures made on or after the date of the enactment of this Act.

SEC. 202. INCREASE IN PENALTY FOR VIOLATIONS OF BAN.

(a) APPLICATION OF PENALTY TO FOREIGN NATIONALS AND CITIZENS WHO SOLICIT OR ACCEPT FOREIGN PAYMENTS.—Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection:

''(b) Notwithstanding any other provision of this Act, the amount or duration of any penalty, fine, or sentence imposed on any person who violates subsection (a) shall be 200 percent of the amount or duration which is otherwise provided for under this Act or any other applicable law.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring on or after the date of the enactment of this Act.

TITLE III—IMPROVING REPORTING AND ENFORCEMENT

SEC. 301. EXPEDITING REPORTING OF INFORMATION.

(a) PERMITTING CANDIDATES TO ELECT TO FILE REPORTS FOR CONTRIBUTIONS AND EXPENDITURES MADE WITHIN 90 DAYS OF ELECTION WITHIN 24 HOURS AND POST ON INTERNET.—

(1) IN GENERAL.—Section 304(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)) is amended by adding at the end the following new paragraph:

''(12)(A) Notwithstanding any other provision of this Act, any authorized political committee of a candidate may notify the Commission that, with respect to each contribution received or expenditure made by the committee during the period which begins on the 90th day before an election and ends at the time the polls close for such election, the candidate elects to file any information required to be filed with the Commission under this section with respect to such contribution or expenditure within 24 hours after the receipt of the contribution or the making of the expenditure.

''(B) The Commission shall make the information filed under this paragraph available on the Internet immediately upon receipt.''.

(2) INTERNET DEFINED.—Section 301(19) of such Act (2 U.S.C. 431(19)) is amended to read as follows:

''(19) The term 'Internet' means the international computer network of both Federal and non-Federal interoperable packet-switched data networks.''.

(b) REQUIRING REPORTS FOR ALL CONTRIBUTIONS MADE WITHIN 20 Days of Election; Requiring Reports to Be Made Within 24 Hours.—Section 304(a)(6)(A) of such Act (2 U.S.C. 434(a)(6)(A)) is amended—

(1) by striking ''after the 20th day, but more than 48 hours before any election'' and inserting ''during the period which begins on the 20th day before an election and ends at the time the polls close for such election''; and

(2) by striking ''48 hours'' the second place it appears and inserting the following: ''24 hours (or, if earlier, by midnight of the day on which the contribution is deposited)''.

(c) REQUIRING ACTUAL RECEIPT OF CERTAIN INDEPENDENT EXPENDITURE REPORTS WITHIN 24 Hours.—

(1) IN GENERAL.—Section 304(c)(2) of such Act (2 U.S.C. 434(c)(2)) is amended in the matter following subparagraph (C)—

(A) by striking ''shall be reported'' and inserting ''shall be filed''; and

(B) by adding at the end the following new sentence: ''Notwithstanding subsection (a)(5), the time at which the statement under this subsection is received by the Secretary, the Commission, or any other recipient to whom the notification is required to be sent shall be considered the time of filing of the statement with the recipient.''.

(2) CONFORMING AMENDMENT.—Section 304(a)(5) of such Act (2 U.S.C. 434(a)(5)) is amended by striking ''or (4)(A)(ii)'' and inserting ''or (4)(A)(ii), or the second sentence of subsection (c)(2)''.

(d) REQUIRING REPORTS OF CERTAIN FILERS TO BE TRANSMITTED ELECTRONICALLY; CERTIFICATION OF PRIVATE SECTOR SOFTWARE.—Section 304(a)(11)(A) of such Act (2 U.S.C. 434(a)(11)(A)) is amended by striking the period at the end and inserting the following: '', except that in the case of a report submitted by a person who reports an aggregate amount of contributions or expenditures (as the case may be) in all reports filed with respect to the election involved (taking into account the period covered by the report) in an amount equal to or greater than $50,000, the Commission shall require the report to be filed and preserved by such means, format, or method. The Commission shall certify (on an ongoing basis) private sector computer software which may be used for filing reports by such means, format, or method.''.

(e) CHANGE IN CERTAIN REPORTING FROM A CALENDAR YEAR BASIS TO AN ELECTION CYCLE BASIS.—Section 304(b) of such Act (2 U.S.C. 434(b)) is amended by inserting ''(or election cycle, in the case of an authorized committee of a candidate for Federal office)'' after ''calendar year'' each place it appears in paragraphs (2), (3), (4), (6), and (7).

SEC. 302. EXPANSION OF TYPE OF INFORMATION REPORTED.

(a) REQUIRING RECORD KEEPING AND REPORT OF SECONDARY PAYMENTS BY CAMPAIGN COMMITTEES.—

(1) REPORTING.—Section 304(b)(5)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)(5)(A)) is amended by striking the semicolon at the end and inserting the following: '', and, if such person in turn makes expenditures which aggregate $500 or more in an election cycle to other persons (not including employees) who provide goods or services to the candidate or the candidate's authorized committees, the name and address of such other persons, together with the date, amount, and purpose of such expenditures;''.

(2) RECORD KEEPING.—Section 302 of such Act (2 U.S.C. 432) is amended by adding at the end the following new subsection:

''(j) A person described in section 304(b)(5)(A) who makes expenditures which aggregate $500 or more in an election cycle to other persons (not including employees) who provide goods or services to a candidate or a candidate's authorized committees shall provide to a political committee the information necessary to enable the committee to report the information described in such section.''.

(3) NO EFFECT ON OTHER REPORTS.—Nothing in the amendments made by this subsection may be construed to affect the terms of any other recordkeeping or reporting requirements applicable to candidates or political committees under title III of the Federal Election Campaign Act of 1971.

(b) INCLUDING REPORT ON CUMULATIVE CONTRIBUTIONS AND EXPENDITURES IN POST ELECTION REPORTS.—Section 304(a)(7) of such Act (2 U.S.C. 434(a)(7)) is amended—

(1) by striking ''(7)'' and inserting ''(7)(A)''; and

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

''(B) In the case of any report required to be filed by this subsection which is the first report required to be filed after the date of an election, the report shall include a statement of the total contributions received and expenditures made as of the date of the election.''.

(c) INCLUDING INFORMATION ON AGGREGATE CONTRIBUTIONS IN REPORT ON ITEMIZED CONTRIBUTIONS.—Section 304(b)(3) of such Act (2 U.S.C. 434(b)(3)) is amended—

(1) in subparagraph (A), by inserting after ''such contribution'' the following: ''and the total amount of all such contributions made by such person with respect to the election involved''; and

(2) in subparagraph (B), by inserting after ''such contribution'' the following: ''and the total amount of all such contributions made by such committee with respect to the election involved''.

SEC. 303. PROMOTING EFFECTIVE ENFORCEMENT BY FEDERAL ELECTION COMMISSION.

(a) REQUIRING FEC TO PROVIDE WRITTEN RESPONSES TO QUESTIONS.—

(1) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by inserting after section 308 the following new section:

''OTHER WRITTEN RESPONSES TO QUESTIONS

''SEC. 308A. (a) PERMITTING RESPONSES.—In addition to issuing advisory opinions under section 308, the Commission shall issue written responses pursuant to this section with respect to a written request concerning the application of this Act, chapter 95 or chapter 96 of the Internal Revenue Code of 1986, a rule or regulation prescribed by the Commission, or an advisory opinion issued by the Commission under section 308, with respect to a specific transaction or activity by the person, if the Commission finds the application of the Act, chapter, rule, regulation, or advisory opinion to the transaction or activity to be clear and unambiguous.

''(b) PROCEDURE FOR RESPONSE.—

''(1) ANALYSIS BY STAFF.—The staff of the Commission shall analyze each request submitted under this section. If the staff believes that the standard described in subsection (a) is met with respect to the request, the staff shall circulate a statement to that effect together with a draft response to the request to the members of the Commission.

''(2) ISSUANCE OF RESPONSE.—Upon the expiration of the 3-day period beginning on the date the statement and draft response is circulated (excluding weekends or holidays), the Commission shall issue the response, unless during such period any member of the Commission objects to issuing the response.

''(c) EFFECT OF RESPONSE.—

''(1) SAFE HARBOR.—Notwithstanding any other provisions of law, any person who relies upon any provision or finding of a written response issued under this section and who acts in good faith in accordance with the provisions and findings of such response shall not, as a result of any such act, be subject to any sanction provided by this Act or by chapter 95 or chapter 96 of the Internal Revenue Code of 1986.

''(2) NO RELIANCE BY OTHER PARTIES.—Any written response issued by the Commission under this section may only be relied upon by the person involved in the specific transaction or activity with respect to which such response is issued, and may not be applied by the Commission with respect to any other person or used by the Commission for enforcement or regulatory purposes.

''(d) PUBLICATION OF REQUESTS AND RESPONSES.—The Commission shall make public any request for a written response made, and the responses issued, under this section. In carrying out this subsection, the Commission may not make public the identity of any person submitting a request for a written response unless the person specifically authorizes to Commission to do so.

''(e) COMPILATION OF INDEX.—The Commission shall compile, publish, and regularly update a complete and detailed index of the responses issued under this section through which responses may be found on the basis of the subjects included in the responses.''.

(2) CONFORMING AMENDMENT.—Section 307(a)(7) of such Act (2 U.S.C. 437d(a)(7)) is amended by striking ''of this Act'' and inserting ''and other written responses under section 308A''.

(b) STANDARD FOR INITIATION OF ACTIONS BY FEC.—Section 309(a)(2) of such Act (2 U.S.C. 437g(a)(2)) is amended by striking ''it has reason to believe'' and all that follows through ''of 1954,'' and inserting the following: ''it has a reason to investigate a possible violation of this Act or of chapter 95 or chapter 96 of the Internal Revenue Code of 1986 that has occurred or is about to occur (based on the same criteria applicable under this paragraph prior to the enactment of the Campaign Reform and Election Integrity Act of 1998),''.

(c) STANDARD FORM FOR COMPLAINTS; STRONGER DISCLAIMER LANGUAGE.—

(1) STANDARD FORM.—Section 309(a)(1) of such Act (2 U.S.C. 437g(a)(1)) is amended by inserting after ''shall be notarized,'' the following: ''shall be in a standard form prescribed by the Commission, shall not include (but may refer to) extraneous materials,''.

(2) DISCLAIMER LANGUAGE.—Section 309(a)(1) of such Act (2 U.S.C. 437g(a)(1)) is amended—

(A) by striking ''(a)(1)'' and inserting ''(a)(1)(A)''; and

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

''(B) The written notice of a complaint provided by the Commission under subparagraph (A) to a person alleged to have committed a violation referred to in the complaint shall include a cover letter (in a form prescribed by the Commission) and the following statement: 'The enclosed complaint has been filed against you with the Federal Election Commission. The Commission has not verified or given official sanction to the complaint. The Commission will make no decision to pursue the complaint for a period of at least 15 days from your receipt of this

complaint. You may, if you wish, submit a written statement to the Commission explaining why the Commission should take no action against you based on this complaint. If the Commission should decide to investigate, you will be notified and be given further opportunity to respond.'''.

SEC. 304. BANNING ACCEPTANCE OF CASH CONTRIBUTIONS GREATER THAN $100.

Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

''(i) No candidate or political committee may accept any contributions of currency of the United States or currency of any foreign country from any person which, in the aggregate, exceed $100.''.

SEC. 305. PROTECTING CONFIDENTIALITY OF SMALL CONTRIBUTIONS BY EMPLOYEES OF CORPORATIONS AND MEMBERS OF LABOR ORGANIZATIONS.

Section 316(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)) is amended by adding at the end the following new paragraph:

''(8)(A) Any corporation or labor organization (or separate segregated fund established by such a corporation or such a labor organization) making solicitations of contributions shall make such solicitations in a manner that ensures that the corporation, organization, or fund cannot determine who makes a contribution of $100 or less as a result of such solicitation and who does not make such a contribution.

''(B) Subparagraph (A) shall not apply with respect to any solicitation of contributions of a corporation from its stockholders.''.

SEC. 306. DISCLOSURE AND REPORTS RELATING TO POLLING BY TELEPHONE OR ELECTRONIC DEVICE.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

''DISCLOSURE AND REPORTS RELATING TO POLLING BY TELEPHONE OR ELECTRONIC DEVICE

''SEC. 323. (a) DISCLOSURE OF IDENTITY OF PERSON PAYING EXPENSES OF POLL.—Any person who conducts a Federal election poll by telephone or electronic device shall disclose to each respondent the identity of the person paying the expenses of the poll. The disclosure shall be made at the end of the interview involved.

''(b) REPORTING CERTAIN INFORMATION.—In the case of any Federal election poll taken by telephone or electronic device during the 90-day period which ends on the date of the election involved—

''(1) if the results are not to be made public, the person who conducts the poll shall report to the Commission the total cost of the poll and all sources of funds for the poll; and

''(2) the person who conducts the poll shall report to the Commission the total number of households contacted and include with such report a copy of the poll questions.

''(c) FEDERAL ELECTION POLL DEFINED.—As used in this section, the term 'Federal election poll' means a survey—

''(1) in which the respondent is asked to state a preference in a future election for Federal office; and

''(2) in which more than 1,200 households are surveyed.''.

TITLE IV—EXCESSIVE SPENDING BY CANDIDATES FROM PERSONAL FUNDS

SEC. 401. MODIFICATION OF LIMITATIONS ON CONTRIBUTIONS WHEN CANDIDATES SPEND OR CONTRIBUTE LARGE AMOUNTS OF PERSONAL FUNDS.

(a) IN GENERAL.—Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a), as amended by section 304, is amended by adding at the end the following new subsection:

''(j)(1) Notwithstanding subsection (a), if in a general election a House candidate makes expenditures of personal funds (including contributions by the candidate to the candidate's authorized campaign committee) in an amount in excess of the amount of the limitation established under subsection (a)(1)(A) and less than or equal to $150,000 (as reported under section 304(a)(2)(A)), a political party committee may make contributions to an opponent of the House candidate without regard to any limitation otherwise applicable to such contributions under subsection (a), except that no opponent may accept aggregate contributions under this paragraph in an amount greater than the greatest amount of personal funds expended (including contributions to the candidate's authorized campaign committee) by any House candidate (other than such opponent) with respect to the election, less any personal funds expended by such opponent (as reported in a notification submitted under section 304(a)(6)(B)).

''(2) If a House candidate makes expenditures of personal funds (including contributions by the candidate to the candidate's authorized campaign committee) with respect to an election in an amount greater than $150,000 (as reported under section 304(a)(2)(A)), the following rules shall apply:

''(A) In the case of a general election, the limitations under subsections (a)(1), (a)(2), and (a)(3) (insofar as such limitations apply to political party committees and to individuals, and to other political committees to the extent that the amount contributed does not exceed 10 times the amount of the limitation otherwise applicable under such subsection) shall not apply to contributions to any opponent of the candidate, except that no opponent may accept aggregate contributions under this subparagraph and paragraph (1) in an amount greater than the greatest amount of personal funds (including contributions to the candidate's authorized campaign committee) expended by any House candidate with respect to the election, less any personal funds expended by such opponent (as reported in a notification submitted under section 304(a)(6)(B)).

''(B) In the case of an election other than a general election, the limitations under subsections (a)(1) and (a)(2) (insofar as such limitations apply to individuals and to political committees other than political party committees to the extent that the amount contributed does not exceed 10 times the amount of the limitation otherwise applicable under such subsection) shall not apply to contributions to any opponent of the candidate, except that no opponent may accept aggregate contributions under this subparagraph in an amount greater than the greatest amount of personal funds (including contributions to the candidate's authorized campaign committee) expended by any House candidate with respect to the election, less any personal funds expended by such opponent (as reported in a notification submitted under section 304(a)(6)(B)).

''(3) In this subsection, the term 'House candidate' means a candidate in an election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress.''.

(b) NOTIFICATION OF EXPENDITURES OF PERSONAL FUNDS.—Section 304(a)(6) of such Act (2 U.S.C. 434(a)(6)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

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

''(B)(i) The principal campaign committee of a House candidate (as defined in section 315(j)(3)) shall submit the following notifications relating to expenditures of personal funds by such candidate (including contributions by the candidate to such committee):

''(I) A notification of the first such expenditure (or contribution) by which the aggregate amount of personal funds expended (or contributed) with respect to an election exceeds the amount of the limitation established under section 315(a)(1)(A) for elections in the year involved.

''(II) A notification of each such expenditure (or contribution) which, taken together with all such expenditures (and contributions) in any amount not included in the most recent report under this subparagraph, totals $5,000 or more.

''(III) A notification of the first such expenditure (or contribution) by which the aggregate amount of personal funds expended with respect to the election exceeds the level applicable under section 315(j)(2) for elections in the year involved.

''(ii) Each of the notifications submitted under clause (i)—

''(I) shall be submitted not later than 24 hours after the expenditure or contribution which is the subject of the notification is made;

''(II) shall include the name of the candidate, the office sought by the candidate, and the date of the expenditure or contribution and amount of the expenditure or contribution involved; and

''(III) shall include the total amount of all such expenditures and contributions made with respect to the same election as of the date of expenditure or contribution which is the subject of the notification.''.

TITLE V—ELECTION INTEGRITY

Subtitle A—Voter Eligibility Verification Pilot Program

SEC. 501. VOTER ELIGIBILITY PILOT CONFIRMATION PROGRAM.

(a) IN GENERAL.—The Attorney General, in consultation with the Commissioner of Social Security, shall establish a pilot program to test a confirmation system through which they—

(1) respond to inquiries, made by State and local officials (including voting registrars) with responsibility for determining an individual's qualification to vote in a Federal, State, or local election, to verify the citizenship of an individual who has submitted a voter registration application, and

(2) maintain such records of the inquiries made and verifications provided as may be necessary for pilot program evaluation.

In order to make an inquiry through the pilot program with respect to an individual, an election official shall provide the name, date of birth, and last 4 digits of the social security account number of the individual.

(b) INITIAL RESPONSE.—The pilot program shall provide for a confirmation or a tentative nonconfirmation of an individual's citizenship by the Commissioner of Social Security as soon as practicable after an initial inquiry to the Commissioner.

(c) SECONDARY VERIFICATION PROCESS IN CASE OF TENTATIVE NONCONFIRMATION.—In cases of tentative nonconfirmation, the Attorney General shall specify, in consultation with the Commissioner of Social Security and the Commissioner of the Immigration and Naturalization Service, an available secondary verification process to confirm the validity of information provided and to provide a final confirmation or nonconfirmation as soon as practicable after the date of the tentative nonconfirmation.

(d) DESIGN AND OPERATION OF PILOT PROGRAM.—

(1) IN GENERAL.—The pilot program shall be designed and operated—

(A) to apply in, at a minimum, the States of California, New York, Texas, Florida, and Illinois;

(B) to be used on a voluntary basis, as a supplementary information source, by State and local election officials for the purpose of assessing, through citizenship verification, the eligibility of an individual to vote in Federal, State, or local elections;

(C) to respond to an inquiry concerning citizenship only in a case where determining whether an individual is a citizen is—

(i) necessary for determining whether the individual is eligible to vote in an election for Federal, State, or local office; and

(ii) part of a program or activity to protect the integrity of the electoral process that is uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.);

(D) to maximize its reliability and ease of use, consistent with insulating and protecting the privacy and security of the underlying information;

(E) to permit inquiries to be made to the pilot program through a toll-free telephone line or other toll-free electronic media;

(F) to respond to all inquiries made by authorized persons and to register all times when the pilot program is not responding to inquiries because of a malfunction;

(G) with appropriate administrative, technical, and physical safeguards to prevent unauthorized disclosure of personal information, including violations of the requirements of section 205(c)(2)(C)(viii) of the Social Security Act; and

(H) to have reasonable safeguards against the pilot program's resulting in unlawful discriminatory practices based on national origin or citizenship status, including the selective or unauthorized use of the pilot program.

(2) USE OF EMPLOYMENT ELIGIBILITY CONFIRMATION SYSTEM.—To the extent practicable, in establishing the confirmation system under this section, the Attorney General, in consultation with the Commissioner of Social Security, shall use the employment eligibility confirmation system established under section 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 110 Stat. 3009–664).

(e) RESPONSIBILITIES OF THE COMMISSIONER OF SOCIAL SECURITY.—As part of the pilot program, the Commissioner of Social Security shall establish a reliable, secure method which compares the name, date of birth, and last 4 digits of the social security account number provided in an inquiry against such information maintained by the Commissioner, in order to confirm (or not confirm) the correspondence of the name, date of birth, and number provided and whether the individual is shown as a citizen of the United States on the records maintained by the Commissioner (including whether such records show that the individual was born in the United States). The Commissioner shall not disclose or release social security information (other than such confirmation or nonconfirmation).

(f) RESPONSIBILITIES OF THE COMMISSIONER OF THE IMMIGRATION AND NATURALIZATION SERVICE.—As part of the pilot program, the Commissioner of the Immigration and Naturalization Service shall establish a reliable, secure method which compares the name and date of birth which are provided in an inquiry against information maintained by the Commissioner in order to confirm (or not confirm) the validity of the information provided, the correspondence of the name and date of birth, and whether the individual is a citizen of the United States.

(g) UPDATING INFORMATION.—The Commissioner of Social Security and the Commissioner of the Immigration and Naturalization Service shall update their information in a manner that promotes the maximum accuracy and shall provide a process for the prompt correction of erroneous information, including instances in which it is brought to their attention in the secondary verification process described in subsection (c) or in any action by an individual to use the process provided under this subsection upon receipt of notification from an election official under subsection (i).

(h) LIMITATION ON USE OF THE PILOT PROGRAM AND ANY RELATED SYSTEMS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, nothing in this section shall be construed to permit or allow any department, bureau, or other agency of the United States Government to utilize any information, data base, or other records assembled under this section for any other purpose other than as provided for under this section.

(2) NO NATIONAL IDENTIFICATION CARD.—Nothing in this section shall be construed to authorize, directly or indirectly, the issuance or use of national identification cards or the establishment of a national identification card.

(3) NO NEW DATA BASES.—Nothing in this section shall be construed to authorize, directly or indirectly, the Attorney General and the Commissioner of Social Security to create any joint computer data base that is not in existence on the date of the enactment of this Act.

(i) ACTIONS BY ELECTION OFFICIALS UNABLE TO CONFIRM CITIZENSHIP.—

(1) IN GENERAL.—If an election official receives a notice of final nonconfirmation under subsection (c) with respect to an individual, the official—

(A) shall notify the individual in writing; and

(B) shall inform the individual in writing of the individual's right to use—

(i) the process provided under subsection (g) for the prompt correction of erroneous information in the pilot program; or

(ii) any other process for establishing eligibility to vote provided under State or Federal law.

(2) REGISTRATION APPLICANTS.—In the case of an individual who is an applicant for voter registration, and who receives a notice from an official under paragraph (1), the official may (subject to, and in a manner consistent with, State law) reject the application (subject to the right to reapply), but only if the following conditions have been satisfied:

(A) The 30-day period beginning on the date the notice was mailed or otherwise provided to the individual has elapsed.

(B) During such 30-day period, the official did not receive adequate confirmation of the citizenship of the individual from—

(i) a source other than the pilot program established under this section; or

(ii) such pilot program, pursuant to a new inquiry to the pilot program made by the official upon receipt of information (from the individual or through any other reliable source) that erroneous or incomplete material information previously in the pilot program has been updated, supplemented, or corrected.

(3) INELIGIBLE VOTER REMOVAL PROGRAMS.—In the case of an individual who is registered to vote, and who receives a notice from an official under paragraph (1) in connection with a program to remove the names of ineligible voters from an official list of eligible voters, the official may (subject to, and in a manner consistent with, State law) remove the name of the individual from the list (subject to the right to submit another voter registration application), but only if the following conditions have been satisfied:

(A) The 30-day period beginning on the date the notice was mailed or otherwise provided to the individual has elapsed.

(B) During such 30-day period, the official did not receive adequate confirmation of the citizenship of the individual from a source described in clause (i) or (ii) of paragraph (2)(B).

(j) AUTHORITY TO USE SOCIAL SECURITY ACCOUNT NUMBERS.—Any State (or political subdivision thereof) may, for the purpose of making inquiries under the pilot program in the administration of any voter registration law within its jurisdiction, use the last 4 digits of the social security account numbers issued by the Commissioner of Social Security, and may, for such purpose, require any individual who is or appears to be affected by a voter registration law of such State (or political subdivision thereof) to furnish to such State (or political subdivision thereof) or any agency thereof having administrative responsibility for such law, the last 4 digits of the social security account number (or numbers, if the individual has more than one such number) issued to the individual by the Commissioner. Nothing in this subsection may be construed to prohibit or limit the application of any voter registration program which is in compliance with any applicable Federal or State law.

(k) TERMINATION AND REPORT.—The pilot program shall terminate September 30, 2001. The Attorney General and the Commissioner of Social Security shall each submit to the Committee on the Judiciary and the Committee on Ways and Means of the House of Representatives and to the Committee on the Judiciary and the Committee on Finance of the Senate reports on the pilot program not later than December 31, 2001. Such reports shall—

(1) assess the degree of fraudulent attesting of United States citizenship in jurisdictions covered by the pilot program;

(2) assess the appropriate staffing and funding levels which would be required for full, permanent, and nationwide implementation of the pilot program, including the estimated total cost for national implementation per individual record;

(3) include an assessment by the Commissioner of Social Security of the advisability and ramifications of disclosure of social security account numbers to the extent provided for under the pilot program and upon full, permanent, and nationwide implementation of the pilot program;

(4) assess the degree to which the records maintained by the Commissioner of Social Security and the Commissioner of the Immigration and Naturalization Service are able to be used to reliably determine the citizenship of individuals who have submitted voter registration applications;

(5) assess the effectiveness of the pilot program's safeguards against unlawful discriminatory practices;

(6) include recommendations on whether or not the pilot program should be continued or modified; and

(7) include such other information as the Attorney General or the Commissioner of Social Security may determine to be relevant.

SEC. 502. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Department of Justice, for the Immigration and Naturalization Service, for fiscal years beginning on or after October 1, 1998, such sums as are necessary to carry out the provisions of this subtitle.

Subtitle B—Other Measures to Protect Election Integrity

SEC. 511. REQUIRING INCLUSION OF CITIZENSHIP CHECK-OFF AND INFORMATION WITH ALL APPLICATIONS FOR VOTER REGISTRATION.

(a) IN GENERAL.—Section 9 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–7) is amended by adding at the end the following new subsection:

''(c) CITIZENSHIP CHECK-OFF AND OTHER INFORMATION.—

''(1) IN GENERAL.—Effective January 1, 2000—

''(A) the mail voter registration form developed under subsection (a)(2) and each application for voter registration of a State shall include 2 boxes for the applicant to indicate whether or not the applicant is a citizen of the United States, and no application for voter registration may be considered to be completed unless the applicant has checked the box indicating that the applicant is a citizen of the United States; and

''(B) such form and each application for voter registration of a State shall require the applicant to provide—

''(i) the city, State or province (if any), and nation of the individual's birth; and

''(ii) if the individual is a naturalized citizen of the United States, the year in which the individual was admitted to citizenship and the location where the admission to citizenship occurred (if applicable).

''(2) STATE OPT-OUT.—Paragraph (1) shall not apply with respect to applications for voter registration of any State which notifies the Federal Election Commission prior to January 1, 2000, that it elects to reject the application of such paragraph to applications for voter registration of the State.''.

(b) CONFORMING AMENDMENTS.—The National Voter Registration Act of 1993 is amended by striking ''requirement;'' each place it appears in section 5(c)(2)(C)(ii) (42 U.S.C. 1973gg–3(c)(2)(C)(ii)), section 7(a)(6)(A)(i)(II) (42 U.S.C. 1973gg–5(a)(6)(A)(i)(II)), and section 9(b)(2)(B) (42 U.S.C. 1973gg–7(b)(2)(B), and inserting ''requirement (consistent with section 9(c));''.

SEC. 512. IMPROVING ADMINISTRATION OF VOTER REMOVAL PROGRAMS.

(a) PERMITTING STATE TO REQUIRE AFFIRMATION OF ADDRESS OF REGISTRANTS NOT VOTING IN 2 CONSECUTIVE GENERAL FEDERAL ELECTIONS.—Section 8(e) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6(e)) is amended by adding at the end the following new paragraph:

''(4)(A) If a registrant has not voted or appeared to vote in two consecutive general elections for Federal office, a State may send the registrant a notice consisting of—

''(i) a postage prepaid and pre-addressed return card, sent by forwardable mail, on which the registrant may state his or her current address; and

''(ii) a notice that if the card is not returned, oral or written affirmation of the registrant's identification and address may be required before the registrant is permitted to vote in a subsequent Federal election.

''(B) If a registrant to whom a State has sent a notice under subparagraph (A) has not returned the card provided in the notice and appears at a polling place to cast a vote in a Federal election, the State may require the registrant to provide oral or written affirmation of the registrant's identification and address before an election official at the polling place as a condition for casting the vote.''.

(b) PERMITTING STATE TO PLACE REGISTRANTS WITH INAPPLICABLE ADDRESSES ON INACTIVE LIST.—

(1) IN GENERAL.—Section 8(d)(1)(B)(i) of such Act (42 U.S.C. 1973gg–6(d)(1)(B)(i)) is amended by striking ''paragraph (2);'' and inserting ''paragraph (2), or has provided a mailing address which the Postal Services indicates is no longer applicable and has provided no other applicable address;''.

(2) REQUIRING CONFIRMATION OF ADDRESS PRIOR TO VOTING.—Section 8(d) of such Act (42 U.S.C. 1973gg–6(d)) is amended by adding at the end the following new paragraph:

''(4) The second sentence of paragraph (2)(A) shall apply to an individual described in paragraph (1)(B)(i) who has provided a mailing address which the Postal Services indicates is no longer applicable and has provided no other applicable address in the same manner as such sentence applies to an individual who has failed to respond to a notice described in paragraph (2).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect January 1, 1999, and shall apply with respect to general elections for Federal office held on or after January 1, 1998.

TITLE VI—REVISION AND INDEXING OF CERTAIN CONTRIBUTION LIMITS AND PENALTIES

SEC. 601. INCREASE IN CERTAIN CONTRIBUTION LIMITS.

(a) CONTRIBUTIONS BY INDIVIDUALS.—

(1) CONTRIBUTIONS TO CANDIDATES.—Section 315(a)(1)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)(A)) is amended by striking ''$1,000'' and inserting ''$2,000''.

(2) CONTRIBUTIONS TO STATE OR LOCAL POLITICAL PARTIES.—Section 315(a)(1) of such Act (2 U.S.C. 441a(a)(1)) is amended—

(A) by striking ''or'' at the end of subparagraph (B);

(B) by redesignating subparagraph (C) as subparagraph (D); and

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

''(C) to the political committees established and maintained by a State or local political party, which are not the authorized political committees of any candidate, in any calendar year which, in the aggregate, exceed $15,000; or''.

(3) CONTRIBUTIONS TO NATIONAL POLITICAL PARTIES.—Section 315(a)(1)(B) of such Act (2 U.S.C. 441a(a)(1)(B)) is amended by striking ''$20,000'' and inserting ''$60,000''.

(4) AGGREGATE ANNUAL LIMIT ON ALL CONTRIBUTIONS.—Section 315(a)(3) of such Act (2 U.S.C. 441a(a)(3)) is amended by striking ''$25,000'' and inserting ''$75,000''.

(b) CONTRIBUTIONS BY POLITICAL PARTIES.—Section 315(a)(1) of such Act (2 U.S.C. 441a(a)(1)), as amended by subsection (a)(2), is amended—

(1) by striking ''or'' at the end of subparagraph (C);

(2) by redesignating subparagraph (D) as subparagraph (E); and

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

''(D) in the case of contributions made to a candidate and any authorized committee of the candidate by a political committee of a national, State, or local political party which is not the authorized political committee of any candidate, in any calendar year which, in the aggregate, exceed $15,000; or''.

SEC. 602. INDEXING LIMITS ON CERTAIN CONTRIBUTIONS.

(a) IN GENERAL.—Section 315(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(c)) is amended by adding at the end the following new paragraph:

''(3)(A) The amount of each limitation established under subsection (a) (other than any limitation under paragraph (1)(E) or (2)) shall be adjusted as follows:

''(i) For calendar year 2001, each such amount shall be equal to the amount described in such subsection, increased (in a compounded manner) by the percentage increase in the price index (as defined in paragraph (2)) for 1999 and 2000.

''(ii) For calendar year 2003 and each second subsequent year, each such amount shall be equal to the amount for the second previous year (as adjusted under this subparagraph), increased (in a compounded manner) by the percentage increase in the price index for the previous year and the second previous year.

''(B) In the case of any amount adjusted under this subparagraph which is not a multiple of $100, the amount shall be rounded to the nearest multiple of $100.''.

(b) APPLICATION OF INDEXING TO SUPPORT OF CANDIDATE'S COMMITTEES.—Section 302(e)(3)(B) of such Act (2 U.S.C. 432(e)(3)(B)) is amended by adding at the end the following new sentence: ''The amount described in the previous sentence shall be adjusted (for years beginning with 1999) in the same manner as the amounts of limitations on contributions under section 315(a) are adjusted under section 315(c)(3).''.

SEC. 603. INDEXING AMOUNT OF PENALTIES AND FINES.

(a) INDEXING TO ACCOUNT FOR PAST INFLATION.—

(1) PENALTIES.—Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is amended—

(A) in paragraph (5)(A), by striking ''$5,000'' and inserting ''$15,000'';

(B) in paragraph (5)(B), by striking ''$10,000'' and inserting ''$30,000'';

(C) in paragraph (6)(A), by striking ''$5,000'' and inserting ''$15,000'';

(D) in paragraph (6)(B), by striking ''$5,000'' and inserting ''$15,000''; and

(E) in paragraph (6)(C), by striking ''$10,000'' and inserting ''$30,000''.

(2) FINES.—Section 309 of such Act (2 U.S.C. 437g) is amended—

(A) in subsection (a)(12)(B)—

(i) by striking ''$2,000'' and inserting ''$6,000'', and

(ii) by striking ''$5,000'' and inserting ''$15,000''; and

(B) in the second sentence of subsection (d)(1)(A), by striking ''$25,000'' and inserting ''$75,000''.

(b) INDEXING FOR FUTURE YEARS.—Section 309 of such Act (2 U.S.C. 437g) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

''(13) Each amount referred to in this subsection shall be adjusted (for years beginning with 2001) in the same manner as the amounts of limitations on contributions under section 315(a) are adjusted under section 315(c)(3).''; and

(2) in the second sentence of subsection (d)(1)(A), as amended by subsection (a)(2)(B), by inserting after ''$75,000'' the following: ''(adjusted for years beginning with 2001 in the same manner as the amounts of limitations on contributions under section 315(a) are adjusted under section 315(c)(3))''.

TITLE VII—RESTRICTIONS ON SOFT MONEY

SEC. 701. BAN ON SOFT MONEY OF NATIONAL POLITICAL PARTIES AND CANDIDATES; BAN ON USE OF SOFT MONEY BY STATE POLITICAL PARTIES FOR FEDERAL ELECTION ACTIVITY.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by section 306, is amended by adding at the end the following new section:

''RESTRICTIONS ON USE OF SOFT MONEY BY POLITICAL PARTIES AND CANDIDATES

''SEC. 324. (a) BAN ON USE BY NATIONAL PARTIES.—

''(1) IN GENERAL.—No political committee of a national political party may solicit, receive, or direct any contributions, donations,

or transfers of funds, or spend any funds, which are not subject to the limitations, prohibitions, and reporting requirements of this Act.

''(2) APPLICABILITY.—Paragraph (1) shall apply to any entity which is established, financed, maintained, or controlled (directly or indirectly) by, or which acts on behalf of, a political committee of a national political party, including any national congressional campaign committee of such a party and any officer or agent of such an entity or committee.

''(b) CANDIDATES.—

''(1) IN GENERAL.—No candidate for Federal office, individual holding Federal office, or any agent of such a candidate or officeholder may solicit, receive, or direct—

''(A) any funds in connection with any Federal election unless the funds are subject to the limitations, prohibitions and reporting requirements of this Act;

''(B) any funds that are to be expended in connection with any election for other than a Federal office unless the funds are not in excess of the applicable amounts permitted with respect to contributions to candidates and political committees under paragraphs (1) and (2) of section 315(a), and are not from sources prohibited from making contributions by this Act with respect to elections for Federal office; or

''(C) any funds on behalf of any person which are not subject to the limitations, prohibitions, and reporting requirements of this Act if such funds are for the purpose of financing any activity on behalf of a candidate for election for Federal office or any communication which refers to a clearly identified candidate for election for Federal office.

''(2) EXCEPTION FOR CERTAIN ACTIVITIES.—Paragraph (1) shall not apply to—

''(A) the solicitation, receipt, or direction of funds by an individual who is a candidate for a non-Federal office if such activity is permitted under State law for such individual's non-Federal campaign committee; or

''(B) the attendance by an individual who holds Federal office at a fundraising event for a State or local committee of a political party of the State which the individual represents as a Federal officeholder, if the event is held in such State.

''(c) STATE PARTIES.—

''(1) IN GENERAL.—Any payment by a State committee of a political party for a mixed political activity—

''(A) shall be subject to limitation and reporting under this Act as if such payment were an expenditure; and

''(B) may be paid only from an account that is subject to the requirements of this Act.

''(2) MIXED POLITICAL ACTIVITY DEFINED.—As used in this section, the term 'mixed political activity' means, with respect to a payment by a State committee of a political party, an activity (such as a voter registration program, a get-out-the-vote drive, or general political advertising) that is both for the purpose of influencing an election for Federal office and for any purpose unrelated to influencing an election for Federal office.

''(d) PROHIBITING TRANSFERS OF NON-FEDERAL FUNDS BETWEEN STATE PARTIES.—A State committee of a political party may not transfer any funds to a State committee of a political party of another State unless the funds are subject to the limitations, prohibitions, and reporting requirements of this Act.

''(e) APPLICABILITY TO FUNDS FROM ALL SOURCES.—This section shall apply with respect to funds of any individual, corporation, labor organization, or other person.''.

SEC. 702. BAN ON DISBURSEMENTS OF SOFT MONEY BY FOREIGN NATIONALS.

(a) PROHIBITION ON DISBURSEMENTS BY FOREIGN NATIONALS FOR POLITICAL PARTIES AND INDEPENDENT EXPENDITURES.—Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended—

(1) in the heading, by striking ''CONTRIBUTIONS'' and inserting ''DISBURSEMENTS'';

(2) in subsection (a), by striking ''contribution'' each place it appears and inserting ''disbursement''; and

(3) in subsection (a), by striking the semicolon and inserting the following: '', including any disbursement to a political committee of a political party and any disbursement for an independent expenditure;''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to disbursements made on or after the date of the enactment of this Act.

SEC. 703. ENFORCEMENT OF SPENDING LIMIT ON PRESIDENTIAL AND VICE PRESIDENTIAL CANDIDATES WHO RECEIVE PUBLIC FINANCING.

(a) IN GENERAL.—Section 9003 of the Internal Revenue Code of 1986 (26 U.S.C. 9003) is amended by adding at the end the following new subsection:

''(f) ILLEGAL SOLICITATION OF SOFT MONEY.—No candidate for election to the office of President or Vice President may receive amounts from the Presidential Election Campaign Fund under this chapter or chapter 96 unless the candidate certifies that the candidate shall not solicit any funds for purposes of influencing (directly or indirectly) such election, including any funds used for an independent expenditure under the Federal Election Campaign Act of 1971, unless the funds are subject to the limitations, prohibitions, and reporting requirements of the Federal Election Campaign Act of 1971.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections occurring on or after the date of the enactment of this Act.

SEC. 704. CONSPIRACY TO VIOLATE PRESIDENTIAL CAMPAIGN SPENDING LIMITS.

(a) IN GENERAL.—Section 9003 of the Internal Revenue Code of 1986 (26 U.S.C. 9003), as amended by section 703, is further amended by adding at the end the following new subsection:

''(g) PROHIBITING CONSPIRACY TO VIOLATE LIMITS.—

''(1) VIOLATION OF LIMITS DESCRIBED.—If a candidate for election to the office of President or Vice President who receives amounts from the Presidential Election Campaign Fund under chapter 95 or 96 of the Internal Revenue Code of 1986, or the agent of such a candidate, seeks to avoid the spending limits applicable to the candidate under such chapter or under the Federal Election Campaign Act of 1971 by soliciting, receiving, transferring, or directing funds from any source other than such Fund for the direct or indirect benefit of such candidate's campaign, such candidate or agent shall be fined not more than $1,000,000, or imprisoned for a term of not more than 3 years, or both.

''(2) CONSPIRACY TO VIOLATE LIMITS DEFINED.—If two or more persons conspire to violate paragraph (1), and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined not more than $1,000,000, or imprisoned for a term of not more than 3 years, or both.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections occurring on or after the date of the enactment of this Act.

TITLE VIII—DISCLOSURE OF CERTAIN COMMUNICATIONS

SEC. 801. DISCLOSURE OF CERTAIN COMMUNICATIONS.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by adding at the end the following new subsection:

''(d)(1) In addition to any other information required to be reported under this Act, any person who makes payments described in paragraph (2) in an aggregate amount or value in excess of $250 during a calendar year shall report such payments and the source of the funds used to make such payments to the Commission in the same manner and under the same terms and conditions as a political committee reporting expenditures and contributions to the Commission under this section, except that if such person makes such payments in an aggregate amount or value of $1,000 or more after the 20th day, but more than 24 hours, before any election, such person shall report such information within 24 hours after such payments are made.

''(2) A payment described in this paragraph is a payment for any communication which is made during the 90-day period ending on the date of an election and which mentions a clearly identified candidate for election for Federal office or the political party of such a candidate, or which contains the likeness of such a candidate, other than a payment which would be described in clause (i), (iii), or (v) of section 301(9)(B) if the payment were an expenditure under such section.''.

TITLE IX—EFFECTIVE DATE

SEC. 901. EFFECTIVE DATE.

Except as otherwise specifically provided, this Act and the amendments made by this Act shall apply with respect to elections occurring after January 1999.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. THOMAS) and the gentleman from Connecticut (Mr. GEJDENSON) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. THOMAS).

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

Madam Speaker, H.R. 3581 has a strong resemblance to H.R. 3458 that came out of committee, with a couple of changes based upon information which was provided to us after the committee met. As a matter of fact, the gentleman from Connecticut (Mr. SHAYS), indicated that he was concerned that although there was a soft money ban at the national level, there was not a commensurate soft money ban of Federal money at the State level. And so to address that particular concern, the bill was modified to follow the 103rd Congress's Republican campaign reform bill which banned soft money at both the Federal and the State level.

There were a number of other very minor adjustments that were made, so that the bill that is in front of us tonight says, number one, that only American citizens may contribute to political campaigns. Anyone who is a noncitizen may not participate in a political campaign, either in contributions or in spending. No one need go into any detail as to why that is part of a campaign reform bill, based upon what we now know and are continuing

to learn from the 1996 presidential campaign.

In addition, it seems to a number of Members that if someone were compelled to provide money which could be used for political contributions, that it somehow seemed to violate the spirit of voluntary participation, and so we include a provision which requires that if any money from paychecks is spent by organizations in political campaigns, that money would have to have been solicited from individuals. They would have had an opportunity to say, ''Yes, you may utilize that money for that purpose,'' rather than having it removed from their paycheck without their permission.

In addition, there is a very long section which will be offered later as a separate bill on suspension, as well, which has basically pulled together a number of the reforms that the Federal Elections Commission has been advocating for the last several years. They are contained in a number of Members' bills, and what they do is bring up to date the disclosure of campaign spending either through a more detailed reporting procedure or, a shortening of the time line for reporting, given the electronic world that we now live in.

In addition, the Supreme Court has spoken very clearly about the ability of an individual to spend as much money as they so choose when it is their own money, and it is therefore extremely difficult for the average candidate to compete in an election against someone who has millions and millions of dollars to spend. It is quite clearly unconstitutional to not allow an individual to spend that money but we believe it is quite constitutional, based upon a threshold of personal spending by that individual, to allow for a modification of the contribution rules that permit an individual who does not have the wherewithal from their own resources to be able to run a credible and viable campaign.

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In addition, all of us have read the headlines about the kind of election activities that have been occurring in various regions of the United States, California, and Texas, for example. Miami, I believe, is one that comes to mind rather vividly in terms of the concern about whether or not the voting rolls contain only those individuals who should be on those rolls, and also whether or not even if individuals are legally on those rolls, it is the individuals on the rolls who are in fact casting their own ballots. So there is a section on voter fraud which is an enabling section. The section does not mandate anything upon the chief election officer of a State or a local election unit. It does, however provide the procedure, so that if that election officer wishes to validate the roll, he or she has the ability to do so. I previously mentioned the soft money ban at both the Federal and the State level.

The other area concerns a number of Members as well in terms of more recent political activities. It deals with the issue of independent expenditures. Once again, the United States Supreme Court has made it clear that unless someone is advocating the election or defeat of a particular candidate, that expenditure of funds in that category is protected by the Constitution. That is, the person has a constitutional right to spend the money.

We believe that the American people need to know fully who is participating in the elections, notwithstanding the court's statement that individual groups have a constitutional right to engage in independent expenditures. What we propose is to designate a so-called election season, that is the last 90 days of a campaign. We choose that period as the election season because here in the House of Representatives, no elected Member is allowed to use taxpayer dollars to send out mass mailings during that period because it is a sensitive period. It is, in essence, the election season. The bill then says anyone who is advocating the election or defeat of a candidate or mentions a candidate or political party, if they do so during the political season, 90 days prior to an election, must report. They must disclose.

That is the basic bill although we borrowed from a number of other Members' particular provisions, and I am sure they will wish to address those particular provisions.

Madam Speaker, I reserve the balance of my time.

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

I want to say to my colleagues that, first, I do not believe that this is a process that the gentleman from California (Mr. THOMAS) himself would have chosen. I am not going to ask him to answer that question but we have a situation on the floor where Members have been denied an opportunity, I think, to even read the legislation, many Members returning from a funeral, that we are about to vote on here tonight. I think we have to start off with the fundamentals.

In China, at one point Mao Tse Tung announced the cultural revolution. The cultural revolution was really about cultural destruction. To call this bill before us campaign finance reform, it should be more properly referred to as campaign finance reform destruction.

It raises the amount of money individuals can give, hard dollars from $25,000 a year to $75,000 a year. This is consistent with what many of the Republicans believe. Speaker GINGRICH himself said that more money was a sign of a healthy debate. Well, the voters have not felt that way. The voters in this country, as spending has gone up, voter participation has shot down. So they are sending us a message.

But not just the substance of this legislation is bad. The process before us is horrific. This is a process the Politburo under Joseph Stalin would have been proud of. Think about what we are doing here today.

We are taking up campaign finance reform after the Senate has definitively shown they can filibuster the bill to death. Strike one.

We have made sure that no alternative from the opposition can be heard here today. Strike two.

And just in case by some faint stretch of the imagination the Republican bill might pass, we have come to the floor with a process where we do not need 51 percent of the vote to win today. We have to have two-thirds of the votes because they know they cannot get them. So we are here.

Let us see what some of our friends are saying about this process not to pass campaign finance reform, not to put in spending limits to try to restrain the amount of money that is in campaigns. We are here as a charade.

Members might say that this is simply my assessment of the situation. Before I go to the New York Times, let me say the Democrats have a record here that we can be proud of.

In 1971, the Democrats in the House and the Senate overrode a veto by President Nixon, overrode that veto to begin the road on campaign finance reform. In 1974, the most substantial bill ever to pass Congress passed by a Democratic House and Senate in 1992. We passed campaign finance reform through the House and Senate. I had the privilege of leading that effort, vetoed by President Bush.

We finally elect a Democratic President. This Congress, under Democratic leadership, passed campaign finance reform that was comprehensive. Even the Senate was able to pass campaign finance reform. But then in sheer horror, the Republicans understood that the President would sign the bill. So they filibustered the bill from going to conference. So we had no reform.

It is not just what I say and others are going to say about this process that has demeaned this House. It is the assessment of almost every major publication in the country.

A plot to bury reform, the New York Times; campaign finance charades, the New York Times; the Washington Post, mocking campaign reform. And it goes on. A cynical sham, a hoax on the American people, a complete travesty, several of the worst campaign ideas rolled into one, repugnant and partisan.

I ask the handful of Members on that side of the aisle, and there is only a handful, I am sorry to say, to join with the Democrats in this House to reject this charade, to give the American people a real debate on real campaign finance reform that would limit spending, that would limit the amount of money in campaigns. At the end of the day we might not win, but at least we would have a straight-up discussion and an honest vote. And what we are doing here today is not honest.

Madam Speaker, I reserve the balance of my time.

Mr. THOMAS. Madam Speaker, I yield 2 minutes to the gentleman from

Arkansas (Mr. HUTCHINSON) one of the major forces in reshaping the direction of campaign reform.

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

Mr. HUTCHINSON. Madam Speaker, I came to Congress with a desire to reduce cynicism and to build confidence in our institutions of government. That is why I have worked with a bipartisan group of freshman Members to accomplish reform and to empower individuals in our political process. Because of those beliefs and work, I rise in support of this legislation sponsored by the chairman, the gentleman from California (Mr. THOMAS). It is not a perfect bill but it is a good bill. It bans soft money to our national parties, which has been the greatest source of campaign abuse, and I compliment the chairman for his willingness to make adjustments through this process to accomplish substantial reform.

I am pleased to express my support of this bill, but I am deeply disappointed that in the last moments the people's hope for reform was crushed when majority rule became defeat by design.

While the bill is worthy of support, the process today will not produce victory but reflects the dark side of this institution, and both sides of the aisle have contributed to this darkness.

The last minute move to put a few bills on suspension sent a message to the American people that we are afraid of reform, and that we will undermine it at any price, even that highest price, the confidence of the American people.

The public has become cynical in regard to the process of government. Each election we lose more voters. Each year more voters say, what is the point. I do not have enough money to compete with the corporations and unions who really control our government.

When we act with such transparent tactics can we blame the public for giving up hope? Do we really believe that we can go home and tell our constituents that we had an honest debate in voting reform. I do not think so. I came to the United States Congress to change the status quo, not defend it. I will not go home and look my constituents in the eye and tell them Congress made an honest effort to reform a deeply flawed system despite the merits of this bill.

I have not been in Washington that long. In 1994, the Republican Party took Congress by storm. There was enough fire in the belly of those reformers to light up the city of Washington. I hope that we will not let that fire die; that we will vote for this legislation but build on this effort today, and accomplish reform and build confidence in what we are doing in Congress.

Mr. GEJDENSON. Madam Speaker, I yield 1 minute to the gentleman from Maine (Mr. ALLEN), who has done such a terrific job leading the freshman class.

Mr. ALLEN. Madam Speaker, I feel like I am in wonderland. This is supposedly a debate on campaign reform but the vote is rigged, the process is rigged. And one way my colleagues can tell that is the gentleman from Arkansas (Mr. HUTCHINSON) and I, who spent 6 months working with freshmen on both sides of the aisle to develop a bipartisan approach to this problem, are now on opposite sides.

This bill that is coming to the House today is not a bipartisan bill. The fact is that there are ways to deal with this issue. We can deal with it the way the freshmen did in a bipartisan way over a period of months. We can deal with it the way the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) have dealt with this bill, in a bipartisan way over a period of years. This is a sham. It is a fraud.

We started our freshman process by agreeing that we have to take the poison pills off the table and this bill has a poison pill. It has the biggest of all. That is a worker gag rule, a rule that is aimed unfairly at the men and women in this country who contribute a few bucks a month. It promotes big money in politics. It continues big money in politics. It is aimed directly at working Americans.

Mr. THOMAS. Madam Speaker, I yield 1 minute to the gentleman from Montana (Mr. HILL).

Mr. HILL. Madam Speaker, I thank the chairman for yielding me this time. I would like to invite my colleagues tonight to vote yes on this measure, but I must confess that my vote will be a very reluctant yes. I would far prefer today to be voting on the freshman bipartisan Campaign Integrity Act or the Shays-Meehan bill.

Finding a bipartisan approach to campaign finance reform is not easy. That is because of the abuse of soft money. This bill does work to end the influence of soft money, the money coming from corporations and labor unions, and they oppose these provisions because they benefit from it. From 1992 to 1996, soft money going to our national parties went from 35 million a year to 270 million. It is estimated now that it will go to 500 million in the next cycle. It is overwhelming our system. I am deeply concerned about the process that brought us here today.

I am deeply concerned that the two bipartisan measures, the freshman measure and Shays-Meehan, are not being voted on tonight. I will work for the balance of this Congress to find an opportunity for a serious vote on a bipartisan measure, either the freshman bill or the Shays-Meehan bill, that will ban soft money.

Mr. GEJDENSON. Madam Speaker, I yield 1 to the gentleman from California (Mr. FARR) who has led efforts in this and previous Congresses on campaign finance reform.

Mr. FARR of California. Madam Speaker, we are here tonight to discuss campaign finance reform. Where is everybody else? Half the Nation is watching basketball games. Half the Congress is attending a funeral. What kind of business are we in?

This House, your side, the House Committee on Government Reform and Oversight spent $5 million, had 13 days of public hearings, 33 witnesses and you bring nothing to the floor that deals with that issue. You try to say you are having campaign finance reform that requires a two-third vote of this House? This is a mockery of democracy. It is a violation of the spirit of Hershey. There is no bipartisan effort here. There is no Democratic bill on the floor. There is no substance to our debate.

We cannot have a debate in 20 minutes on an issue like this. There is no amendment allowed. It increases the limits one can give to campaigns. It triples and doubles the amount of money that can go to campaigns, not caps them out.

The timing tonight, this is a mockery of democracy.

Mr. THOMAS. Madam Speaker, I yield 2 minutes and 30 seconds to the gentleman from California (Mr. HORN), one of the cosponsors of the bill, someone who has been involved as long as anyone else in honest, earnest campaign reform.

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Mr. HORN. Madam Speaker, I want to congratulate my colleague (Mr. THOMAS) from California. He has spent untold days, hours, and weeks to create a bill with some sense and to bring key issues before the House.

There is no question there are stark and fundamental disagreements between the two parties on the issue of campaign finance reform. There is no question that a lot of us on both sides of the aisle have tried to build a genuine bipartisan effort. If we are ever to achieve real reform, it must be done on a fair, bipartisan basis.

But do not give up hope. The reality is the other body says they want disclosure. We have given them disclosure, the last 90 days of the campaign. We have a bipartisan support for a disclosure bill. One of the ones I put in has as many Democrats as there are Republicans; and the commission bill, there are many from both parties.

But the bill offered by my colleague from California is a truly serious effort to meet the standard of progress. He starts in with banning so-called soft money. Now, our friend on the other side of the aisle knows well that the great abuse of the 1996 presidential campaign was the misuse of soft money at the national and State party level. We ban that.

The gentleman from California (Mr. THOMAS) requires disclosure of all campaign contributions and expenditures within 90 days of an election. Those are special interest group expenditures. For the first time, we will have progress in this area. The special interests will have to meet the test that we

meet as candidates disclosing money in the last weeks of the election.

Mr. THOMAS also requires members of unions and business corporations to approve of electoral activity. The fact is, that is real progress.

So let is not hear all this rhetoric on the floor, the screaming, arm waving, and shouting. Let us get down to cases.

Do my colleagues want to make progress? This is the bill that makes progress.

We are banning soft money.

We are disclosing all special-interest money in the last 90 days of the campaign.

We are requiring members of unions—and that hurts our friends on the other side of the aisle—and business corporations, which hurts a few on this side of the aisle. We have required membership approval if those in a union or a business corporation use individual dues or funds to engage in electoral activity. That is progress.

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from Connecticut (Mr. GEJDENSON) has 13½ minutes remaining, and the gentleman from California (Mr. THOMAS) has 8½ minutes remaining.

Mr. GEJDENSON. Madam Speaker, it is my privilege to yield 3 minutes to the gentleman from Missouri (Mr. GEPHARDT), the Minority Leader and future Speaker of the House.

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

Mr. GEPHARDT. Madam Speaker, since the opening days of this Congress, Democrats have been fighting for a fair and open debate, an open debate on all of the campaign finance bills that have been presented in this Congress. In the last election, the money in politics hit an all-time high of $4 billion, while voter turnout fell 50 percent, a record low for a presidential election.

Average Americans feel that their voice is not being heard and does not count anymore, that they are being drowned out by the wealthy special interests. Democrats believe and know that we need campaign reform to regain the trust of America's families and restore integrity to the electoral process. But every time Democrats have called for a vote on reform, Republicans have refused to take action.

It took the specter, literally the specter, of a discharge petition to spook the Republican leadership into finally scheduling what they called a vote tonight on reform. But the bill Republicans have come up with is anything but reform. The Republican bill would be a bonanza for wealthy special interests and a nightmare for average citizens. The Republican bill would allow wealthy citizens to have even greater influence in the political process by tripling the amount that people could give.

At the same time, it effectively silences the voice of working families by imposing a worker gag rule on union members and others and blocking access to the ballot for Hispanic citizens.

Common Cause has called the Republican bill a cynical sham laced with poison pill amendments. The nonpartisan League of Women Voters called it a complete travesty, a big step in the wrong direction. Public Citizens said, it is the exact opposite of reform. But that, frankly, is only half of the outrage we are witnessing tonight.

Not only have the Republicans put a phoney bill on the floor but they have done it in a way that prevents Democrats and reform-minded Republicans from offering any, any, alternatives for what they wrongly call reform. Instead, we are racing through this debate on these phoney reform bills which, thanks to this trumped-up procedure, will not pass unless they get a supermajority vote.

Imagine, they are saying tonight we cannot have reform, the one thing that people said they wanted in the last election, unless we get a two-thirds vote of the House of Representatives. It is a travesty to put that kind of test on reform. We know the Republican leadership is scared to death of what would happen if the House ever got to vote in a real way on real reform, like the bipartisan McCain-Feingold II, sponsored by the gentleman from Massachusetts (Mr. MEEHAN) on our side and the gentleman from Connecticut (Mr. SHAYS) on the Republican side that we wanted voted on tonight.

Finally, we will not give up. Democrats will continue to fight every day for real reform. One of the ways we have kept up the fight is the discharge petition; and just last Friday, our newest Member, newest Democratic Member, the gentlewoman from California (Mrs. CAPPS), signed the discharge, which will provide for a full and fair debate on these issues. The American people deserve nothing less.

Tonight is a travesty to the American people; and Democrats will continue to fight with like-minded Republicans to have, finally, real reform on the floor with votes on all the plans which the American people deserve tonight. We are going to get that vote before this Congress ends.

Mr. THOMAS. Madam Speaker, how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from California (Mr. THOMAS) has 8½ minutes remaining, and the gentleman from Connecticut (Mr. GEJDENSON) has 9 minutes remaining.

Mr. GEJDENSON. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. ESHOO), who has done such a great job at all our meetings on campaign finance reform.

Ms. ESHOO. Madam Speaker, I rise today in opposition to H.R. 3485, the so-called Campaign Reform and Election Integrity Act. It is not reform, and it bears no integrity relative to elections. It is a grave-side ceremony to bury reform by the Speaker.

We should be having a real debate on real reform, the Shays-Meehan bill. It bans the unregulated, unlimited donations to political parties known as soft money; it establishes exacting disclosure requirements; and it limits the fund-raising of independent groups who run those infamous TV attack ads.

Listen up, America. If you think there is too much money in the system now, the Republican bill will make you fasten your seatbelts. Because the Speaker's bill increases the amount that individuals can give in a yearly cycle up to $75,000 a year. The Speaker has placed a two-thirds approval requirement on the bill so it simply will not pass. This is a charade meant only to cynically produce the sentence to be uttered, ''the House considered campaign finance reform.''

I urge my colleagues to get rid of this bill. The New York Times, the Washington Post, Public Citizens, Common Cause, League of Women Voters, and many of us oppose it. Vote against it.

Mr. THOMAS. Madam Speaker, it is my pleasure to yield 2 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, a great many Americans think that asking Members of Congress, Republican or Democrat, to reform campaign finance reform is asking the fox to watch the chicken coop. And I agree that, until there is sufficient public outcry and understanding to fully change the inequities and loopholes in our campaign law, politicians, presidents, and the biased media will continue to use this issue as a political football.

Having said that, I do believe that H.R. 3485 makes important improvements in the way we manage our campaigns. I congratulate the gentleman from California (Mr. THOMAS) for his very hard work and this good legislative product. This bill ends the abusive practice of using union, association and corporate mandatory dues for political campaigns. It provides a ban on raising or spending soft money on national political parties and candidates and a ban on disbursements of soft money by foreign nationals, and it makes clear that only American citizens should be able to make political contributions. I am also pleased that this increases accountability and disclosure by expediting and expanding FEC reporting requirements.

Although I strongly support H.R. 3485, I wish to include a significant component of my own campaign finance reform bill requiring that a high percentage of all contributions come from the geographical area a candidate seeks to represent. After all, it only makes sense that the majority of our contributions should come from the folks we represent.

But, as I said, H.R. 3485 is a good bill. It is incremental, the changes are incremental, but they are better than no change at all. No one should be encouraged into thinking that this is the final or total solution to the problems facing

the current campaign system. They are very great problems. Nevertheless, this is a very good beginning; and I urge strong support.

For those of my colleagues who do not get all of the pieces in this that they wanted, such as getting the taxpayers to pay for campaigns or having other limitations, please use the same spirit I did of compromise on this. I did not get everything I wanted either. But it is an awfully good start. And the alternative is going to the American people and saying, we did nothing on campaign reform. Who wants to be among those who voted ''no'' on campaign reform?

Mr. GEJDENSON. Madam Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MEEHAN), who has led on this issue persistently since his first days in the House.

REQUEST TO SUSPEND RULES AND PASS H.R. 3526, BIPARTISAN CAMPAIGN REFORM ACT OF 1998

Mr. MEEHAN. Madam Speaker, I ask unanimous consent to suspend the rules and ask for consideration of H.R. 3526, the bipartisan campaign finance reform bill.

The SPEAKER pro tempore. The Chair does not recognize the gentleman for that purpose. The gentleman cannot be recognized for that purpose. The gentleman may speak to the issues in his bill but not ask for it to be considered.

Mr. MEEHAN. Madam Speaker, but I cannot ask for unanimous consent to suspend the rules and ask for consideration of the bill?

The SPEAKER pro tempore. There is already one motion to suspend the rules pending.

Mr. MEEHAN. So this amendment cannot be amended to include it?

The SPEAKER pro tempore. This motion is not amendable. The gentleman may speak to the issues in his bill in general.

PARLIAMENTARY INQUIRY

Mr. GEJDENSON. Parliamentary inquiry, Madam Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GEJDENSON. Madam Speaker, I hope that time will not be taken from the gentleman from Massachusetts (Mr. MEEHAN).

The SPEAKER pro tempore. This parliamentary inquiry will not.

Mr. GEJDENSON. So I will ask the Speaker the question, then.

So a Member of Congress is not capable or able to ask the Chair whether or not he could, by unanimous consent, not by any parliamentary motion, by unanimous consent, change the procedures we are operating under? I believe that the gentleman has a right to ask for unanimous consent at any time.

The SPEAKER pro tempore. The Chair does not recognize the gentleman to make that unanimous consent request.

Mr. MEEHAN. Madam Speaker, that is exactly the point. I have worked with Republican and Democratic Members over the last 5 years working to find a way to find bipartisan campaign finance reform, to level the playing field and treat both Democrats and Republicans fairly. I have worked with the gentleman from Connecticut (Mr. SHAYS), the gentlewoman from New Jersey (Mrs. ROUKEMA), the gentleman from Iowa (Mr. LEACH), the gentlewoman from Maryland (Mrs. MORELLA), the gentleman from Tennessee (Mr. WAMP), the gentleman from Wisconsin (Mr. BARRETT), the gentleman from Virginia (Mr. MORAN), the gentleman from Michigan (Mr. LEVIN), the gentleman from Minnesota (Mr. MINGE), the gentlewoman from New York (Mrs. MALONEY), and the gentleman from California (Mr. FARR) and a number of other Members; and, finally, the day is here.

We had a bill that passed the United States Senate. It got 53 votes in the other body. That is the bill that we wanted to vote on today. But what did the Republican leadership do? Made a mockery of this debate, a sham of this debate by going through a suspension of the rules where a two-thirds vote is required and calling it campaign finance reform.

Shame on them. This is not the way to have campaign finance reform. There are Members who worked too hard, too long trying to pass a campaign finance reform bill that is fair to both political parties, that ends the corrupt system of raising more and more money through soft money contributions. All anyone has to do is look at the contributions of big tobacco in 1997 and how much money they are spending in attempting to try to influence the process as we try to make a decision on tobacco.

This debate is, without question, one of the lowest moments for this House of Representatives. Every conceivable public interest group in America that has been fighting for campaign finance reform has asked for a debate.

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Mr. MEEHAN. Madam Speaker, every public interest group that has been fighting for reform over the last decade have worked with a bipartisan group to put real reform before the table.

Members of the press, New York Times, the Washington Post, every credible editorial in America have called on this body to have a vote on real bipartisan campaign finance reform. And what do we have? We have a motion to suspend the rules that requires a two-thirds vote.

Members of the majority party may think that they are fooling the American public, but I have to tell them, the public gets it. They understand what is at work here, and they are just as disgusted at this process as the Democrats are.

Mr. THOMAS. Madam Speaker, it is my pleasure to yield 2 minutes to the gentleman from Delaware (Mr. CASTLE), a member who has been involved for years both at the State and Federal level in campaign reform, a cosponsor of H.R. 3581.

Mr. CASTLE. Madam Speaker, I thank the gentleman for yielding. Let me start by saying I agree with virtually everybody who spoke tonight, that this process is not what we would have wanted, those of us who are trying to reform campaign finance.

Let me just also say that both parties have had problems. I am not saying whether it is equal or not. Who knows what the circumstances are with respect to campaign finance. I think the whole country knows that.

I also am a supporter of Shays-Meehan. I like the freshman bill. I think there is a lot of good things that have happened over in the Senate as well. Unfortunately, we are not going to be able to get to all of those.

This is what we have before us, and we have to make a decision tonight on whether or not we are going to vote for this, because this may be the only vote we are going to get. So I did something unusual. I read the bill, and I decided to make up a list of reasons as to why we should support it. And after David Letterman, I did this. This is the top 10 reasons to support it.

Let me start with Number 10. This bill removes soft money from the Federal election process. That is extraordinarily important. We have already heard about all the soft money problems. It removes it from the Federal election process.

Number 9, the bill contains the core elements of campaign finance reform that Republican and Democratic reformers have agreed upon.

Number 8, it keeps foreign money outside of the United States elections.

Number 7, it helps States maintain accurate voter registration rolls.

Number 6, it adjusts hard money contributions for inflation.

Number 5, it strengthens FEC reporting requirements.

Number 4, it levels the playing field for candidates running against millionaires.

Number 3, it ensures voluntary contributions for members of corporations and unions.

And Number 2, it strengthens disclosure requirements for interest groups to prevent them from anonymously financing expensive advertising campaigns.

And Number 1, first, a bill that offends Republicans, Democrats, and interest groups alike is worth considering. This bill will cause everyone in the election process some pain, but it is the first step to achieve real campaign finance reform.

Madam Speaker, that is what it truly is all about. Most of the public believes that we will never be able to do this. The bottom line is, if we are going to be able to do it, we are going to have to take on our own political parties, all the outside interest groups, and we are going to have to make it tell.

The way to do that tonight is to cast a ''yes'' vote on this, start the process, get it over to the Senate, debate this in every way we possibly can; hopefully

finish the process so that we, indeed, can be proud at some point with the fact that we have campaign finance reform.

Mr. GEJDENSON. Madam Speaker, I yield 1 minute to the courageous gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Madam Speaker, there are people of good faith, both Democrats and Republicans, who have some good idea about how to clean up the corrupting influence of big money in our campaign system. But every one of our Republican friends will have to admit that the only reason that those ideas are not being considered tonight is because the gentleman from Georgia (Mr. GINGRICH), and the gentleman from Texas (Mr. ARMEY) do not want them considered. They know if we had a full and fair debate, as some of us have been demanding since January of 1995, that we would approve real reform and respond to the needs of the American people.

So this year, the Republican leadership, unlike 1996 when they were satisfied with a mere knife in the back of campaign finance, this year they prefer an axe murder. They have chopped this bill up. They want the blood to splatter across this Chamber and let everyone share a little bit of the blame.

The blame is clearly placed in one and only one place: Those who have chosen to deny a fair debate on Republican and Democratic proposals alike. They are the people who said they came here as revolutionaries. But when it comes to campaign finance, there they are only revolting. Some of us say they delayed too long on this, but I think we were wrong. They should have brought this bill up a day later, on April Fool's Day.

Mr. THOMAS. Madam Speaker, we have one remaining speaker, and I believe it is our right to close.

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman is correct.

Mr. GEJDENSON. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. MILLER), a senior Member of Congress who has fought for campaign finance reform for many years.

Mr. MILLER of California. Madam Speaker, this weekend, Speaker GINGRICH went home to his district, and he was giving a speech in his district, and he talked about how, under our system, the power rests with the people, and we as elected officials can only borrow that power, because, eventually, we have to do what the people want.

With this rule tonight or with this suspension vote tonight, Speaker GINGRICH has ripped the power away from the people who are represented by the freshman coalition. Millions of Americans who are represented by the freshman bipartisan coalition who had a campaign finance bill they wanted to present, debate, and vote on, they cannot do it under this measure.

With this procedure, Speaker GINGRICH and the gentleman from Texas (Mr. ARMEY) have ripped the power out of the hands of hundreds of millions of Americans who are represented by a majority of this House who want to vote on Shays-Meehan. Those people do not get to exercise their power because their elected officials are silenced by the suspension process.

As we just heard, there are no amendments in order. There is no way to spread, to broaden the debate. There is no way to bring up those provisions that are supported by people throughout the country. Why? Because Republicans found out last week, if they let it happen, it would pass. So they had to go back to trickery. They had to go to the suspension of the rules. They had to protect their Members and protect themselves from amendments, from democracy, from free and open debate.

That is why we are here tonight. We are here because the Republicans, for the last 15 months, could not stand to trust the people and their elected representatives. So tonight they decided to suspend the rules and give us 20 minutes to debate these measures that are so complicated and so important to the continuation of our democratic institutions, democratic institutions that are being corroded, that are being corrupted by the huge amount of money, tonight the Republicans think the answer is to let wealthy people give more money to campaigns rather than to give the American people a voice in the reform of this system.

Mr. GEJDENSON. Madam Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the ranking member very much for this time.

Madam Speaker, I rise in opposition. This is campaign finance sham. It increases the amount of money the wealthy can give to candidates.

Madam Speaker, I rise this evening in strong opposition to H.R. 3581, the so-called "Campaign Finance Act of 1998." I am here today to express my commitment to reform of our current campaign finance system and to urge my colleagues to support meaningful and comprehensive campaign finance reform. H.R. 3581, however, is neither. Instead, this bill is a sham—it is the antithesis of genuine campaign finance reform.

Genuine campaign finance reform would empower America's working families—our average citizens—and decrease the disproportionate influence that wealthy special interests now command in our political system. H.R. 3485 acts in exactly the opposite manner to further amplify the already loud political voice of the wealthy. If adopted, this legislation would: inject as much as 3 times more money into federal campaigns and elections than current law permits; impose onerous requirements on groups that have a legitimate right to engage in political activities on behalf of their dues-paying members; and single-out for scrutiny citizens who have a right to vote in this nation's elections.

Let's begin with a discussion of the so-called "Paycheck Protection" provision—more accurately named the "Worker Gag Rule." This provision will prohibit unions from making political expenditures without prior written consent from their members. Proponents of this legislation have dishonestly agreed that it is intended to protect the rights of union members. In reality, it is intended to effectively silence the ability of America's working families to have a voice in the political process by singling out American workers for burdensome restrictions on their right to have their voices heard here in Washington. Although cleverly disguised as campaign finance reform, this legislation is clearly a coordinated effort to silence workers and their families and remove them from the political playing field.

H.R. 3485 also sets up a "pilot" program to verify the citizenship of voters in the five states that contain the majority of our nation's Hispanic and minority voters. Does that sound familiar? It should. This provision is very similar to H.R. 1428, the Voter Eligibility Verification Act, legislation that was overwhelmingly defeated by the House just this past February. This provision will allow local election officials to submit voter's names to the Immigration and Naturalization Service and the Social Security Administration for citizenship verification. However, according to testimony from both the INS and SSA, this is utterly unworkable because neither agency can confirm the citizenship of a majority of Americans. Like the bill, that preceded it, this provision purports to eliminate voter fraud by requiring proof of citizenship for registered voters and applicants for voter registration. In fact, it is nothing more than a thinly veiled tool for suppressing the minority vote.

Finally, H.R. 3485 doubles the contributions for individuals to $2000 and triples the amount that wealthy special interests can give to political parties to $60,000. This will quite obviously result in more money in politics and greater influence by wealthy special interests.

I am honored to have been chosen by the people of the 18th Congressional District of Houston to serve as their representative in this Congress. And I never lose sight of the fact that this body in which I serve is a body of the people. It is the People's house. It belongs to the people of the 18th Congressional District and to all the citizens of this nation. As the People's Congress, the doors of this Congress must be open to all the People. It must be accessible to every man and woman, not just the powerful and wealthy.

It is clear that the American people are disgusted with our current campaign finance system. They believe it to be inaccessible and corrupt. During the 1996 election cycle, an unprecedented amount of money was spent, further heightening public cynicism of how our democracy works.

The American people have voiced their concern and it is our duty to answer those concerns. The American people are calling out to all of us in Congress to restore their confidence in Congress's ability to act for the good of the nation. I believe that we can enact campaign finance reform. We can work together to find a balance between protecting the first amendment rights of individuals and fostering a positive role in reducing the influence of special interests. H.R. 3581, however, is not the right answer and I urge my colleagues to signal their disgust with the partisanship gamesmanship that this legislation represents with a "no" vote.

Mr. GEJDENSON. Madam Speaker, I yield 2½ minutes to the eloquent gentleman from Maryland (Mr. HOYER) to close on our side.

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

Mr. HOYER. Madam Speaker, this is a 52-page bill. We got it at 4 o'clock this afternoon. Debate started shortly after 6:00. This is a sham.

Now, I could hopefully try to follow the introduction of my friend, the gentleman from Connecticut, of being eloquent, but let me read from the New York Times.

I tell my friend, the gentleman from Delaware, the bills that the gentleman from Georgia, (Mr. GINGRICH) are sponsoring are either anemic, irrelevant, or tied to an antiunion provision repugnant to most Democrats. With a two-thirds approval requirement, they cannot pass.

Of course, the gentleman from Georgia (Mr. GINGRICH) does not care if his own fraudulent legislation wins or loses. All he seeks is the chance to say the House considered campaign finance reform and was unable to pass a bill.

They end their editorial with this, ''It is a cynical maneuver that will come back to haunt Mr. GINGRICH and any House Member who supports it.'' I tell my friend, the gentleman from Delaware, for whom I have great respect, he intones that this is the last opportunity.

Why, my friend, is this the last opportunity? Why would the power of the majority that has been exercised so effectively to push through what it wants, why I ask my friend, the gentleman from Delaware, can the Speaker of the House not say to the American public I am going to allow a bill on this floor to be fully debated, to be amended, and to be discussed in the presence of the American public, perhaps I might even suggest for 2 hours. A significant, most significant issue such as this surely deserves at least that much time.

But, no, my colleagues, this bill has been brought to the floor, as the New York times said, as a cynical maneuver to claim that they are doing something to reform campaign finance when they most assuredly know it will inevitably fail.

My friends, campaign finance reform is a critically important issue. We have twiddled our thumbs for the first 3 months of this session, largely at home, not here doing the people's business. But in the last minute, this legislation is brought to us. Let us reject it and demand that real reform be brought to this floor for full and honest debate.

Mr. THOMAS. Madam Speaker, I yield myself 4 minutes.

Madam Speaker, apparently moral outrage is alive and well on the floor. The argument is that reform is owned by only one group. It really is not owned by anyone.

It has been said that only one side plays politics. The other side, as I said, claims the moral high ground. But what is the moral high ground in campaign reform? Quite frankly, if we examine Shays-Meehan, McCain-Feingold, earlier versions, we really come to the conclusion that it is for sure a title that will remain, but the contents will change.

It is kind of interesting that the moral outrage today is that we have to ban soft money. When McCain-Feingold started, it was to ban political action committees. But nowhere in the current bill do they find banning political action committees. Does that mean that they were wrong earlier, and they are right now? Or were they right earlier and they are wrong now?

It seems to me that, if we will examine those earlier bills, we will find that they banned leadership PACs. Members will find no provision in the current bill banning leadership PACs. At one time, they banned leadership PACs. Was it wrong earlier to ban leadership PACs and right now to exclude them?

So I think, when we are talking about looking for the moral high ground, one of the things we ought to do is what the gentleman from Delaware did, and that is read the bills. Because I think, notwithstanding the rhetoric on the other side of the aisle, Members will be surprised, indeed some Members might be shocked, to find out what H.R. 3581 holds and what Shays-Meehan does not hold.

I mentioned earlier, at the beginning of the debate, millionaire candidates. Although the court has said, constitutionally, that candidates are allowed to spend their money, we are trying to create a level playing field. Guess what? When we read Shays-Meehan, they exclude the primary. When we read H.R. 3581, the primary is included. On their moral high ground bill, millionaires can still buy primaries. In our bill, they cannot.

They say the bane of this system is soft money. What would we do to a Presidential candidate who promised to take only public financing but went ahead and raised soft money? What H.R. 3581 does is ban the ability of candidates taking public money if they take soft money. What does Shays-Meehan do? It is silent.

Let us go to the heart of banning money both at the Federal and the State level. Guess what? H.R. 3581 is a hard ban on soft money both at the Federal and the State level. If Members actually read Shays-Meehan, they will find that, in fact, there are a number of loopholes on soft money at the State level. It is not a hard ban on soft money. We can use it for a number of overhead costs. We can use it for staff if it is less than the majority of the time.

Of course one of the glaring neglects in Shays-Meehan is the whole question of voter fraud that has gained the headlines all across the country, it contains not one provision to guarantee that only people who are supposed to vote can actually participate in the election.

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Let me indicate another area where, if my colleagues are honestly for reform, they might be somewhat shocked. Today one of the dirtiest campaign tricks is what we call push polling. It is where they poll but then they say, ''If candidate X had done 1, 2 or 3, what would you think about that candidate?'' Guess what? We require disclosure if it is not in the public domain. What does Shays-Meehan do? Absolutely nothing, no addressing of push polling.

And then of course when we take a look at the way in which the Federal Election Commission requires us to report, we can put down $10,000 to campaign committee X, and we do not have to itemize. Shays-Meehan allows this block registration of money; it is wrong. We require that campaigns break down to secondary givers.

It is amazing that when we look at real reform, we find far more specific real reforms in H.R. 3581 than we do in the bill that will be changed tomorrow, the day after tomorrow, just as it was changed yesterday and the day before yesterday, but they retain moral outrage.

I would ask for an ''aye'' vote on 3581.

Mrs. MORELLA. Mr. Speaker, I rise today in opposition to H.R. 3485. Although this legislation addresses some important reform components, it is flawed in many ways. The biggest travesty, however, is the process by which this legislation is being considered. There is no opportunity to debate or vote on real campaign finance reform. The American people deserve better than what we are offering today.

Regrettably, we are considering four pieces of legislation to change our campaign financing system under the suspension calendar, a process that is reserved for non-controversial legislation, precluding an honest debate over one of the most complicated, pressing national issues before us. I am deeply troubled that this process does not allow any Member to offer amendments to this legislation, and we do not even have the opportunity to consider H.R. 3526, Congressmen SHAYS and MEEHAN'S companion bill to McCain-Feingold.

Through my service on the Government Reform and Oversight Committee, it has become obvious that we need real reform. Clearly, the Federal Election Campaign Act prohibits contributions by foreign nationals in connection with any election. But, it has become increasingly difficult to distinguish which campaign practices are legal and which are not—and most important, which campaign practices should be illegal.

Soft money began to fill campaign coffers following the Federal Election Campaign Act Amendments of 1979, which allowed a greater role for state and local parties by exempting certain grassroots and generic party-building activities from FECA coverage. Although they are legal, soft money contributions have led to questionable fundraising practices and to the escalating costs of elections. Shays-Meehan truly closes the soft money loophole. It is not clear that the soft-money ban in H.R. 3485 would prevent unlimited and unregulated soft money to be laundered through state parties to influance federal elections.

Title I of H.R. 3485 would unduly burden unions and the nonprofit community. H.R.

3485 requires unions to get ''prior, written, separate permission'' to use dues for political activities. This goes beyond the Beck decision, which applies only to mandatory union dues-paying, non-members. It also requires corporations to annually notify shareholders of its intended political spending, and the shareholder's pro rata share of such spending. However, the burden of proof is inconsistent. Union members' consent is not presumed and unions must affirmatively obtain members' consent. For corporations, shareholders' consent is presumed unless they affirmatively object. Furthermore, the definition of political activity goes far beyond electioneering and would hinder the ability of unions and nonprofits to communicate directly with federal agencies and the Congress to discuss public policy issues.

H.R. 3485 also contains provisions that would allow states to disciminate against voters. Mr. Speaker, all Americans are concerned with maintaining and improving the integrity of our nation's elections. We know that, in some recent cases, illegal immigrants and others not legally qualified to vote have registered and cast ballots. A number of bills have been introduced in this Congress to deal with this problem.

Another bill to be considered under suspension, H.R. 1428, while attempting to restore electoral integrity, actually threatens to return us to a darker era in our nation's history, when people's voting rights were frequently challenger or harrassed and their rights to cast ballots shall.

H.R. 1428 would allow local officials to check the eligiblility of registered voters by submitting names from the voting rolls to the Immigration and Nationalization Service or the Social Security Administration. But how will the names be chosen? Will the Smiths, the Johnsons, and the Andersons be scrutinized, or will the effort of local officals be more focused on the Singhs, the Martinezes, and the Nguyens? Unfortunately, the historical record would indicate the latter.

In addition, the bill presumes that the INS and the SSA will have their records available and updated for use by local officials, which we know is not likely to be the case. And should local election officials not be able to confirm citizenship, they can drop voters from the rolls without having proven that they are not qualified to vote.

Mr. Speaker, rightly or wrongly, Hispanic-Americans and other immigrants to our country feel a growing bias against them. U.S. citizens living in my district who were born in Latin America have expressed their growing frustration and fear with harassing INS raids which treat all immigrants as suspects; they are being denied the presumption of innocence. A Salvadoran-American woman living in my district, who have been a resident and a citizen for more than 20 years, never leaves her house without her U.S. passport, for fear that she may be harassed or detained by immigration or other law enforcement authorities.

H.R. 1428 threatens to intensify the growing feeling of alienation among immigrants U.S. citizens, without assuring that it can easily, reasonably, or fairly accomplish its objective of ballot integrity. For these reasons, I must oppose H.R. 1428

Mr. Speaker, it's not too late to bring real reforms to the floor. After the defeat of today's measures under suspension, let's work to bring about an honest debate and real campaign reform—what the American people deserve.

The SPEAKER pro tempore (Mrs. EMERSON). The time of the gentleman from California (Mr. THOMAS) has expired.

The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 3581.

The question was taken.

Mr. THOMAS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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.

ILLEGAL FOREIGN CONTRIBUTIONS ACT OF 1998

Mr. THOMAS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 34) to amend the Federal Election Campaign Act of 1971 to prohibit individuals who are not citizens of the United States from making contributions or expenditures in connection with an election for Federal office, as amended.

The Clerk read as follows:

H.R. 34

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 ''Illegal Foreign Contributions Act of 1998''.

SEC. 2. PROHIBITING NON-CITIZEN INDIVIDUALS FROM MAKING CONTRIBUTIONS OR EXPENDITURES IN CONNECTION WITH FEDERAL ELECTIONS.

(a) PROHIBITION APPLICABLE TO ALL NON-CITIZENS.—Section 319(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e(b)(2)) is amended by striking ''and who is not lawfully admitted'' and all that follows and inserting a period.

(b) PROHIBITION APPLICABLE TO EXPENDITURES.—

(1) IN GENERAL.—Section 319(a) of such Act (2 U.S.C. 441e(a)) is amended by inserting ''or expenditure'' after ''contribution'' each place it appears.

(2) CONFORMING AMENDMENT.—Section 319 of such Act (2 U.S.C. 441e) is amended in the heading by inserting ''AND EXPENDITURES'' after ''CONTRIBUTIONS''.

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to contributions or expenditures made on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. THOMAS) and the gentleman from Connecticut (Mr. GEJDENSON) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. THOMAS).

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

Madam Speaker, this is a bill by our colleague from Nebraska (Mr. BEREUTER). It was introduced on January 7, 1997, and in yielding myself such time as I may consume, let me read what the bill does in sum and substance:

It is to amend the Federal Election Campaign Act of 1971 to prohibit individuals who are not citizens of the United States from making contributions or expenditures in connection with an election for Federal office.

Rarely have we had a bill in front of us that is so plain, simple to understand, and so necessary.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I would just like to say, having taken this opportunity to yield myself as much time as I may consume, the gentleman from California, who I believe in my heart would have not moved forward with a process like this that denied Members a real opportunity to debate and discuss these issues, his point argues for an end to this insane process. Yes, amendments are needed; yes, changes are needed, and Members ought not be able to be restricted in the manner they are as we deal with this legislation on the floor.

It is his party that chose to set up a process that sets a standard that we need two-thirds to move forward. They waited until after the Senate had already filibustered campaign finance reform to death. Our party has a record of moving forward on campaign finance reform, and today the Republican Party again paints itself with a brush against reform.

Madam Speaker, I yield 1 minute to the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Madam Speaker, I rise in opposition to H.R. 34, cynically misnamed the Illegal Foreign Contributions Act. The title of this bill is there to lure Members into thinking that it deals with illegal foreign contributions. That is simply not the case.

What this bill does is to prohibit legal residents who are living here in the United States legally, working, paying their taxes, fighting in the military, giving up their lives, denying them the right to participate in the political process in this country. That is absolutely unconstitutional; it is a denial of the First Amendment rights of free speech. The Supreme Court has repeatedly said political voice can be done in many ways, and contributions of money constitutes free speech.

Madam Speaker, therefore I concur with the 100 law professors who have submitted a letter to all the Members of this body decrying this bill, denouncing it as unconstitutional, and certainly if this Congress should pass it and it should become law, it will be contested and it will be found unconstitutional.

Mr. THOMAS. Madam Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. KNOLLENBERG) who also had legislation dealing with this area as well.

Mr. KNOLLENBERG. Madam Speaker, I thank the gentleman for yielding

this time to me. I rise today in strong support of the Illegal Foreign Contributions Act of 1998. As everyone knows, during the 1996 election cycle the Democratic National Committee was forced to return over $2.8 million in illegal or improper donations. I join the American people in shock to realize the frustration over the ability of foreign nationals to wield such power, such influence over our election process without casting a single vote.

That is why I introduced H.R. 767, called the Common Sense Campaign Finance Reform Act. This bill provided a common sense three-step approach to address the problems inherent in the current system. One step would prohibit individuals who are not eligible to vote from contributing to candidates for Federal office or political parties.

I commend my colleague, the gentleman from Nebraska (Mr. BEREUTER), for incorporating into his bill the spirit of H.R. 767 and, of course, to the gentleman from California (Mr. THOMAS) for his work. Banning contributions from non-U.S. citizens reinforces the important message that American citizens and only American citizens elect their representatives in government, not foreigners.

Madam Speaker, foreign influence on our elections has eroded the American people's confidence in our democratic process and left far too many voters feeling demoralized and disenfranchised. While this bill is no sweeping reform effort, it does address one of the system's most glaring problems, the influx of foreign money in our political process.

I urge my colleagues to support this vital piece of legislation.

Ms. KAPTUR. Madam Speaker, will the gentleman yield?

Mr. KNOLLENBERG. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Madam Speaker, I would like to know if the gentleman's measure, where he says noncitizens, does that include foreign-controlled corporations?

The SPEAKER pro tempore. The time of the gentleman from Michigan (Mr. KNOLLENBERG) has expired.

Mr. GEJDENSON. Madam Speaker, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Madam Speaker, I would like to comment on this bill, since this is the subject I have been working on for over a decade and have tried to get a bill on this floor. I am very curious that the gentleman merely, as I read the bill which we only got a few minutes ago, essentially says noncitizens. Does this include foreign-controlled corporations and foreign-controlled trade associations as well as noncitizens, those who are not citizens of this country?

I think the gentleman's bill is seriously lacking in covering where most of the money comes from, which is from legally incorporated foreign corporations which are back-dooring money into our elections. I do not believe the gentleman's bill covers that.

Am I correct?

Mr. KNOLLENBERG. Madam Speaker, would the gentlewoman yield for a moment?

Ms. KAPTUR. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Madam Speaker, this bill, and by the way my colleague may have just seen it, but it has been there for a year. It was a part of a larger bill that I introduced. But let me just say that I am talking about the individual that writes a check must be a citizen. It is that simple.

Ms. KAPTUR. Madam Speaker, I would like to reclaim my time and say that I have been working on this for 10 years, and I know the difference between foreign corporate money and money that should not be coming in here from noncitizens in the first place, and this bill is an absolute sham. I cannot believe it, after all the efforts that we have made and all the agreements.

I am glad there is a Ross Perot, and I hope that that particular party runs candidates across this country because this bill is a sham. It does not close a loophole that the American people have known, they have known this has existed for years. This is a sham.

This entire debate, cynically orchestrated by NEWT GINGRICH, is a sham—why? Because just a few days ago, the Republican Campaign Committee leader in the Senate [the other body] called him Mr. Money Bags from Kentucky, killed campaign reform for this year. Even if this chamber passed the finest reform in the country, nothing is going to happen. It takes both chambers to tango.

This House bill is particularly cynical because the suspension procedure under which we are considering it is a gag rule. No amendments are allowed; it allows only 20 minutes debate on each side in this serious debate. What a travesty! And then to gain passage, it requires ⅔ of the Members to achieve passage, not a majority.

These bills have no spending limits; in fact, these bills allow wealthy individuals to triple the amount of money they can contribute. Yet, they cut off the legs of ordinary working men and women by demeaning their participation in our political life by requiring them to get written permission. What an insult.

I urge the American people to call their Members of the House to urge them to sign on the discharge petition on the Shays-Meehan bill to get a real reform debate on the Floor of this House.

And I wish to enter into the RECORD the editorial in the New York Times today that strikes the heart of the deceitful process underway here tonight—"The Plot to Bury Reform."

THE PLOT TO BURY REFORM

Newt Gingrich has selected today as the moment to line up his firing squad and kill campaign finance reform in Congress this year. Yet the House Speaker may be surprised. Republicans and Democrats who favor reform are so outraged over Mr. Gingrich's broken promises and heavy-handed tactics that they could seize the moment and force him to back down. Whether the reformers succeed depends on their ability to hold together and find ways to get genuine reform to the floor, where a majority of members appear ready to vote for it.

Just how desperate Mr. Gingrich is to thwart reform is clear from the parliamentary tactics he is preparing to use. Last week, the Speaker broke his promise to debate the issue of a campaign cleanup and pulled all relevant legislation from the House agenda. In doing so, he virtually acknowledged that he and his wrecking crew lacked enough support from fellow Republicans to prevent passage of genuine reform. Then the Republican leadership abruptly announced it would bring four watered down reform bills up today, but under rules preventing amendments or substitutions and requiring a two-thirds vote for approval of anything. Clearly, the Speaker's goal is to insure that nothing gets passed, and hope someone else can be blamed.

Republicans are ready to defy the Speaker by joining with most Democrats to vote for legislation sponsored by Representatives Christopher Shays of Connecticut and Marty Meehan of Massachusetts. The Shays-Meehan bill would ban the unregulated and unlimited donations to political parties that are known as "soft money" and were at the heart of the recent scandals. It would also establish exacting disclosure requirements and apply fund-raising limits to independent groups running attack ads on television.

The bills that Mr. Gingrich is sponsoring are either anemic, irrelevant or tied to an anti-union provision repugnant to most Democrats. With a two-thirds approval requirement, they cannot pass. Of course Mr. Gingrich does not care if his own fraudulent legislations wins or loses. All he seeks is the chance to say the House considered campaign finance reform and was unable to pass a bill. It is a cynical maneuver that will come back to haunt Mr. Gingrich and any House member who supports it.

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

Madam Speaker, I am actually having a little difficulty understanding the last exchange, since under Federal law all corporate money, whether it is foreign or domestic, is not allowed to be in campaigns.

This bill deals with individual contributions which are legal under the Federal Election Act, and the gentleman from Nebraska wishes to say that there is an additional criteria on individuals to contribute, and that is that they must be citizens.

Ms. KAPTUR. Madam Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Now I want to say to the gentleman I have testified before his committee. We have defined foreign interests. Those include not only foreign citizens but foreign-controlled corporations and trade associations through which the majority of these dollars flow.

When the gentleman defines noncitizens, does that include foreign-controlled corporations and foreign-controlled trade associations?

Mr. THOMAS. Madam Speaker, I tell the gentlewoman that I still do not fully appreciate or understand her question, since it is the individual in that structure and not the association or the corporation that makes the contribution. Corporate contributions are illegal whether the corporation is a domestic corporation or a foreign corporation.

Ms. KAPTUR. So the gentleman would define foreign interests or foreign citizens as including foreign corporations in which over half the stock is owned by foreign interests, as well as foreign trade associations in which over half of the money comes from foreign individuals or foreign interests, so this bill does cover that?

Mr. THOMAS. Madam Speaker, I tell the gentlewoman that in a bill she has an opportunity to vote on, H.R. 3581, we ban all soft money. So if the gentlewoman is talking about soft money in the system——

Ms. KAPTUR. How about hard money that comes through foreign corporation and foreign trade associations?

Mr. THOMAS. Madam Speaker, I will tell the gentlewoman one more time, and I do not know how to explain it to her any other way but to say that there is no corporate money that is legally allowed under the so-called hard money definition. It is not allowed, either domestic or foreign.

When individuals contribute today under the Federal Election Act, individuals who are not citizens can contribute, as we saw paraded over and over again in terms of the individuals that participated in the presidential election in 1996, some of whom have now come forward and admitted guilt in carrying on the raising of illegal contributions. Those are individuals; those are not corporations.

Could I ask the gentlewoman a question to respond to her?

Ms. KAPTUR. Madam Speaker, the gentleman is not answering my question. More than foreign individuals contribute, and they do so illegally. That is the very point.

Mr. THOMAS. And the law says it is illegal.

Ms. KAPTUR. That is correct.

Mr. THOMAS. Reclaiming my time, Madam Speaker, I tell the gentlewoman that if she is interested and if her point is that we ought to enforce the laws that are on the books, then I wholeheartedly agree with her, we should enforce the laws that are on the books. We just think that one more ought to be added, and that is the one before us.

Mr. GEJDENSON. Madam Speaker, I yield 1 minute to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Madam Speaker, it is an outrage that wealthy individuals can contribute huge sums of money to both political parties and that so-called independent expenditures, under which there are no regulations, can attack candidates all over this country in ugly 30 second ads.

Madam Speaker, this bill would close the door even further on working people's participation in the electoral process by making it harder for union members to participate. Apparently our Republican friends are not content that during the 1995–1996 election cycle corporations, groups and individuals representing business interests outspent organized labor 12 to 1.

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Twelve to one, and apparently that gap is not wide enough. Our Republican friends wanted to make it even wider.

The legislation before us would increase, not decrease, the influence of wealthy contributors, by tripling the amount of money individuals can donate to Federal candidates and political parties.

Madam Speaker, currently the wealthiest one-quarter of 1 percent of Americans contribute 80 percent of all political contributions. That is an outrage. We have got to end it.

Mr. GEJDENSON. Madam Speaker, I yield such time as she may consume to the gentlewoman from Hawaii (Mrs. MINK).

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks and include extraneous material.)

Mrs. MINK of Hawaii. Madam Speaker, I rise in opposition of H.R. 34, cynically misnamed the Illegal Foreign Contributions Act. Instead of standing here having a full and fair debate on campaign finance reform, we are here debating whether legal permanent residents have a right to free speech.

The title of this bill is there to lure the Member into thinking that it deals with illegal foreign contributions. That is simply not the case. Legal permanent residents play by the rules in this country. They are legal residents. We have acknowledged their contribution to our society. They must have the right to express their political views. I am mortified that this Congress is about to deny legal residents First Amendment rights guaranteed by the Constitution. The Supreme Court has ruled that making contributions is the exercise of free speech.

Legal permanent residents have a stake in the future of America, and should be allowed to voice their support for candidates and be assured a part in the political process. If we enact this bill, we will be telling thousands of individuals that you can contribute to our economy, register for the draft, serve in the military, and lose your life as a result, but you cannot exercise your freedom of speech.

Who are these individuals? Most are in the United States to join close family members; or to escape persecution based on political opinion, race, religion, national origin or membership in a particular social group. Twenty thousand legal permanent residents serve in the armed forces. They have pledged their life to defend and protect our country, and we respond by silencing their participation in the political activities that help to choose our leaders and decide our policies.

Banning legal permanent residents from contributing to political campaigns is not only scape goating, it is a violation of our Constitution. The Supreme Court has ruled that campaign contributions are considered ''political speech'' and therefore protected under the First Amendment. Moreover, unless the Constitution specifically designates otherwise, legal permanent residents share many of the same constitutional protections as citizens. Where does it say in the United States Constitution that Congress shall make no law abridging the freedom of speech of U.S. citizens only? Nowhere does it say the First Amendment shall apply only to U.S. Citizens.

Don't take my world for it, take the word of almost 100 law professors who have contacted Congress on this issue. I would like to submit the Law Professor's Letter on Campaign Finance Reform and the Rights of Legal Permanent Residents for the RECORD. This letter clearly states that prohibiting Legal Permanent Residents from making contributions in support of candidates would violate their constitutional free speech rights.

Look at the language of H.R. 34. What campaign abuses are we curtailing by this provision? It says nothing about foreign governments ''buying influence'' in the United States. After H.R. 34 becomes law, foreign governments seeking influence need only use citizens. We already have laws that bar these actions. Instead of silencing permanent residents, we should enforce current laws.

Legal permanent residents are an ever increasingly important segment of our population. Not withstanding, this bill makes them scapegoats for our current campaign finance scandals. We attack legal residents who are unable to defend themselves.

This unconstitutional denial of the protections of First Amendment rights of free speech to legal residents must be rejected. Vote 'no' on H.R. 34.

LAW PROFESSORS' LETTER ON CAMPAIGN FINANCE REFORM AND THE RIGHTS OF LEGAL PERMANENT RESIDENTS

March 20, 1998.

DEAR MEMBER OF CONGRESS, Recently, several bills have been introduced which would impose new restrictions on the political activities of Legal Permanent Residents (LPRs) by prohibiting them from making campaign contributions. Two other bills—H.R. 34 and S. 11 (the Daschle bill)—would prohibit LPRs from making both contributions and independent expenditures in support of candidates. We, the under-signed law school professors, believe that if enacted into law, these proposals would violate the free speech rights of LPRs. Further, these proposals offer no additional protection from the flow of money from foreign governments into political campaigns. We therefore urge you to vote to strike these proposals from any campaign finance bill you are asked to consider.

In 1976, the Supreme Court established in Buckley v. Valeo, 424 U.S. 1 (1976), that campaign contributions and independent expenditures are forms of ''political speech'' entitled to full First Amendment protection. Political contributions are one of the ways that like-minded individuals associate in furtherance of common objectives. Under Buckley and subsequent cases, any law which limits expenditures or completely prohibits campaign contributions from particular natural persons presumptively violates the First Amendment.

Regardless of one's views on the Buckley decision, the Court's constitutional analysis applies whether the person making the expenditure or contribution is a citizen or an LPR. Courts have consistently held that LPRs enjoy the same First Amendment rights as do United States citizens. To bar legal immigrants from showing support for the candidate of their choice would be like requiring them to sit out during a demonstration, or denying them the right to hold a rally in a park, or banning them from running a political ad in a newspaper.

Proponents of this legislation have suggested that, as LPRs do not enjoy the right to vote, Congress may prohibit them from contributing. We disagree. The right to vote and the right to speak on political matters are, for constitutional purposes, distinct.

For example, persons under age 18, certain corporations, and in many states, even convicted felons, do not enjoy the right to vote, but nonetheless enjoy the right to engage in ''political speech'' by making campaign contributions or expenditures as do others. The right to speak is not limited to those who have the right to vote. Everybody can participate in the marketplace of ideas regardless of whether they can vote, and the voices of LPRs, like those of the members of every segment of our society, only contribute to the variety that marketplace has to offer.

Legal permanent residents have a substantial stake in our society and are entitled to be heard in the political process. They have been invited by the U.S. government to live permanently within our borders. They pay taxes on their world-wide income as citizens do, are subject to the draft, and serve in the military. It is in our national interest that public policy reflect their needs and their views. It would be ironic, indeed, to deny to LPRs the inherently American right to engage in political speech when so many questions of public policy directly affect them.

Aside from being unconstitutional, these proposals are also unnecessary and unlikely to be effective. 2 U.S.C. Sec. 441(f) already prohibits anyone, whether a citizen or an LPR, from laundering money from foreign entities and governments into political campaigns in the U.S. Even if LPR political contributions are banned, foreign governments seeking to circumvent this prohibition would simply use U.S. citizens as fronts.

Because prohibitions on LPR political contributions and independent expenditures would violate the First Amendment, we urge you to ensure that campaign finance legislation excludes such proposals.

Sincerely,

Lillian R. BeVier, Henry and Grace Doherty Charitable Professor and Class of 1948, Professor of Scholarly Research, University of Virginia School of Law; Joel M. Gora, Professor of Law, Brooklyn Law School; Harold Hongju Koh, Gerard C. and Bernice Latrobe Smith Professor of International Law, Yale Law School; Stephen H. Legomsky, Charles F. Nagel Professor of International and Comparative Law, Washington University School of Law; Roy A. Schotland, Professor of Law, Georgetown University Law Center; Peter H. Schuck, Simeon E. Baldwin Professor of Law, Yale Law School; T. Alexander Aleinikoff, Professor of Law, Georgetown University Law Center; Larry Alexander, Warren Distinguished Professor of Law, University of San Diego School of Law; Albert W. Alschuler, Wilson Dickenson Professor of Law, University of Chicago Law School; Alberto Manuel Benitez, Associate Professor of Clinical Law and Director of the Immigration Clinic, George Washington University Law School; Lenni Benson, Associate Professor of Law, New York Law School; Maria Blanco, Associate Professor of Law, Golden Gate University School of Law; Carolyn Patty Blum, Lecturer in Law, University of California at Berkeley, School of Law.

Linda Bosniak, Associate Professor of Law, Rutgers, University School of Law; Richard A. Boswell, Professor of Law, University of California, Hastings College of the Law; Alexander J. Bott, Professor of Law, University of North Dakota School of Law; Francis A. Boyle, Professor of Law, University of Illinois College of Law; Daan Braveman, Dean and Professor of Law, Syracuse University College of Law; Mark R. Brown, Professor of Law, Stetson University College of Law; Penelope Bryan, Associate Professor of Law, University of Denver College of Law; Gilbert Paul Carrasco, Professor of Law, Villanova University School of Law; Ronald A. Cass, Dean and Melville Madison Bigelow Professor of Law, Boston University School of Law; Howard F. Chang, Professor of Law, University of Southern California Law School; Erwin Chemerinsky, Legion Lex Professor of Law, University of Southern California Law School; Gabriel J. Chin, Assistant Professor of Law, Western New England College, School of Law.

Margaret Chon, Professor of Law, Seattle University School of Law; Leroy D. Clark, Professor of Law, Catholic University of America School of Law; David Cole, Professor of Law, Georgetown University Law Center; Perry Dane, Professor of Law, Rutgers University School of Law; Edward DeGrazia, Professor of Law, Cardozo Law School; Nora V. Demleitner, Associate Professor of Law, St. Mary's University School of Law; Peter Edelman, Professor of Law, Georgetown University law Center; Deborah Epstein, Visiting Associate Professor of Law, Georgetown University Law Center; James M. Fischer, Professor of Law, Southwestern University School of Law; Joan Fitzpatrick, Professor of Law, University of Washington School of Law; Niels W. Frenzen, Lecturer in Law, UCLA School of Law; Diane Geraghty, Professor of Law, Loyola University Chicago School of Law; David Goldberger, Professor of Law, Ohio State University College of Law; Frank P. Grad, Chamberlain Professor Emeritus of Legislation, Columbia University School of Law.

Jack Greenberg, Professor of Law, Columbia University School of Law; Susan Gzesh, Lecturer in Law, University of Chicago Law School; Phoebe A. Haddon, Charles Klein Professor of Law and Government, Temple University School of Law; Emily Fowler Hartigan, Associate Professor of Law, St. Mary's University School of Law; Jeffrey A. Heller, Adjunct Assistant Clinical Professor, Brooklyn Law School; Arthur C. Helton, Adjunct Professor of Law, New York University School of Law; Louis Henkin, University Professor Emeritus, Columbia University School of Law; David M. Hudson, Professor of Law, University of Florida College of Law; Marsha Cope Huie, Professor of Law, St. Mary's University School of Law; Carol L. Izumi, Professor of Clinical Law, George Washington University Law School; Kevin R. Johnson, Professor of Law, University of California at Davis School of Law; Jerry Kang, Acting Professor of Law, UCLA School of Law; Daniel Kanstroom, Associate Clinical Professor of Law, Boston College Law School; Daniel M. Kowalski, Adjunct Professor of Law, University of Washington School of Law; William P. LaPiana, Professor of Law, New York Law School; Stephen R. Lazarus, Associate Professor of Law, Cleveland-Marshall Coll. of Law, Cleveland State Univ.

Arthur S. Leonard, Associate Professor of Law, New York Law School; Martin L. Levine, Professor of Law, University of Southern California Law School; Sanford Levinson, Professor of Law, University of Texas School of Law; Lance Liebman, Professor of Law, Columbia University School of Law; Gerard E. Lynch, Paul J. Kellner Professor of Law, Columbia University School of Law; Pedro A. Malavet, Assistant Professor of Law, University of Florida College of Law; Michael M. Martin, Associate Dean and Professor, Fordham Law School; M. Isabel Medina, Associate Professor of Law, Loyola University School of Law, New Orleans; Carlin Meyer, Professor of Law, New York Law School; Eben Moglen, Profesor of Law and Legal History, Columbia University School of Law; Hiroshi Motomura, Professor of Law, University of Colorado School of Law; Rev. Craig B. Mousin, Adjunct Professor of Law, DePaul University College of Law; Subha Narasimhan, Professor of Law, Columbia University School of Law; Lori Nessel, Clinical Assistant Professor of Law, Seton Hall Law School; Gerald L. Neuman, Professor of Law, Columbia University School of Law; Marcia O'Kelly, Professor of Law, University of North Dakota School of Law; Robert M. O'Neil, Professor of Law, University of Virginia School of Law.

Juan F. Perea, Professor of Law, University of Florida College of Law; Bill Piatt, J. Hadley Edgar Professor of Law, Texas Tech University School of Law; William Quigley, Associate Professor of Law, Loyola University School of Law, New Orleans; Jonathan Romberg, Associate Director, Center for Social Justice, Assistant Clinical Professor of Law, Seton Hall University School of Law; Theodore Ruthizer, Lecturer in Law, Columbia University School of Law; Irene Scharf, Associate Professor of Law, Southern New England School of Law; Philip G. Schrag, Professor of Law, Georgetown University Law Center; Herman Schwartz, Professor of Law, American Univ., Washington College of Law; Andrew Silverman, Professor and Director, Clinical Studies, University of Arizona College of Law; Girardeau A. Spann, Professor of Law, Georgetown University Law Center.

Peter J. Spiro, Associate Professor of Law, Hofstra University Law School; Irwin P. Stotzky, Professor of Law, University of Miami School of Law; Peter Strauss, Professor of Law, Columbia University School of Law; Nadine Strossen, Professor of Law, New York Law School; Lee J. Teran, Clinical Professor of Law, St. Mary's University School of Law; Chantal Thomas, Associate Professor of Law, Fordham University School of Law; Eugene Volokh, Acting Professor of Law, UCLA Law School; Charles D. Weisselberg, Professor of law, University of Southern California Law School; Harry Wellington, Dean, New York Law School; Peter Winship, Professor of Law, Southern Methodist University School of Law; Mark E. Wojcik, Assistant Professor of Law, John Marshall Law School; Stephen Yale-Loehr, Adjunct Professor of Law, Cornell Law School; Alfred C. Yen, Associate Professor of Law, Boston College Law School; Mary Marsh Zulack, Clinical Professor of Law, Columbia University School of Law.

Mr. GEJDENSON. Madam Speaker, I yield one minute to the gentleman from Arkansas (Mr. SNYDER.)

Mr. SNYDER. Madam Speaker, those of us on this side were admonished a few minutes ago to read the bill and pointed out that perhaps moral outrage

does not belong just on this side. The problem I have is not moral outrage over any one bill. I think a lot of good bills have been considered here. The problem is the process.

Madam Speaker, we were told to read the bill. I could not get a copy of the bill until a quarter to 6 this evening. The computer program of the House did not have this bill. When you punch in H.R. 3581, I got nothing. It is difficult to read something that does not exist until an hour or so before the debate begins for a topic this important.

This bill is the only option out on this floor. There are no amendments. It has to have a two-thirds vote. This process was designed to fail, even if we read and understand the bill.

So my only question is what is the gentleman from Georgia (Mr. GINGRICH) afraid of? What is the Speaker afraid of? Is he afraid of a true, open and fair debate? Is he afraid that this House may actually exert the will of the American people?

Madam Speaker, say it is not time to be afraid of campaign finance reform; do not be afraid of the will of the American people; but let us have a fair and truly open debate on the House floor on this issue.

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

Mr. Speaker, my assumption is that that was a speech addressing the bill that is no longer in front of us. The bill in front of us is H.R. 34. It was introduced on January 7, 1997, and that is the bill that is before us.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. MICA), a member of the Committee on House Oversight and a member of the Committee on Government Reform and Oversight, who is extremely knowledgeable on the question of noncitizens contributing to American campaigns.

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

Mr. MICA. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I have the unique responsibility of serving on the Committee on House Oversight. In addition, I serve on the Committee on Government Reform and Oversight and have been on that committee actually since I came to Congress. What has been stunning to me as a member of that committee is dealing with the scandal that we have seen dealing with campaign finance contributions.

Madam Speaker, this measure before us does not in fact address all the problems, but I venture to say that if you ask the American people what would you consider one of the greatest abuses that you saw in the last election, they would say it was undoubtedly foreign money coming in to our Federal political elections process.

I sat on that committee and I saw an unprecedented trail of money. We have a chart here that just shows a little bit of that money, money that came from China, from Indonesia, from Thailand, from various countries around the world, to influence our elections.

Madam Speaker, again, I know that this amendment does not address all the problems, but what it does do is very clearly say that if you are not a citizen of the United States, you cannot contribute. It clearly spells out that foreign contributions from a noncitizen are prohibited.

So, again, we cannot change all of the provisions in our election law, and I might say that 99 percent of those who serve in this body or who run for Federal office obey the law and the law does work. But what we have seen, again, is an unprecedented trail of money.

Just the money that we have seen in foreign and illegal contributions returned by the DNC, the Democratic National Committee, is over $2.8 million.

Again, we cannot address every single wrong that we have seen in the election process, but we can make a beginning. We can get some of our campaign finance election laws in order and address the real problem, the real concerns that the American people have seen.

Madam Speaker, I urge Members to support both this measure and also the bill that our committee has brought before the House. It is not everything that everyone would like to see, but in fact it is a beginning, and it does address the major concerns that the American people have brought to the Congress.

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

Mr. Speaker, I would like to say Members of my side out of frustration are going to be discussing the whole issue of campaign finance reform because of the limited amount of time. I would say on the desire to keep corruption out of campaigns, this side is ready to have an open debate and actually offer amendments on that.

Mr. Speaker, we have had a member of the gentleman's own party indicted and convicted on campaign violations, a member of the Republican caucus. He still sits here. The head of the Republican Party, Mr. Barbour, Haley Barbour, got millions of dollars from a Hong Kong bank. Let us get those things on the floor.

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

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

Mr. HOYER. Mr. Speaker, does the gentleman believe that that gentleman intends to vote on this campaign reform bill?

Mr. GEJDENSON. Mr. Speaker, reclaiming my time, I certainly hope that he uses better judgment than he has used to date.

Mr. Speaker, I yield such time as he may consume to the gentleman from Maine (Mr. BALDACCI).

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

Mr. BALDACCI. Mr. Speaker, I rise in strong opposition to this legislation.

Mr. Speaker, I am disappointed to find myself rising today in opposition to this campaign finance legislation. However, given the unfair process which has brought this legislation to the House floor, I find that I have no other choice.

Since I took office in 1993, I have been hearing from my constituents that campaign finance reform is an important issue to them. I have been told—and all of us who have run campaigns have seen first-hand—that our current system is broken. It is awash in money and without meaningful controls. Individual voters feel increasingly out of touch with their government, and believe that unless they can make significant contributions, they cannot access their elected officials.

Since 1993, I have been committed to changing the way our election system works. Unfortunately, at every step along the way, the efforts of a thoughtful and bipartisan group of legislators have been stymied.

The Majority leadership has spoken eloquently of the need for reform. Speaker GINGRICH shook hands with President Clinton, promising to move campaign finance reform forward by establishing a Commission to make recommendations. That never happened. Earlier this year, Speaker GINGRICH indicated that he believed the House should debate campaign finance reform in a ''fair and bipartisan'' manner. The situation we find ourselves in today shows that will not happen.

Today, the House leadership has brought up a disingenuous bill. This is no more ''campaign finance reform'' than the moon is made of green cheese. To make matters worse, the bill is being considered under suspension of the rules, a procedure that is generally reserved for non-controversial legislation. It allows only 40 minutes of debate and requiring a 2/3rds majority for passage. No amendments can be offered that might turn this counterfeit legislation into real reform.

The Majority leadership is so threatened at the prospect of true reform, that they refused to give a single bipartisan bill the opportunity to beat the same difficult odds: passage by a 2/3rds majority of members. The Shays-Meehan legislation, of which I am a co-sponsor, will not be allowed on the floor for fear that it just might pass.

This is not in the public interest. Failure is guaranteed. The Majority Leadership's legislation, HR 3485, deserves to fail; but bipartisan campaign finance reform as a whole does not. The Leadership will now claim that it kept its promise to bring campaign finance reform legislation before the House by the end of March. What a hollow promise that has proven to be.

The Shays-Meehan legislation, like the McCain-Feingold bill in the Senate, would bring an end to the soft money chase; would reform issue advocacy; would increase disclosure of contributions and spending; and strengthen FEC enforcement.

An overwhelming majority of Americans support real campaign finance reform. How disappointed they will be to learn that their Congress has let them down once again. I renew my call on the Majority Leadership to stop playing partisan games with such an important issue. Let's have a ''fair and bipartisan'' debate on real campaign finance reform. The American people deserve no less.

Mr. GEJDENSON. Mr. Speaker, I yield 1½ minutes to the gentleman

from Ohio (Mr. KUCINICH), who has been fighting for campaign finance reform since the day he got here.

Mr. KUCINICH. Mr. Speaker, the so-called reform bill has silenced the voice of working people. It would stop them from using the organized power of their representatives, to use the political system for better wages, to obtain more benefits, to achieve better working conditions.

This bill is an abridgement of free speech of workers and a violation of their freedom of association. It puts onerous conditions on when unions can represent workers in political matters, all in the name of greater political freedom for workers, saying that they should have the additional consent, that workers should be able to give their consent to their leaders.

We know the essence of a union is that people declare an identity of interests right from the very beginning. This bill attacks that principle. It is an attack on unions. It is an attack on workers' rights. It is an attack on workers and the very thing that they labor for.

You cannot put the house of labor outside this political process in a democracy. Working people will be watching to see who would dare to take the fruits of their labor, the very taxes which they pay our salaries with, and use that process to silence them and to try to shut them out of the political process.

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

Mr. Speaker, let us remember the rules we have for voting is only people who are citizens are supposed to vote as well. My assumption is there may be some moral outrage somewhere about the fact that only citizens are allowed to vote.

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

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

Mr. HOYER. Mr. Speaker, I hear what the gentleman is saying. A number of you have indicated ''not voting.'' Would a 17-year-old under your bill be able to contribute to a campaign?

Mr. THOMAS. Is the gentleman indicating that that 17-year-old is a citizen or a noncitizen?

Mr. HOYER. A citizen.

Mr. THOMAS. It is not my bill, it is the bill of the gentleman from Nebraska (Mr. BEREUTER), and if in fact they are a citizen, they can contribute.

Mr. HOYER. But not vote.

Mr. THOMAS. Mr. Speaker, it is now my pleasure to yield 2 minutes to the gentleman from Wisconsin (Mr. NEUMANN), a Member who has lived firsthand, both at the State and Federal level, a meaningful, quote-unquote, campaign reform.

Mr. NEUMANN. Mr. Speaker, I rise to address what is a very important issue and has been uniquely addressed in the great State of Wisconsin. In a Senate race developing out there, of course, campaign finance reform came up, and the debate really is about whether the people here in Washington know best how to draw up the campaign finance laws and whether or not what we think here in Washington should be mandated and dictated to every State all over the Nation, or whether it would be more appropriate to do as we have done in the great State of Wisconsin and reach some voluntary agreements in limiting various parts of the campaign finance reform in compliance with what the people in the State of Wisconsin want us to do.

This very quickly becomes a debate about whether the people in Washington know what is best for every State all across the United States, for California, for New York, for Wisconsin, or whether it would be better in fact to have the people out there in those States make voluntary agreements amongst themselves as to how best to apply some campaign finance restrictions.

In Wisconsin, we have reached voluntary agreements to limit the overall spending. We have reached voluntary agreements to limit the percent of money coming from PACs and special interests. We have reached voluntary agreements to limit the amount of money coming from out-of-State.

We have accomplished in about a 2-week period of time out in Wisconsin voluntarily what has been attempted out in this city for a long sustained period of time. The reason for that is very simple and very clear: Out here in Washington, we somehow think that we are best able to dictate to everyone all over the country what is best for them. But the reality of this situation is that the people in each one of these States, in compliance with what their people want and what their citizens and constituents want, have every possibility and capability in the world of reforming campaign finance reform by simply sitting down and reaching a voluntary agreement amongst themselves to supply their constituents with what it is that they are asking for.

Again, in Wisconsin we have been very successful with this, and I think voluntary agreements between competing candidates in races, whether it be Congressional or Senate, any of the Federal races, is certainly the appropriate way to go when it comes to campaign finance reform.

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

Mr. Speaker, I would hope the gentleman's commitment would extend to signing the discharge petition to get a real debate on campaign finance reform on the floor.

Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentleman for yielding me this time.

Mr. Speaker, I rise in opposition to this bill because it has really nothing to do with the real needs of campaign finance reform. What it is is the continuation of a mean-spirited attack on immigrants who have come to this country, who are now permanent legal residents, seeking a voice, an opportunity to participate. They work hard every day, pay taxes, contribute their money to other causes, and now we tell them that they cannot contribute to campaigns in America?

What kind of country is this? We need real campaign reform, not a sham, not a shack. Let us get with it and do it the real way.

Mr. Speaker, I rise against the Illegal Foreign Contributions Act because it is not really a vehicle for true campaign finance reform. Rather, it is a mean-spirited bill that simply bans legal permanent residents from exercising their first amendment right, their civil right that guarantees them freedom of expression. The 1st amendment protects everybody in the U.S., not just ''eligible voters.'' Isn't one of the most valued and time-cherished acts of expression the right to participate in our great political process? I believe that a society can only be a true democracy when even the weakest of all individuals has a voice.

Banning legal permanent residents from contributing is not the solution to the alleged abuses of the 1996 campaign. The problem was the alleged illegal contributions that are already covered under existing law. A fundamental requirement of direct contributions under the current law—is that the source of money must not be a foreign corporation or a foreign national. Legal permanent residents (valid green card holders) were not included in this prohibition and currently are allowed to make campaign contributions. Thus, this proposal does not effectively prevent the flow of foreign money into the American political system.

Legal permanent residents are hard working people who earn their money in the U.S., they pay taxes in the U.S. and contribute to the U.S. economy by buying products in the U.S. Legal permanent residents are even required to register for the draft. Like U.S. citizens, legal permanent residents are stakeholders in America who care about the status of our country. They should be afforded the right to support candidates whom they believe will make it a better place to live.

I reiterate the fact that court cases have found that legal permanent residents are afforded the protections contained in the first amendment. Furthermore, the Supreme Court has ruled that campaign contributions are a form of speech protected under the first amendment.

Thus, I believe that the prohibition to deny legal permanent residents the right to make campaign contributions would be a continuation of the attacks on immigrants that we have seen take place during the last several years. This troubling pattern of anti-immigrant actions fosters the malicious notion that legal permanent residents somehow do not share an interest in the well-being of this nation and do not deserve basic rights and benefits. However, I submit that legal permanent residents are our ''citizens in training.''

Illinois just had their primary elections—voter turn out was at an all-time low. I think we need to be thinking of ways to encourage people to participate in the political process rather than hindering them.

Mr. GEJDENSON. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS), our newest Member.

Mrs. CAPPS. Mr. Speaker, I am truly sorry that I must rise today and oppose campaign finance reform bills. These bills do not represent true reform and the hasty process by which they were brought to the floor does not honor the bipartisan approach which must characterize any serious debate on campaign finance reform.

Mr. Speaker, I know I have only served in this House for 2 weeks, but it is really difficult for me to understand why we will not have the opportunity to debate, much less vote on, the Shays-Meehan bill, which is a bipartisan bill.

In contrast to the bills being considered tonight, the Shays-Meehan bill will end what I consider the most egregious abuse of the current system, the so-called issue advocacy ads.

In my recently completed campaign, my conservative Republican opponent and I both agreed that in our campaigns these ads flooded the airwaves with misleading information. Although the ads clearly targeted us for election or defeat, there was no disclosure and no limits on how they were being funded.

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But this issue is not even being debated today. We should not pass legislation in the dead of night and in such a fiercely partisan manner.

We cannot lose sight of the dramatic shift that, even as we speak, is occurring out there in our campaigns. Voters are becoming just pawns in the battle between special, powerful, outside interest groups. We must pass the bipartisan Shays-Meehan bill and bring the political process back to the people. The dignity of our democratic institution and tradition deserves nothing less.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. KIND).

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

Mr. KIND. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I want to speak for a second about the process of the multiple bills we have facing us today. The debate we are having tonight is long overdue. The political process is in need of reform, yet for almost a year and a half we in Congress have never been given the chance to debate campaign finance reform. Now, here we are, with a very divisive, partisan bill which is, to quote the New York Times, ''Sham legislation dressed up to look like reform, with no chance for Members to vote on the real thing.''

This process could have been done a lot better and a lot differently. I have been a member of a bipartisan freshman group who, for the past year and a half, have been crafting a bipartisan form of finance reform. The bill we drafted represented an honest effort to seek middle ground that eliminates the poison pills that we are facing here tonight. It was a real effort at reform, not a sham bill designed to offer cover to those who oppose real reform.

But, ultimately, this debate is about whether we believe there is too much money in the political process or not enough money in the political process. Those who believe in the need for more campaign spending and more special interest influence on the process will support many of these bills we face tonight. But those who want to put elections back into the hands of the people will see through this charade, will see through this sham and will support real campaign finance reform.

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

Mr. Speaker, I find it really, really difficult to argue that the bill in front of us, offered by the gentleman from Nebraska (Mr. BEREUTER), which very plainly says that only citizens should be able to participate in the financial aspects of a campaign, just as only citizens are supposed to be able to participate in the voting part of the campaign, is in fact meaningless and a charade.

Mr. Speaker, it is my pleasure to yield 2 minutes to the gentlewoman from Florida (Mrs. FOWLER).

Mrs. FOWLER. Mr. Speaker, I rise in support of the Illegal Foreign Contributions Act of 1998 and the Campaign Reform and Election Integrity Act. These bills represent a good-faith effort to begin to address the problems in our campaign finance system. They merit support.

Do they solve every problem? No. But that is no reason to oppose these bills. Campaign finance is a complicated issue. We have not even reached consensus on the problems, let alone the solutions.

When I was first elected, I led an effort in our freshman class to develop a campaign finance package. We came up with several commonsense reforms like the ones in the bills before us today. Since that time, a number of new problems have developed that these bills attempt to address. It is an incremental approach, but it is a good start.

Among other things, the bills create a pilot program in five States, including my State of Florida, to crack down on voting by non-citizens. They toughen the ban on contributions from noncitizens and increase the penalties. They also include the Paycheck Protection Act.

Let us pass these bills today and begin the effort to clean up our campaign finance systems. I urge my colleagues to vote yes for reform.

Mr. GEJDENSON. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE), someone who has again for many years made a great effort in campaign finance.

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Speaker, colleagues know that ''outrage'' is not a word I use with great frequency, but I can think of few words that better describe the insult to this House and to our constituents represented by the procedure the leadership has chosen for debating reform of our election laws.

I have been involved in this debate for the many months of the 105th Congress. I have cosponsored the Shays-Meehan proposal for campaign finance reform. I have authored my own stand-by-your-ad bill, which would require candidates and groups to assume responsibility for the ads they air. Last week I asked the Rules Committee to make this bipartisan proposal, sponsored by Representative Horn, myself, and 12 other colleagues, in order on the floor.

To have this and all other amendments barred, to have a motion to recommit barred, to have any substantive discussion of this issue barred by this procedure is an outrage that should be rejected by this House.

We have a responsibility to our democracy to end the abuses of our present campaign system. The Republican leadership has promised Members a vote on campaign reform in this session of the 105th Congress, and the charade we witness on the floor tonight represents a mockery of that promise.

I, for one, am willing to postpone our recess schedule. Let us do that. Let us stay here and devote the time necessary to complete our job. I have signed the discharge petition to bring a real reform debate to the floor. I urge any colleagues who have not signed to do so.

Mr. Speaker, the House and our country deserve better than this scheme devised to foreclose debate and to deny a simple majority vote for serious reform proposals. It is an outrage, and this House must not stand for it.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. Mr. Speaker, this is a sad occasion for taking up this piece of legislation. I wish it could have been done on a bipartisan basis; but, unfortunately, this is not the case.

Mr. Speaker, I am very concerned about the status of legal permanent resident aliens who pay Federal income taxes on their income, wherever earned around the world. Legal permanent residents have always been given the privilege of contributing to campaign elections, but why are my Republican friends now putting on such a prohibition? I suspect, Mr. Speaker, perhaps the vast majority of the permanent resident aliens are Hispanic Americans and Asian Pacific Americans. I would like to look into this to examine what exactly is the basis for this.

Legal permanent residents are also required to register for the military

draft, and nearly 20,000 serve voluntarily in America's Armed Forces. The record reveals that none have fought harder to protect America's freedoms. In fact, one out of every five Congressional Medal of Honor recipients has been a legal resident permanent alien or a naturalized American citizen.

The Supreme Court has already recognized that the first amendment of our Constitution protects the rights of legal immigrants as well as citizens. Mr. Speaker, I cannot even introduce an amendment concerning the rights and privileges of a U.S. national. It is a sad day, Mr. Speaker. It is a sad day.

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

Mr. Speaker, before Members get too carried away, I would like someone to look at the CRS report for Congress on campaign finance legislation in the 105th Congress. I was just perusing it in terms of the numbers of bills that were introduced.

I would call my colleagues' attention to H.R. 140, introduced by the gentleman from Michigan (Mr. DINGELL). One of the provisions of H.R. 140 is that it would prohibit contributions from non-citizens in U.S. elections.

There is another bill I would call my colleagues' attention to in the 105th Congress. It is H.R. 1777. It is sponsored by the gentleman from Massachusetts (Mr. MEEHAN). Among the provisions in that bill is a section on foreign contributions, which says that it would prohibit contributions in Federal elections by non-citizens and others not qualified to vote.

So I would appreciate, Mr. Speaker, if those on the other side, when they make their comments, not get too carried away when, in fact, Members on both sides of the aisle have introduced worthwhile legislation which would ban contributions from individuals who are not citizens.

Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. Mr. Speaker, I appreciate the gentleman yielding time to me.

Mr. Speaker, I find it ironic this evening that some of our Democratic friends, certainly not all of them but some of them, have expressed such moral outrage at the lack of action in the 105th Congress in bringing meaningful campaign finance legislation to the floor. Prior to 1995, the Democrats controlled the United States Congress for 40 uninterrupted years. I do not recall in the last 10 years the Democrats making much of an effort to bring this type of legislation to the floor.

I remember in 1992, when then candidate Bill Clinton listed it as one of his priorities if he were elected president, that he would strive to bring meaningful campaign finance reform to the floor of this House. After he was elected, when the Democrats controlled the Congress in the 103rd Congress in 1994 and 1993, they did not bring meaningful campaign finance reform to this floor. Yet now they express such outrage.

President Clinton did not live up to his commitment. The Democratic leadership did not live up to their commitment. But the Republican leadership this evening are bringing four bills to the floor. They made a commitment to do so by the end of March of this year. They are living up to that commitment.

Everyone in this House will have the opportunity to vote on four bills. So I think if we just think about this, we will see which party is delivering on its promise.

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

Mr. WHITFIELD. I yield to the gentleman from Connecticut.

Mr. GEJDENSON. Mr. Speaker, the gentleman is completely, factually incorrect.

Mr. WHITFIELD. The gentleman's party did not control the House for 40 years? They did not control the House for 40 years?

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

Mr. Speaker, I am sure the gentleman is earnest; but the gentleman is just factually wrong. I will tell the gentleman why. I will tell the gentleman in what way.

We passed campaign finance reform as Democrats in 1971 and had to override Nixon's veto. We passed campaign finance reform in 1974, and it got signed into law. We passed campaign finance reform in the 1992, and George Bush vetoed it. We passed campaign finance reform when Bill Clinton got to town. It passed the House, it passed the Senate, and the Republicans in the Senate filibustered it to death.

We had a real debate. We gave people a chance to offer an amendment. That is the difference here.

Mr. GEJDENSON. Mr. Speaker, I yield such time as he may consume to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. Speaker, I rise in strong opposition to this legislation which would ban political contributions by legal permanent residents of the United States.

Mr. Speaker, the measure before us is tremendously unjust, clearly unfair, and an insult to the millions of people, over 4% of this country's population, who are legal permanent residents of our great nation.

Legal permanent residents have worked diligently within the law to legitimize their immigration status in America. They are hard-working, law-abiding individuals who are fulfilling their requirements to become citizens of this great country.

As with U.S. citizens, legal permanent residents are stakeholders who hold responsibilities for the well-being and future of this great nation; and, they have fulfilled their obligations magnificently.

Legal permanent residents pay U.S. Federal income tax on their income from wherever derived around the world.

Legal permanent residents are also required to register for the military draft, and nearly 20,000 serve voluntarily in America's Armed Forces. The record reveals none have fought harder to protect America's freedom. In fact, one out of every five Congressional Medal of Honor recipients has been a legal permanent resident or naturalized American.

The Supreme Court has already recognized that the first amendment of our constitution protects the rights of legal immigrants as well as citizens. Clearly, the right to financially support one's candidate or political party of choice is a form of speech and association that is protected by the first amendment.

Already, U.S. legal permanent residents cannot vote in electing the democratic government that they support with taxes and fight overseas to preserve and protect.

Now, the measure before us seeks to silence the political voice of legal permanent residents and take away their first amendment rights to express their viewpoint through political support of those they believe.

Mr. Speaker, the legislation before us is the ugly antithesis of what America and her democratic ideals have always stood for.

Legal permanent residents of the U.S., like citizens, have an important stake in the well-being of America and they have earned the right to voice their support for candidates whom they believe will contribute to a better America for them and their children tomorrow.

I strongly urge our colleagues to oppose the dangerous measure before us.

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

Mr. Speaker, I would say, we set a bar that we needed 51 percent to pass the bill, not two-thirds.

Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. PASCRELL).

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

Mr. PASCRELL. Mr. Speaker, the current Members of Congress can be broken into two groups, those who think that there is too much money in politics in an election and those who think there is not enough. That goes across party lines.

Mr. Speaker, whether we want to admit it or not, the fact is that our campaign finance system is jeopardizing our credibility. We should not fool ourselves into believing that the problem is only the illegal activities that occur during campaigns. Quite to the contrary, the real problems stem from what is legal. It is the abuse of soft money time and time again. We heard it from both sides of the aisle in the campaign finance bill submitted by the freshman bipartisan committee.

Instead of bringing up our bill, instead of bringing up McCain-Feingold II, for which there is also widespread bipartisan support, the leadership on the other side of the aisle has decided to hide behind some parliamentary tactics. This is a low point in the 14 months that I have been in here. In fact, it may be the lowest point.

Mr. GEJDENSON. Mr. Speaker, I yield 2¼ minutes to the eloquent gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, let me read again the New York Times editorial: ''Newt Gingrich has selected today as the moment to line up his firing squad and kill campaign finance reform.'' It concludes by saying, ''It is a cynical maneuver.''

Mr. Speaker, the bill before us is another one of those cynical maneuvers. Let me tell the Members why. The gentleman from Florida got up and talked about all those campaign contributions. They were, in fact, illegal, should not have been accepted. They were returned. The Republican party has returned over $1 million, as well. They should not have been received. This bill will not affect any of those contributions. They were illegal at that time and are now.

What is this bill about? It was introduced some time ago. Then it was changed. Let me tell the Members what it was changed to. It added one line. It added the title: Illegal Foreign Contributions Act of 1998.

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This is a 30-second ad. That is all it is. It is a 30-second cynical ad to pretend that this bill affects that poster. It does not, I say to the gentleman from Florida, because they were illegal from the beginning and should not have been accepted.

Soft money is made illegal by this bill. There is much support for that. Not for this bill, but much support for that objective. But the fact of the matter is, this bill is for one purpose only: For a press release that the Republicans can say they were against illegal foreign contributions, which of course they accepted and it was wrong. It was wrong. We did the same. It was wrong. But this bill is simply a PR effort. It has no substance to it.

Mr. GEJDENSON. Mr. Speaker, I yield the balance of our time to the eloquent gentleman from California (Mr. FARR) who has led the effort on campaign finance reform for Congress after Congress.

Mr. FARR of California. Mr. Speaker, just a moment ago it was said that we were getting too carried away. Let us look at the record of who is getting a little carried away. According to Congressional Quarterly, the Republican leadership has had the most expensive congressional investigation in the history of the House. Their investigator, they spend over $10,000 a month on his own salary. They sent five investigators to Taiwan to look at bank records. They came back and my colleagues on the other side of the aisle introduced this bill.

PARLIAMENTARY INQUIRY

Mr. THOMAS. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. FOLEY). Does the gentleman from California (Mr. FARR) yield for the purpose of a parliamentary inquiry?

Mr. FARR of California. No, Mr. Speaker, I will not yield.

Mr. Speaker, I will answer the gentleman's question. Nothing that they have investigated was brought for campaign finance reform. This has nothing to do with the investigation. They have not limited foreign corporations from contributing to campaigns. It has cost this House $5 million so far.

What this bill says is that 1-day-old babies can participate in contributing to campaigns through their parents, but if someone is a Congressional Medal of Honor winner, if they won the Gold Medal in the Olympics, if they won the Nobel prize and they happened to be born somewhere else, they cannot contribute a dime, not even if they are a military retiree.

Mr. Speaker, this is a sham. This bill does nothing to reform campaigns, and the investigation that they spent $5 million on is not even seen in this bill. This is outrageous.

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

Mr. Speaker, the bill of the gentleman from Nebraska (Mr. BEREUTER) is a very simple bill. It says if someone is a citizen, they can contribute. If they are not a citizen, they cannot.

The gentleman from Nebraska was not able to be with us tonight, but if he were here I am quite sure he would say, ''Please join me and the gentleman from Michigan (Mr. DINGELL) who sponsored the same measure in H.R. 140, and the gentleman from Massachusetts (Mr. MEEHAN) who sponsored the same measure in H.R. 1777, and the gentleman from Massachusetts (Mr. FRANK) who cosponsored H.R. 1777, and the gentleman from Virginia (Mr. MORAN) who cosponsored H.R. 1777.''

So, apparently, there are a number of Members of this House on both sides of the aisle who believe that banning foreigners from contributing in elections is something that should be done. And all I have heard from the other side of the aisle is that none of this is bipartisan.

Mr. Speaker, I believe if it is supported by the gentleman from Michigan (Mr. DINGELL), the gentleman from Massachusetts (Mr. FRANK), the gentleman from Massachusetts (Mr. MEEHAN), that this clearly indicates that this measure is bipartisan, and I would ask for an ''aye'' vote.

Mr. BEREUTER. Mr. Speaker, this Member rises today in support of H.R. 34 to prohibit foreign individual campaign contributions or expenditures, which this Member sponsored as one aspect of necessary campaign finance reform legislation. This Member would also like to thank the gentleman form California [Representative BILL THOMAS] the Chairman of the Committee on House Oversight and the gentleman from Connecticut [Representative SAM GEJDENSON] the ranking member of the Committee on House Oversight for their support in bringing H.R. 34 to the House Floor. Chairman THOMAS also independently introduced similar legislation on the first day of this 105th Congress.

As many of this Member's colleagues know, this Member has long been a supporter of campaign finance reform. It is clear to this Member that effective campaign finance reform is of fundamental, even crucial, importance to our political system. Our failure to reduce the disproportionate impact of money in elective politics is having a corrosive influence on the American political process contributing to suspicion and cynicism in the American people. Furthermore, there is more than enough blame to go around, as this Member believes it is deplorable that the two political parties have been unwilling to come together to reform this process by relinquishing the elements of our current campaign finance system that favor each particular party. However, this Member has not given up the fight and remains committed to such reform and will continue to be active in pursuing it.

In the past, this Member introduced legislation that included a number of campaign finance reform provisions including a provision requiring that a majority of campaign funds raised by Congressional candidates must come from residents in their own state or district. However, while this Member has always been concerned regarding the influence of out-of-state money in congressional elections, it is apparent that a serious problem that really for the first came to the attention of the American public during the 1996 presidential election season—campaign contributions from foreign sources.

On December 16, 1996, during a meeting with the Lincoln Chamber of Commerce, this Member announced his intention to introduce specific campaign finance reform legislation which would prohibit foreign individual campaign contributions when the 105th Congress convened in January of 1997. This Member kept his promise as on the very first day of the 105th Congress this Member introduced H.R. 34 (i.e., January 7, 1997).

Many Americans believe that it is already illegal for foreigners to make Federal campaign contributions. The problem is that they are both right and wrong under our current Federal election laws. The fact of the matter is that under our current Federal election laws, you do not have to be a U.S. citizen to make campaign contributions to Federal candidates. Under our current Federal elections laws, you can make a campaign contribution to a candidate running for Federal office if you are a permanent legal resident alien—a permanent legal resident alien and you, in fact, reside in the United States.

This Member believes that this situation is wrong, this Member believes that most Americans would agree it is wrong, and this Member believes that it is a problem begging for correction.

Therefore, this Member introduced H.R. 34 on the very first day of the 105th Congress to change our current Federal election laws so that only U.S. citizens are permitted to make an individual contribution to a candidate running for Federal office.

To this Member it's very simple—if you want to be fully involved in our political process, then you must become a citizen of the U.S. If you don't make the full commitment to our country by becoming a U.S. citizen, then you shouldn't have the right to participate in our political system by making a campaign contribution and affecting the lives of American citizens—you shouldn't have a role in electing American officials. This Member believes it is a very obvious conclusion that the process of

electing our officials should be a right reserved for citizens. It is wrong and dangerous to allow even the potential to exist for undue foreign influence in electing our government, and H.R. 34 is one of the numerous important steps to do so.

The abuse that allegedly resulted from foreign campaign contributions in the recent presidential campaign is a terrible indictment of our current campaign finance system.

Indeed, the Congress must be concerned about the issue of legal and illegal foreign campaign contributions. Everyone here today should be concerned about this recent insidious development in our presidential election process, and should understand that these statutory and procedural changes like the passage of H.R. 34 are necessary to protect the integrity of the American electoral process. We must insure that it is Americans who choose our President and Congress.

We simply cannot allow foreign corporations and foreign individuals to decide who is elected to public office at any level of our government. Therefore, my legislation (H.R. 34) to require that only U.S. citizens be allowed to make contributions to candidates for Federal office is one of my priorities for the 105th Congress. This issue must be addressed and this Member intends to push for this change until successful.

With regard to soft money from American subsidiaries of foreign corporations, we must, as a minimum, enforce the current law that such contributions can only come from the profits of their U.S. subsidiaries until greater and appropriate changes can be made.

This Member would ask his colleagues to support H.R. 34 as an important step toward campaign finance reform.

Mr. THOMAS. Mr. Speaker, 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. THOMAS) that the House suspend the rules and pass the bill, H.R. 34, as amended.

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

Mr. THOMAS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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.

PAYCHECK PROTECTION ACT

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2608) to protect individuals from having money involuntarily collected and used for political activities by a corporation or labor organization.

The Clerk read as follows:

H.R. 2608

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 ''Paycheck Protection Act''.

SEC. 2. PROHIBITING INVOLUNTARY ASSESSMENT OF EMPLOYEE FUNDS FOR POLITICAL ACTIVITIES.

(a) IN GENERAL.—Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding at the end the following new subsection:

''(c)(1) Except with the separate, prior, written, voluntary authorization of each individual, it shall be unlawful—

''(A) for any national bank or corporation described in this section to collect from or assess its stockholders or employees any dues, initiation fee, or other payment as a condition of employment if any part of such dues, fee, or payment will be used for political activity in which the national bank or corporation is engaged; and

''(B) for any labor organization described in this section to collect from or assess its members or nonmembers any dues, initiation fee, or other payment if any part of such dues, fee, or payment will be used for political activity in which the labor organization is engaged.

''(2) An authorization described in paragraph (1) shall remain in effect until revoked and may be revoked at any time. Each entity collecting from or assessing amounts from an individual with an authorization in effect under such paragraph shall provide the individual with a statement that the individual may at any time revoke the authorization.

''(3) For purposes of this subsection, the term 'political activity' means any activity carried out for the purpose of influencing (in whole or in part) any election for Federal office, influencing the consideration or outcome of any Federal legislation or the issuance or outcome of any Federal regulations, or educating individuals about candidates for election for Federal office or any Federal legislation, law, or regulations.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to amounts collected or assessed on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. THOMAS) and the gentleman from Connecticut (Mr. GEJDENSON) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. THOMAS).

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

Mr. Speaker, I yield the balance of my time to the gentleman from Colorado (Mr. BOB SCHAFFER) and ask unanimous consent that he be allowed to manage the time.

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

There was no objection.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Thomas Jefferson once said that to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves is sinful and tyrannical.

Mr. Speaker, this really is the quote that epitomizes House Resolution 2608 that is before us now, the Paycheck Protection Act, and I would commend it to the House's consideration and urge its adoption.

The Paycheck Protection Act is a piece of legislation that came to many of us here in Congress at the urging of working men and women from throughout the country, working men and women who are fed up and tired of seeing portions of their wages, their paychecks, being siphoned off and directed toward political purposes of various causes without their consent, many times without their knowledge.

The Paycheck Protection Act applies to all wage earners across the country, all paychecks. This is not an act that singles out any one group or organization. It is not a bill that proposes to place a greater burden on one organization or another. This is a bill that speaks directly to paychecks and wage earners.

The fact of the matter is that many people who join various groups and organizations pay for their dues associated with those clubs and groups through wage deductions out of their paychecks. They may sign up for collective bargaining, for agency representation, for various sorts of worthwhile causes, and are frustrated to find that a portion of those funds are frequently and routinely siphoned off to pay for politics.

Mr. Speaker, this bill puts an end to that. It protects paychecks for all wage earners in America. Let me say this, there are people who do not like this. There are many people throughout the country who are political operatives of various sorts who pay for huge campaigns of various kinds, ballot initiatives subsidizing candidates, various political messages. This bill does add one more step of inconvenience to their lives because it requires them to go seek the permission of those who are working hard to earn the cash to pay for these various political games.

But I say, Mr. Speaker, that it is high time that we depoliticize people's paychecks. In fact, survey after survey that has been conducted throughout the country on this topic suggest that the American workers are squarely with us, the proponents of this bill. Eight percent of union households agree with us that they would like to see legislation passed by this Congress that would shut off the practice of siphoning off portions of wages for political purposes.

Today I ask the Congress to stand with me, to stand with the 165 cosponsors of H.R. 2608, to stand with the hard-working men and women throughout the country who work hard to put bread on the table, to put shoes on the feet of their children, to live the American dream, and who would like to be participants in a political process on a voluntary basis. Who believe that Thomas Jefferson was absolutely right years ago when he said, and once again I repeat, to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves is sinful and tyrannical.

Mr. Speaker, I reserve the balance of my time

Mr. GEJDENSON. Mr. Speaker, I yield 3 minutes and 20 seconds to the gentleman from Michigan (Mr. BONIOR), one of our great leaders on the Democratic side and someone who has been fighting for justice and campaign reform for as long as he has been in Congress.

Mr. BONIOR. Mr. Speaker, I thank the gentleman from Connecticut (Mr. GEJDENSON) for yielding me this time.

Mr. Speaker, invoking the name of Thomas Jefferson in support of this bill is sacrilegious to say the least. This bill, this idea, is the concept and the efforts of special interests and multimillionaires who are running around the country trying to convince people that workers do not have a right to speak on their own behalf. The Grover Norquists, the Patrick Rooneys of the world pretending to speak for people who pack a lunch and punch a clock and work hard every day.

This bill, Mr. Speaker, is a Trojan horse. It is a sneak attack on working families. It is an ambush designed to silence their voices with a workers gag rule. This bill says if there is a debate over Social Security or minimum wage or Medicare, democratically elected unions cannot even talk about it with their own members. That is what this bill says.

This gag rule would actually prohibit millions of Americans from communicating with each other about their elected representatives, about the political process, of which we have very little tonight, by the way, and about the policies that affect them.

Mr. Speaker, shutting down free speech like this does not just border on tyranny, something Mr. Jefferson knew something about, it crosses the line. Today my colleagues on the other side are trying to silence people who believe in unions. Tomorrow, will they be trying to silence people who believe in a particular religion?

And who is behind this attack on working families' freedom of speech? Well, the answers should not surprise us. It is those special interests, the very wealthy in this country who want to break the backs of workers and unions in this Nation. And they are aligned with Speaker GINGRICH to do it. They want to silence the voices of people who speak out for decent wages, affordable health care, and a secure retirement. And at the very same time, they want to open up the floodgates of special interest money from corporations and the very wealthy in our society.

Mr. Speaker, this bill is a sham. It is a travesty. The majority of this House would vote today on a genuine bipartisan campaign reform bill, the McCain-Feingold bill, if we had a chance, if we had an opportunity, but the Speaker is denying us that opportunity. The only option we have is to march to this well and to sign the discharge petition to get true, open, effective campaign debate on this floor.

And I would say to my friends on this side of the aisle, they have eight courageous people, I believe, who have signed that petition today. In the next days, weeks, months, we will be watching. If Members believe in changing this system that denigrates all of us, a system in which we have to parade over and spend a good part of our day dialing for dollars, a system which has ruined the confidence of the American people in our government, and anybody who cannot see that cannot see the numbers declining every year participating, if Members want to change that, come down and sign the discharge petition and vote against this bill.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Speaker, I rise in support of the Paycheck Protection Act and I do so because I believe as Americans we should have control over the money that we earn, especially when the money goes to support a political opinion or a political candidate.

Now, there are some, as the previous speaker noted, who would say that this will go so workers do not have a right to speak. Well, that is not true. Workers do have a right to speak. All that this requires is they will have to say, ''Yes, I want you to take my money and I want you to spend it however I see fit.''

And to say that THOMAS Jefferson did not say what he said, it was not sacrilegious, it is very clear what he said. He said it was tyranny.

It has been said that the unions will not be able to talk to their members because of this bill. Again, that is not true. In my district the unions communicate weekly with their members through newspapers. They talk to them and have union meetings. People freely come and go. All this bill says is that if organizations are going to use money for political purposes, they just have to get permission.

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You just have to ask people for it. Who is behind this? Eighty percent of union households and about 90 percent of Americans that are not in union households. They want to protect the paychecks that people work so hard for. I think everyone of us should be involved in the political process. But I think you should control how your political support goes.

I think you should control who your political money goes to support. In America today that does not happen. Millions of dollars are deducted directly from hard-working Americans' paychecks and sent to organizations that never ask for permission. They never ask if they support issues. They never ask if they support candidates. They take the money and they spend it how they see fit.

The gentleman from Colorado quoted Thomas Jefferson. He simply said that process is sinful and tyrannical. I believe Thomas Jefferson was right. The Paycheck Protection Act overcomes this tyranny that exists right here in America. I think we all ought to vote in support of this. I think we all ought to be in favor of protecting workers' paychecks. Let them control how their money is going to be spent in the political process.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute and 10 seconds to the gentleman from Kentucky (Mr. BAESLER), who has been leading the effort on the petition drive to get the discharge petition. He has 181 brave souls on it.

Mr. BAESLER. Mr. Speaker, back in November, the Republican leadership promised a fair and bipartisan vote on campaign finance reform. This is not a fair, bipartisan vote. This is a cynical fraud being perpetuated on the Congress here tonight. But we have an opportunity to have a bipartisan vote on real campaign finance reform. I urge all my colleagues, if they really want reform but just do not want to talk about it, walk down and sign the discharge petition. It is the only way left to reverse this fraud that has been perpetuated on us tonight.

The blue dog discharge petition would give us a fair and open debate on all the leading reform bills: McCain-Feingold, Shays-Meehan, the freshman bill, the Republican leadership bill, the Democrat bill. It would even give us a vote on the Doolittle bill, which abolishes all limits on contributions. We need only 31 more signatures.

I urge my 25 Democratic colleagues who have not signed to do so and also see if we can get 7 or 8 more Republicans. The discharge petition means that campaign reform would not die today, it will not die this week, or over the recess.

Mr. Speaker, the game is not over. After we get through with this cynical exercise tonight, sign the discharge petition.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, it is sacrilegious, it is a Trojan horse, we are working somehow to gag and to silence the opposition. We are shutting down the opposition, shutting down free speech, and we are trying to silence people and this is a cynical fraud. We hear all of these very pejorative phrases, and Members seem to be trying to do everything they possibly can not to focus on exactly what we are debating here.

It is one thing to stand up and call everybody a bunch of names, but it is another thing to try to confront exactly what we are voting on. We are voting here, and what we are supposed to be discussing is whether or not people who are working should be permitted, should be required, before they can take something out of their paycheck and use it for political purposes, that they should have the right to have to have a signoff, that before you can take something from somebody, they should sign a document saying, it is okay for you to take it and use it for political purposes.

I do not think calling it sacrilegious, a Trojan horse and talking about we are trying to silence somebody, we are trying to prevent people from being robbed. We are trying to prevent people from saying, you have a right to take

something out of your paycheck and use it for something that you do not believe in. We are not the government. We are a private group and we have that right with your money. Well, that is what we are defining here.

It is not sacrilegious. It is not trying to silence anybody. It is simply trying to set down, is it proper to give the power to the individual who is working out there in whatever company the right to control his own paycheck so people do not take it away from him without his permission and use it for political purposes that he or she may not agree with. That is very reasonable. This is a very reasonable bill. The hysterics that I am hearing from the other side would indicate that there are other things at work here.

Mr. GEJDENSON. Mr. Speaker, I just want to say this is about warning, as the lost in space movie comes out, if you do not vote for Republicans, they will get you. That is what this is about.

Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am delighted to be able to rise today and acknowledge that finally we have brought to the floor of the House the campaign finance sham act of 1998. These collective bills double the amount of money wealthy special interests can give. They silence the most vulnerable working families in America, not allowing them to come before the body that makes laws for all of this Nation, the United States Congress. Then the bill attempts to intimidate our newest and most innovative and interesting and wonderful voters, our voters who will become new citizens, particularly targeting Hispanic voters.

What more can one say than this is a sham? If this is not against what America stands for, 293 charitable groups, including the League of Women Voters, say do not vote for this bunch of sham. The gag rule is a gag on the Constitution of the United States of America. I am ashamed of this sham.

I ask my colleagues to defeat all of these bills, bring real campaign finance reform to the floor of the House. Vote for the discharge. Vote for the bills that have been put on that really mean something and take the Constitution and make it work.

Mr. Speaker, I rise this evening in strong opposition to the Paycheck Protection Act, a bill that more appropriately should be titled the Worker Gag Rule. This legislation will prohibit unions from making political expenditures without prior written consent from their members. It requires labor unions to obtain written, prior authorization from each member before collecting money from him or her to be used for the union's political activity. At the same time, the bill allows corporations to spend corporate funds for political purposes—unless individual shareholders object.

Proponents of this legislation have dishonestly argued that it is intended to protect the rights of union members. In reality, it is intended to effectively silence the ability of America's working families to have a voice in the political process by singling out American workers for burdensome restrictions on their right to have their voices heard here in Washington.

This legislation is an attack on working families who freely choose to organize and to join together to fight for access to health care, better education, pensions, safer workplaces, and other important issues that some of my colleagues find to be uncomfortable. Although cleverly disguised as campaign finance reform, this legislation is clearly a coordinated effort to silence workers and their families and remove them from the political playing field.

Make no mistake, this represents an effort to punish the American labor movement for supporting working families. Unfairly, but not surprisingly, this legislation only singles out union for these new restrictions. Corporations are not subject to the same burdensome requirements. In fact, corporations are required only to provide their shareholders with an annual statement detailing the proposed amount of money to be spent on political activities in the upcoming 12-month period, the percentage of that amount attributed to the individual shareholder, and a form allowing the shareholder to object to the expenditure of the funds for political purposes. This one-sided approach creates an unfair advantage in the political system for wealthy special interests, when business already out spends unions by an 11-to-1 margin.

My colleagues, I urge you to oppose this transparent attempt to make working families more irrelevant to the American political system by increasing the power of the rich. I urge to oppose this legislation.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Colorado for yielding me this time.

I think it is very instructive for Members of this House and those who join us coast to coast beyond these walls on C-SPAN to hear the familiar cacophony of complaints, criticism and carping from those who claim to champion the rights of workers, but yet would move to abridge the most fundamental right, the freedom of any citizen to say, I do not agree with the political endeavor. How dare you reach into my pocket and take any of my pay and use it for a political cause with which I fundamentally disagree. And that is the issue which this House debates tonight.

And it is very, very instructive that amidst all the arguments, we have heard nothing substantive tonight from the other side. We have heard no one try to stand up and defend the rights of abridging workers. Instead, we hear these playground taunts and this type of class warfare, but, Mr. Speaker, the fact is that on this one, the American people, regardless of their work status and affiliation, are speaking with a united voice. They know this is all about freedom of association, freedom of dissent, first amendment rights. And this is the real campaign reform that Members can vote for.

So I would urge my colleagues to resist the temptation of class warfare and driving wedges amongst the so-called classes of the American people and in fact cast a vote for freedom.

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

Mr. HAYWORTH. No, I will not yield at this time. The gentleman has his own time on which he can speak. This time has been given to me by my colleague, and I am going to make this case for the American people because not only with poll numbers, but with principles the American people say, it is our money. Let us spend it as we see fit. Adopt this act.

Mr. GEJDENSON. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. MENENDEZ) who has worked with us and toiled on this issue as well from his first day in the House.

Mr. MENENDEZ. Mr. Speaker, what the authors of these bills forget is that in America voting is not a dream. It is not just another government benefit or program to be means tested. It is a constitutional right. And Americans should not be subjected to a Federal Government background check when they register to vote. But that is what these bills do.

It turns the ballot box into an interrogation zone where Americans are guilty until they are proven innocent. And to show they are citizens, Republicans want the Social Security Administration and the INS to run background checks and share private information on American voters.

Not surprisingly, Republicans want this test to be taken out where? In California, in Texas, in Florida, in Illinois and New York, States with large minority populations, especially Americans of Hispanic descent. We know already what they tried to do in the discredited Dornan investigation. We will not permit you to do that under the name of campaign finance reform. The right to vote in this Nation should not be subject to government intrusion, and Hispanic-American voters will not forget their continuing persecution of their rights.

Lastly, the founders of the union movement battled corporate-sponsored, club-wielding thugs who tried to silence them with beating and violence. Today Republicans are trying to accomplish in a law what they could not accomplish with a billy club.

Democrats stand with working people and their families who still believe that a person who puts in a full workweek deserves a fair wage to support their family and to have a voice here in the Congress. We will not let you stop unions from speaking on behalf of working families in this country.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, may I inquire how much time remains between the two sides?

The SPEAKER pro tempore (Mr. FOLEY). The gentleman from Colorado

(Mr. BOB SCHAFFER) has 10½ minutes remaining, and the gentleman from Connecticut (Mr. GEJDENSON) has 12½ minutes remaining.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I reserve the balance of my time.

Mr. GEJDENSON. Mr. Speaker, I yield 1¾ minutes to the gentleman from Florida (Mr. BOYD). I apologize for being so stingy with the time, but the other side, the leadership in this House, has given us so little time.

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

Mr. BOYD. Mr. Speaker, I came into this Congress over a year ago as a part of a class of 73 Members, Democrats and Republicans, who had two mandates from our electorate. One was to stop the partisanship. Two was to reform the campaign finance laws of this Nation.

Mistakenly and naively, most of us believed that we could do that. Today we learn the truth.

There are several real campaign finance reform proposals the House should be debating today. Unfortunately, all we are allowed to vote on are four campaign finance deform bills, designed to promote a partisan advantage for the majority party, not real campaign finance reform.

What is missing from the debate today? The sad truth is we are not even allowed to consider legislation developed by Members from both sides of the aisle. Why is not the House debating Shays-Meehan or the bipartisan freshman bill? Because the House Republican leadership is afraid one of those solutions might actually pass.

Last year, Speaker GINGRICH promised the American people and this House a fair and open debate on campaign finance reform. Unfortunately, the American people will see today what that promise really means. Debate limited to 20 minutes per side, no amendments allowed and a two-thirds majority for passage.

My colleagues on the other side of the aisle also like to talk about how they have opened up the process by allowing open rules. That is simply not true. The charade we are witnessing today on campaign finance deform cheats the American people of the open, honest debate they have demanded and more importantly deserve.

I urge my colleagues to vote against H.R. 2608, the worker gag act, and sign the discharge petition Number 3 so we can help the Speaker deliver on his promise.

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Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. DOOLITTLE).

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

Mr. DOOLITTLE. Mr. Speaker, the first amendment is quite clear, ''Congress shall make no law bridging the freedom of speech.'' And yet, the whole business of campaign reform as has come out before the Members of the House largely centers on how do we bridge the freedom of speech. There is a whole litany of ways, many of which are displayed before us. However, the bill by the gentleman from Colorado (Mr. BOB SCHAFFER) is designed to protect the freedom of speech, the freedom of speech of those members of the unions who have the right to make sure that their money is not spent contrary to their own purposes.

It is a good bill. It is one of the few bills out here I can say I support wholeheartedly today.

Mr. Speaker, I listened to the gentleman from Connecticut (Mr. GEJDENSON) cite the history of the Democrats' involvement with campaign finance reform. He quite correctly pointed out in 1974 they did pass the present law, the disastrous present law that skewed contributions to PACs over contributions to individuals. We never really heard of PACs before, until that became the law.

By the way, 2 years ago, as recently as that, PACs was the great Satan; and today it is soft money. Soft money was given to us as well by this law, which places such severe restraints on direct contributions to candidates that money could flow then into the area of soft money, the unregulated area.

Of course, this Congress seems to want to regulate many things; and, happily, we have been able to resist that because regulation oftentimes is not the answer. Regulation has compounded the problem in the area of free speech. Now, having limited the amount of hard dollars that go to candidates, we see efforts to limit and regulate soft money. And, yes, let us get those evil issue advocacy ads.

I would say if we would go back and diagnose the problem correctly and recognize what it is, we could stop treating the symptoms of the problem and go right to the problem. The problem is too much regulation.

I urge support for the Schaffer bill.

Mr. GEJDENSON. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. PELOSI), a Member who has led this House on so many important fights and who has been so helpful in this particular area.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding me the time and for his leadership on this very important issue.

In fact, I do not think there is any issue more important than this one because it is about nothing less than our oath of office. Every single person who comes to this body to serve takes an oath of office to protect and defend the Constitution against all enemies, foreign and domestic. The greatest enemy to our democracy is foreign and domestic money poisoning our system.

On top of it all, we have the cynical, cynical action on the part of the Speaker today which gags American workers. The deck is so stacked against the average American today, the way is greased for corporate America and wealthy Americans to have their voices heard; and today in this body the Republican majority wants to add an additional burden to average Americans having their voices heard here.

Mr. Speaker, when Washington first became the capital of our country, it was built on a swamp. It is still a swamp, a swamp putrid from the huge amounts of money that pours in here, special interest money stacking, as I said, the deck against the average American.

Let us rid ourselves of this poison. Let us rid our system of this poison. Let us honor our oath of office. Let us ask the Speaker to have freedom of speech on this floor, allowing us to support the bipartisan McCain-Feingold bill and restore freedom in our country.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, when the other side says that they support the working man and woman, it is not true. Over 90 percent of the jobs in the United States are small and large business, nonunion affiliated. What they support are the big union bosses. That want bigger government because they want the power; and that causes higher taxes, higher spending, which goes right along with the Democratic leadership.

Secondly, that over 30 percent of union workers are Republican, 10 percent of the workers are third party, and they are coercing that 40 percent to spend their money on campaigns against candidates that they support. And that is wrong. What this bill does is says that the union has got to ask those members, if they use their dollars, can they use them against the opponents. And that is wrong.

Thirdly, let us say that a Republican, there are a great number of them that represent union districts, let us say that they vote along with the unions. The President will veto anything that is kicked out against the unions because he wants that power also.

If the Republicans vote along with the unions, we lose that. If they vote against it, the President vetoes it; and the Senate probably will not pass it. But let us just say that the union stuff is kicked out. That leaves a disaster in campaigns, because it throws the majority of power to the Democrats.

That is exactly what they want. That is why they want the campaign finance reform, because they know it is a lose-lose situation. They want their unions to be able to contribute hundreds of millions of dollars. They want the Lincoln bedroom. They want the Tries, the Riadys and the Jeffersons and the rest of them to contribute, but yet they do not want the other side of it. They caused the problem in 1974 with the

PAC money. We are trying to clear it up.

Mr. GEJDENSON. Mr. Speaker, I yield 1½ minutes to the gentleman from Missouri (Mr. CLAY).

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

Mr. Speaker, this bill is another example of the Republican majority's strategy to silence anyone who dares to disagree with its extremist agenda. The worker gag rule muzzles the legitimate voice of working men and women who dare to tell the truth about the Republican leadership's anti-labor agenda.

It is amazing that supporters of this proposal claim to be concerned about union workers. Where was that concern when they tried to bring back company unions, eliminate overtime pay, gut health and safety protections, repeal the Davis-Bacon Act, or oppose an increase in the minimum wage?

Mr. Speaker, let us get the facts straight. No worker may be forced to join a union. Union membership is always voluntary. And no worker may be forced to pay union dues. In right-to-work States, unions must fairly represent all workers in a bargaining unit, but individual workers may be free riders and pay nothing for their share of representation costs.

In other States, unions and employers are permitted to agree on union security clauses that require all employees to pay an agency fee to cover their fair share of collective-bargaining-related costs. No worker may be required to pay any fee for a political activity. Further, unions must notify all workers that they are not required to join the union and that such workers are not required to pay full union dues.

This bill imposes onerous burdens on the labor movement that do not apply to corporations or to nonprofit groups such as NRA and the Christian Coalition. This bill is nothing but a politically motivated attack on the workers of America.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I yield 2 minutes to the gentlewoman from Washington (Ms. DUNN).

Ms. DUNN. Mr. Speaker, Thomas Jefferson once said, ''To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves is sinful and tyrannical.'' His thoughtful observation appeared a few years ago to be validated by the United States Supreme Court in the Beck decision.

Many of my colleagues have stated this evening that union workers do not need the protections given in this legislation. But let me give them a clear example of the effect this bill can have and what union leaders so fear.

In 1992, the voters of Washington State approved Initiative Measure 134, a state law prohibiting labor unions from withholding or diverting portions of an employee's wage for political purposes without the employee's written consent. The effect of the new law, which essentially implements the spirit of the Supreme Court ruling, has been striking. Prior to Initiative 134, one union, the Washington Federation of State Employees and American Federation of State, County and Municipal Employees, was among the Nation's leaders in terms of money raised and the number of workers contributing through payroll deductions.

Since I–134, more than 90 percent of this union's members chose not to give the union access to their earnings to pay for the union leaders' political agenda. The number of contributing union members dropped from 2,500 workers to 82 workers, this as a result of giving union members choice. Clearly, there is need to give the Supreme Court ruling in Beck the visibility and force of the Federal law.

How can this same kind of awareness in paycheck protection be extended to all American workers? Federal legislative action is needed. The Paycheck Protection Act addresses the core issue spotlighted by the Supreme Court preventing forced collection of union dues before the fact. The worker would not, as Beck allows, be required to request a refund of his dues after the dues have already been seized.

I encourage all my colleagues to vote for this legislation.

The SPEAKER pro tempore (Mr. FOLEY). The gentleman from Connecticut (Mr. GEJDENSON) has 7¾ minutes remaining, and the gentleman from Colorado (Mr. BOB SCHAFFER) has 4½ minutes remaining.

PARLIAMENTARY INQUIRY

Mr. PASCRELL. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. PASCRELL. Mr. Speaker, on paragraph 2 of the bill that is before us right now, paragraph 2, line 11, on page 3 of the bill, it says ''an authorization described in paragraph (1) * * *'' And we go back to paragraph (1), Mr. Speaker. It says, ''except with the separate, prior, written, voluntary authorization of each individual * * *''

What do we mean in that paragraph number 2? What does that mean? That is a parliamentary inquiry.

The SPEAKER pro tempore. The Chair cannot interpret the bill. That is for the House to determine in debate.

Mr. PASCRELL. May I ask through the Speaker to the sponsor?

The SPEAKER pro tempore. The gentleman has rhetorically posed his question and may pursue it in debate.

Mr. PASCRELL. I was asking for a parliamentary inquiry. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may propound the question on time yielded by the gentleman from Connecticut.

Mr. GEJDENSON. We will have to do that later, we are so short on time. Unless the gentleman from California has some extra time he might yield at this point just to explain that to one of our Members. The language is so new.

Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. BARRETT).

Mr. BARRETT of Wisconsin. Mr. Speaker, when I saw this bill came up today, I thought I read the calendar wrong; I thought it was April Fool's Day. Because this is an April Fool's joke. This bill should be up Wednesday, not today, because this bill is nothing more than a joke and a pretense to reform our campaign finance system.

These bills do nothing more than deform the system. Because this is not an honest attempt to reform the system. The only honest attempt to reform the system is a bipartisan attempt. The gentleman from Georgia (Mr. GINGRICH) and his followers have refused to let this House consider any bipartisan legislation. It is an attempt to gag not only the workers in this country in this bill but the members of the minority party.

Mr. Speaker, the American people are not going to be fooled by this. It may be April Fool's week, but it is not the time to try to pull one over on the American people. What we should be doing in this House is addressing real campaign reform. Let us do the McCain-Feingold bill. Let us do the freshmen bipartisan bill. But we have to do it on a bipartisan basis.

Any attempt to jam this down our throats on a partisan basis is nothing more than a sham, and the American people know it. The people of this House know it.

Mr. GEJDENSON. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in strong opposition to this so-called campaign finance reform debate. I hope my Republican colleagues do not think that they are going to pass this debate off as genuine campaign finance reform. It is a sham, it does not have any integrity, and the American people know that.

I just want to ask my colleagues, who do they think they are fooling in this process? We know that this is a hodgepodge of measures that the House has already rejected. We know that this ''reform'' would intimidate voters from registering to vote. This particular piece, the Paycheck Protection Act, is a dishonest proposal. It is meant to silence workers, prevent them from having a voice in the political process.

As a matter of fact, it requires labor unions to get written prior authorization before assessing a fee to finance political activities; and, conversely, it allows corporations to make political contributions unless and until individual shareholders or members object. It is mindless what they are proposing here today.

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The fact of the matter is and the tragedy of this is that, in this House, we have the votes to pass real reform. They figured out that we could pass it, so they have come up with this charade

here tonight that says we have got to get two-thirds of this body in order to pass reform. It is nonsense. We can pass it. It is nothing but a way to deny the people in this country a voice in the democracy. It is wrong. Vote against these bills.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I have no further speakers on my side. I would reserve the right to close and reserve the balance of my time.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. Mr. Speaker, tonight's process is such a sham. It brings shame on its perpetrators. They use the argument about free speech when it comes to campaign reform, but they thwart free speech right on this floor.

Public cynicism is already too high. They are only going to increase it. There is already too much money in politics. They are going to bring in more. They talk about coercion, even though they know every union member who wants out in terms of use of his or her money has the right to exercise that.

I want to say one thing to each and every one of them, those of us who live with the present system should be the ones who take the lead in reforming it. Instead, the Republicans have finally brought a set of proposals here precisely because they know they will fail. They will fail. And you, Mr. Speaker, and company, will have failed the American people.

Mr. GEJDENSON. Mr. Speaker, how much time do I presently have?

The SPEAKER pro tempore. The gentleman from Connecticut has 4¼ minutes remaining.

Mr. GEJDENSON. Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina (Mr. HEFNER), who has done such an outstanding job; and we will all miss him as he is not seeking reelection. We thank him for all of his contributions.

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

Mr. HEFNER. Mr. Speaker, if this was not such a serious subject, this would be laughable. It is unfortunate we would not all be under oath. If we were under oath, we would be issued subpoenas for perjury for calling this campaign reform.

I ran for office the first time and spent $70,000, and that was a lot of money. Now it is not uncommon to spend $1 million to get elected to Congress.

I remember we had a debate around here, and we were talking about unions, we were talking about special interests and PACs and GOPAC. We do not, to this day, know who the contributors to GOPAC are.

At least when we get a contribution from the labor union, we know it is from the teamsters, the steelworkers or carpenters, whoever. We know who it is from. This is absolutely a charade.

If it were not for a good people that I am leaving in this place, I would say, hallelujah, I am glad I am out of here. This is an absolute travesty that is being perpetrated on the American people.

It is a mystery to me why Members put a bad bill under suspension. They have got to get two-thirds of the Members of the House to vote for a bad bill. It seems to me, if they are going to bring a bad bill out here, they should bring it out under regular order where they could at least get 51 percent.

I know what the spin is going to be, the Democrats kill campaign financing. If Members are able to do that, they are masters of it. But I do not believe you are going to be able to put it off this time, boys. You are not that good.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. OWENS).

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

Mr. OWENS. Mr. Speaker, this Paycheck Protection Act provision is one more step in the oppression of working families by the Republican majority. If they are interested in stopping people from involuntarily contributing to political campaigns, then they should single out the corporations that can outcontribute the Democrats, the unions, by 20 to 1 in soft money.

How many of the millions of shareholders in America were consulted or asked their opinion as to what position these corporations took when they contributed that soft money on which candidates they endorse? We are talking about many millions more than unions spend.

Unions are under the control of the Beck decision. They have to do a lot of reporting. Each union member has certain rights in terms of the positions taken by the union, but what rights do shareholders have?

Thomas Jefferson has been misquoted here several times. Certainly Thomas Jefferson will be in favor of equal oppression and equal repression if the government is going to oppress anybody. Why do we not do the same for corporations that we do for unions?

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the great gentlewoman from Marin, California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, for years the American people have told us loud and clear what they want with campaign finance reform. They want a system that encourages every American to participate, they want a system to close special interest loopholes, and they want to ban all soft money.

But instead of what the American people want, we have the special interest groups and their friends giving us a bill that benefits big business and their lobbyists.

The worker gag rule singles out workers, making it not easier but more difficult for them to participate in the electoral process. At the same time, large corporations are allowed to pour shareholder money into campaigns.

The fact is, Mr. Speaker, in the last election cycle alone, corporations outspent unions by a margin of 11 to 1. This is like letting a CEO vote 11 times while giving the worker only 1 vote. That is the worker gag bill.

Mr. GEJDENSON. Mr. Speaker, I yield three-quarters of a minute to the gentleman from New York (Mr. NADLER); and I hope the Chair will be generous with his gavel.

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

Mr. NADLER. Mr. Speaker, let us go to basics here. The basics are that unions are voluntary democratic institutions. We do not tell library associations how they can spend their money. The members determine that by majority vote and by the leaders they elect.

If a union member under current law does not want his money spent to explain legislation to members or for other political reasons, he can ask that his money not be spent, which is more than most organizations.

This bill is hypocritical. This bill says a union cannot spend money for these purposes until they get every individual signed off, but a corporation can spend money unless the individual shareholder says no. Why do we not make them both the same? The union and the corporation can spend money unless the individual says no, or neither can spend money unless the individual said yes. Then the bill would not be hypocritical.

The SPEAKER pro tempore (Mr. FOLEY). The gentleman from Colorado (Mr. BOB SCHAFFER) has 4 and one-half minutes remaining.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I yield myself the balance of time that has been allotted.

Mr. Speaker, this is a simple bill. It is one and a half pages long. It is not complicated. It applies to paychecks, period, paychecks across the board. Whether they are union paychecks, whether they are corporate paychecks, whether they are paychecks associated with banks or any other organization, this bill protects the wage earners who earn paychecks wherever they may be. It says this, no portion of their wages can be siphoned off and directed toward political causes unless we previously have the consent of the wage earner.

The other side who have come up and opposed this campaign finance reform measure have time and time and time again mentioned every topic under the sun except for the issue at hand. They have talked about extremist agendas, worker gag rules, overtime pay, minimum wage, Davis-Bacon Act, McCain-Feingold, and on and on and on.

Let me tell you, Mr. Speaker, why there is a reluctance to address the issue at hand. And 80 percent of the American public agrees with us when surveyed and polled. Union households, 80 percent of union households agree that the Paycheck Protection Act needs to be passed in order to protect their paychecks.

For the other side here who says this is radical, they agree with 16 percent of the union households in America. For the other side that says protecting paychecks is radical, they are agreeing with 16 percent of voters overall.

When it comes to teacher union households, they agree with 13 percent of teacher union households, 16 percent of nonunion households.

Mr. Speaker, I cannot say it loudly enough: 80 percent of the American public believes that it is right and just to protect paychecks and prevent a portion of someone's wages from going toward a political cause unless the wage earner agrees and approves.

Let me say this, the people of America tonight have a big question. They want to know who is in control of Congress and who is listening to whom here. They want to know whether this Congress is going to listen to the 80 percent of the American people, union households and nonunion households alike, who want their paychecks protected or whether this Congress is going to listen to the very small, extreme minority who believes that it is fair and just to steal cash out of someone's wages without their consent and without their approval.

That is the question that needs to be resolved today; and I say, Mr. Speaker, this question needs to be resolved as forcefully and clearly as it possibly can.

Mr. Speaker, Thomas Jefferson's name has come up a couple times; and the quote has come over three times tonight. Let me make it a fourth time, Mr. Speaker, because I believe it is most compelling. Thomas Jefferson said, to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves is sinful and tyrannical.

The question, also, tonight is whether Thomas Jefferson's legacy is correct or whether it will be ignored and trampled by those who believe that union bosses should have their voices heard over and above the voices of common, everyday, hard-working Americans.

There is precedence for this, Mr. Speaker. The State of Washington passed similar legislation where 72 percent of the voters approved the Paycheck Protection Act. The teachers union, 48,000 members strong, dropped their political contributions down to 8,000 members when voluntary standards were applied to those laws. That is freedom, Mr. Speaker. That is liberty. That is real fairness.

That is why the Paycheck Protection Act has more cosponsors in this House than any other campaign finance reform effort. It is the compelling reason that we put the voices, the concerns of every honest American hard-working taxpayer ahead of those of large, loud union interests.

Mr. Speaker, 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. THOMAS) that the House suspend the rules and pass the bill, H.R. 2608.

The question was taken.

Mr. GEJDENSON. Mr. Speaker, on that, I demand the yeas and nays.

The yeas and nays were ordered.

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.

CAMPAIGN REPORTING AND DISCLOSURE ACT OF 1998

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3582) to amend the Federal Election Campaign Act of 1971 to expedite the reporting of information to the Federal Election Commission, to expand the type of information required to be reported to the Commission, to promote the effective enforcement of campaign laws by the Commission, and for other purposes.

The Clerk read as follows:

H.R. 3582

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 ''Campaign Reporting and Disclosure Act of 1998''.

SEC. 2. EXPEDITING REPORTING OF INFORMATION.

(a) REQUIRING REPORTS FOR CONTRIBUTIONS AND EXPENDITURES MADE WITHIN 90 DAYS OF ELECTION TO BE FILED WITHIN 24 HOURS AND POSTED ON INTERNET.—

(1) IN GENERAL.—Section 304(a)(6) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(6)) is amended to read as follows:

''(6)(A) Each political committee shall notify the Secretary or the Commission, and the Secretary of State, as appropriate, in writing, of any contribution received and expenditure made by the committee during the period which begins on the 90th day before an election and ends at the time the polls close for such election. This notification shall be made within 24 hours (or, if earlier, by midnight of the day on which the contribution is deposited) after the receipt of such contribution or the making of such expenditure and shall include the name of the candidate involved (as appropriate) and the office sought by the candidate, the identification of the contributor or the person to whom the expenditure is made, and the date of receipt and amount of the contribution or the date of disbursement and amount of the expenditure.

''(B) The notification required under this paragraph shall be in addition to all other reporting requirements under this Act.

''(C) The Commission shall make the information filed under this paragraph available on the Internet immediately upon receipt.''.

(2) INTERNET DEFINED.—Section 301(19) of such Act (2 U.S.C. 431(19)) is amended to read as follows:

''(19) The term 'Internet' means the international computer network of both Federal and non-Federal interoperable packet-switched data networks.''.

(b) REQUIRING REPORTS OF CERTAIN FILERS TO BE TRANSMITTED ELECTRONICALLY; CERTIFICATION OF PRIVATE SECTOR SOFTWARE.—Section 304(a)(11)(A) of such Act (2 U.S.C. 434(a)(11)(A)) is amended by striking the period at the end and inserting the following: '', except that in the case of a report submitted by a person who reports an aggregate amount of contributions or expenditures (as the case may be) in all reports filed with respect to the election involved (taking into account the period covered by the report) in an amount equal to or greater than $50,000, the Commission shall require the report to be filed and preserved by such means, format, or method. The Commission shall certify (on an ongoing basis) private sector computer software which may be used for filing reports by such means, format, or method.''.

(c) CHANGE IN CERTAIN REPORTING FROM A CALENDAR YEAR BASIS TO AN ELECTION CYCLE BASIS.—Section 304(b) of such Act (2 U.S.C. 434(b)) is amended by inserting ''(or election cycle, in the case of an authorized committee of a candidate for Federal office)'' after ''calendar year'' each place it appears in paragraphs (2), (3), (4), (6), and (7).

SEC. 3. EXPANSION OF TYPE OF INFORMATION REPORTED.

(a) REQUIRING RECORD KEEPING AND REPORT OF SECONDARY PAYMENTS BY CAMPAIGN COMMITTEES.—

(1) REPORTING.—Section 304(b)(5)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)(5)(A)) is amended by striking the semicolon at the end and inserting the following: '', and, if such person in turn makes expenditures which aggregate $500 or more in an election cycle to other persons (not including employees) who provide goods or services to the candidate or the candidate's authorized committees, the name and address of such other persons, together with the date, amount, and purpose of such expenditures;''.

(2) RECORD KEEPING.—Section 302 of such Act (2 U.S.C. 432) is amended by adding at the end the following new subsection:

''(j) A person described in section 304(b)(5)(A) who makes expenditures which aggregate $500 or more in an election cycle to other persons (not including employees) who provide goods or services to a candidate or a candidate's authorized committees shall provide to a political committee the information necessary to enable the committee to report the information described in such section.''.

(3) NO EFFECT ON OTHER REPORTS.—Nothing in the amendments made by this subsection may be construed to affect the terms of any other recordkeeping or reporting requirements applicable to candidates or political committees under title III of the Federal Election Campaign Act of 1971.

(b) INCLUDING REPORT ON CUMULATIVE CONTRIBUTIONS AND EXPENDITURES IN POST ELECTION REPORTS.—Section 304(a)(7) of such Act (2 U.S.C. 434(a)(7)) is amended—

(1) by striking ''(7)'' and inserting ''(7)(A)''; and

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

''(B) In the case of any report required to be filed by this subsection which is the first report required to be filed after the date of an election, the report shall include a statement of the total contributions received and expenditures made as of the date of the election.''.

(c) INCLUDING INFORMATION ON AGGREGATE CONTRIBUTIONS IN REPORT ON ITEMIZED CONTRIBUTIONS.—Section 304(b)(3) of such Act (2 U.S.C. 434(b)(3)) is amended—

(1) in subparagraph (A), by inserting after ''such contribution'' the following: ''and the

total amount of all such contributions made by such person with respect to the election involved''; and

(2) in subparagraph (B), by inserting after ''such contribution'' the following: ''and the total amount of all such contributions made by such committee with respect to the election involved''.

SEC. 4. PROMOTING EFFECTIVE ENFORCEMENT BY FEDERAL ELECTION COMMISSION.

(a) REQUIRING FEC TO PROVIDE WRITTEN RESPONSES TO QUESTIONS.—

(1) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by inserting after section 308 the following new section:

''OTHER WRITTEN RESPONSES TO QUESTIONS

''SEC. 308A. (a) PERMITTING RESPONSES.—In addition to issuing advisory opinions under section 308, the Commission shall issue written responses pursuant to this section with respect to a written request concerning the application of this Act, chapter 95 or chapter 96 of the Internal Revenue Code of 1986, a rule or regulation prescribed by the Commission, or an advisory opinion issued by the Commission under section 308, with respect to a specific transaction or activity by the person, if the Commission finds the application of the Act, chapter, rule, regulation, or advisory opinion to the transaction or activity to be clear and unambiguous.

''(b) PROCEDURE FOR RESPONSE.—

''(1) ANALYSIS BY STAFF.—The staff of the Commission shall analyze each request submitted under this section. If the staff believes that the standard described in subsection (a) is met with respect to the request, the staff shall circulate a statement to that effect together with a draft response to the request to the members of the Commission.

''(2) ISSUANCE OF RESPONSE.—Upon the expiration of the 3-day period beginning on the date the statement and draft response is circulated (excluding weekends or holidays), the Commission shall issue the response, unless during such period any member of the Commission objects to issuing the response.

''(c) EFFECT OF RESPONSE.—

''(1) SAFE HARBOR.—Notwithstanding any other provisions of law, any person who relies upon any provision or finding of a written response issued under this section and who acts in good faith in accordance with the provisions and findings of such response shall not, as a result of any such act, be subject to any sanction provided by this Act or by chapter 95 or chapter 96 of the Internal Revenue Code of 1986.

''(2) NO RELIANCE BY OTHER PARTIES.—Any written response issued by the Commission under this section may only be relied upon by the person involved in the specific transaction or activity with respect to which such response is issued, and may not be applied by the Commission with respect to any other person or used by the Commission for enforcement or regulatory purposes.

''(d) PUBLICATION OF REQUESTS AND RESPONSES.—The Commission shall make public any request for a written response made, and the responses issued, under this section. In carrying out this subsection, the Commission may not make public the identity of any person submitting a request for a written response unless the person specifically authorizes to Commission to do so.

''(e) COMPILATION OF INDEX.—The Commission shall compile, publish, and regularly update a complete and detailed index of the responses issued under this section through which responses may be found on the basis of the subjects included in the responses.''.

(2) CONFORMING AMENDMENT.—Section 307(a)(7) of such Act (2 U.S.C. 437d(a)(7)) is amended by striking ''of this Act'' and inserting ''and other written responses under section 308A''.

(b) STANDARD FOR INITIATION OF ACTIONS BY FEC.—Section 309(a)(2) of such Act (2 U.S.C. 437g(a)(2)) is amended by striking ''it has reason to believe'' and all that follows through ''of 1954,'' and inserting the following: ''it has a reason to investigate a possible violation of this Act or of chapter 95 or chapter 96 of the Internal Revenue Code of 1986 that has occurred or is about to occur (based on the same criteria applicable under this paragraph prior to the enactment of the Campaign Reform and Election Integrity Act of 1998),''.

(c) STANDARD FORM FOR COMPLAINTS; STRONGER DISCLAIMER LANGUAGE.—

(1) STANDARD FORM.—Section 309(a)(1) of such Act (2 U.S.C. 437g(a)(1)) is amended by inserting after ''shall be notarized,'' the following: ''shall be in a standard form prescribed by the Commission, shall not include (but may refer to) extraneous materials,''.

(2) DISCLAIMER LANGUAGE.—Section 309(a)(1) of such Act (2 U.S.C. 437g(a)(1)) is amended—

(A) by striking ''(a)(1)'' and inserting ''(a)(1)(A)''; and

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

''(B) The written notice of a complaint provided by the Commission under subparagraph (A) to a person alleged to have committed a violation referred to in the complaint shall include a cover letter (in a form prescribed by the Commission) and the following statement: 'The enclosed complaint has been filed against you with the Federal Election Commission. The Commission has not verified or given official sanction to the complaint. The Commission will make no decision to pursue the complaint for a period of at least 15 days from your receipt of this complaint. You may, if you wish, submit a written statement to the Commission explaining why the Commission should take no action against you based on this complaint. If the Commission should decide to investigate, you will be notified and be given further opportunity to respond.'''.

SEC. 5. BANNING ACCEPTANCE OF CASH CONTRIBUTIONS GREATER THAN $100.

Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

''(i) No candidate or political committee may accept any contributions of currency of the United States or currency of any foreign country from any person which, in the aggregate, exceed $100.''.

SEC. 6. EFFECTIVE DATE.

Except as otherwise specifically provided, this Act and the amendments made by this Act shall apply with respect to elections occurring after January 1999.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. THOMAS) and the gentleman from Connecticut (Mr. GEJDENSON) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. THOMAS).

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

This is the fourth item before us tonight. A little bit of math will tell us that, when we are finished with this particular measure, we will have been debating campaign reform for 2 hours and 40 minutes. The phrase ''this is a sham'' has been repeated, I believe, a world record number of times on this floor, perhaps for a want of a different term.

This particular measure, if anyone bothers to look at it, has 10 specific provisions. Seven of them are FEC, Federal Election Commission, recommendations. They were contained in the Republican campaign reform bill of the 104th Congress. They are, by anyone's examination, absolutely appropriate, indeed, long overdue and necessary reforms.

Of the other three, one especially, the electronic reporting on the Internet, I will leave to my colleague to explain in more detail, as one of the younger, more astute, computer knowledgeable Members of the House.

The other two provisions, are not FEC recommendations, but I believe any Member would have a very difficult time not agreeing that they are also appropriate and indeed overdue.

One of the provisions provide that, when a standard FEC complaint form is filled out, that such complaint indicates that it has not been verified by the FEC. In too many campaigns, someone files a complaint form. It is accepted by the FEC, and the statement is made: The FEC has accepted my complaint. In fact, on the form itself, it will say the complaint has not been verified.

□ 2115

The final provision was in a bill by our colleague from California (Mr. DREIER). It says that the Federal Election Commission, when a question is submitted in writing, can submit a written response to the individual. It just seems to me that if the Federal Government is going to control the election process, someone ought to be able to get an answer from the government when they ask a question. If the question is in writing, then the answer ought to be in writing.

Mr. Speaker, I yield the balance of my time to the gentleman from Washington (Mr. WHITE) and I ask unanimous consent that he manage the balance of the time.

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

There was no objection.

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

Mr. Speaker, I thank the gentleman from California (Mr. THOMAS) for his work and leadership on this issue. This certainly is a contentious issue, one that we sometimes have some hard times dealing with, but he has exercised some leadership and we appreciate it very much.

Mr. Speaker, this bill is a small bill, but it is a good bill, and I like to take some time and go through it point by point. But before I do that I want to say and make one point that I think may be of more importance than really the details of what is in this bill.

The fact is, as we have heard today from many Members on the other side of the aisle and probably some Members on our side of the aisle, too, there

is some disappointment in this Chamber about some of the bills that we are going to go voting on today; and I have to tell my colleagues very frankly I am disappointed, too, because I had a bill with 118 cosponsors, a commission bill that is not going to be voted on today, and I see the gentlewoman from New York and others on the other side who have cosponsored this bill, and there is certainly disappointment in my heart, too, that we have not been able to vote on all the bills we would like to vote on. But I would ask us all not to let our disappointment prevent us from doing some good things, and that is essentially what this bill is about.

The measures in this bill are all bipartisan, they are common to almost every single campaign finance bill that we have seen in the Congress this year, whether proposed by a Republican or by a Democrat, and it would be a shame to let ourselves miss this opportunity to do something important just because we are upset with one part of the process or another.

I will take just a couple minutes to go through some of the specifics of what we are doing in this bill.

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

Mr. WHITE. I yield to the gentleman from Connecticut.

Mr. GEJDENSON. Mr. Speaker, has the gentleman signed the discharge petition?

Mr. WHITE. I have not signed the discharge petition.

Mr. GEJDENSON. Will the gentleman sign it?

Mr. WHITE. There are several good reasons for why I will not, and I will explain those during the course of this process.

Mr. Speaker, the gist of this bill, the main thing this bill does and the thing I wager that even the gentleman from Connecticut really would not be able to defend voting against is the idea that we put FEC reports on the Internet. Really very hard to disagree that that would not be good for his constituents, for my constituents, for everybody in the country, rather than doing it on microfiche, which was wonderful technology in the 1970s. Let us put it on the Internet so everything can be seen. That is really the heart of what this bill does.

It also does a couple other good things. It says that the gentleman from Connecticut would have to file his campaign finance reform reports electronically so that they can be put on the Internet in a much shorter period of time. It says that within 24 hours after he receives a nickel of contribution in the last 90 days of the campaign he would have to put that information on the Internet.

So the gist of what this bill does is to use this technology to make sure that the American citizens do have the ability to see in a very short period of time what sort of contributions their Members of Congress and their candidate are accepting. I think it is very hard for any of us in this House to suggest that that is something we should vote against.

In addition, this bill does some other good things. It goes through a list of five or six more or less technical changes that have been requested by the FEC.

This is a good government bill, it is bipartisan, does not have anything to do really with either party. It just increases disclosure and lets the American people see what is going on.

So, Mr. Speaker, I would respectfully urge all my colleagues to vote for it.

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

Mr. GEJDENSON. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. FAZIO), who has led an effort through this Congress trying to coordinate campaign finance reform efforts, and we are going to miss him as well.

Mr. FAZIO of California. Mr. Speaker, I thank the gentleman from Connecticut (Mr. GEJDENSON) for yielding me this time.

As the gentleman from Washington said, this legislation has been included in most of the campaign finance reform bills that have been introduced on both sides of the aisle, and certainly I do not believe there is any reason to oppose it. But it is rather ironic that this is presented as additional responsibilities for the Federal Election Commission when in fact, if my colleagues read the bill, there is no new authorization for what the report that accompanies the bill says would cost another $2 million simply to perform.

That is not unusual when we look at the history of how Republicans have handled the FEC. Year after year after year the commission charged with responsibility for compliance under current law comes to the Congress and asks for a budget that would increase their ability to enforce the law, only to be rebuffed by the appropriations process dominated in the last 3 cycles by the Republican Party, cutting 8–10 percent from the requests, always cutting in the area of compliance, therefore requiring in 1996 hundreds of complaints to be thrown out, so that we cannot even finish requiring people under existing law to live up to their responsibilities as candidates.

Now last year they did not make a very deep cut. A change was made, but it is pointed out in report after report that Republicans have only allowed the fund to go for computer modernization, never for the kinds of activity that would allow the American people to know who is not living up to the requirements of our campaign law.

So there is no reason to oppose this legislation except to say we would hope that this Republican Congress would fund the FEC adequately so that we could see the laws currently on the books, let alone these that would be enacted in this bill, enforced.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Speaker, I have never been so ashamed as I am tonight of the tactic that is being deployed to deprive both Democrats and Republicans from having a serious debate in taking up campaign finance reform. Relegating this issue to a series of very limited debates is depriving both Republicans and Democrats the opportunity to take up and pass the McCain-Feingold bill which closes one of the gaping loopholes in our system today, soft money, and forces outside third party groups to put their names on their ads. Those who have taken control of this process tonight are standing up for the obscene amount of moneys that are flooding into our campaigns today, that really a stop ought to be brought to.

Let me give my colleagues an example about the freshman campaign finance reform bill we brought up. These outside third party groups objected to our bill, similarly the McCain-Feingold bill. They said, ''If you force us to put our names on these ads, we won't run these ads.'' Well, that is exactly what the bill was all about, and by adopting this masquerade tonight when we are supposed to be debating campaign finance reform but we are really not, we are depriving the American public of the chance to make sure those ads have their names on them and to ban soft money.

The American people are watching, they care deeply about this issue. We need take up and debate campaign finance reform.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Speaker, for over 15 months this Congress has spent thousand of hours and billions of dollars investigating campaign finance abuses, and this is what it has all come down to: a package of four partisan bills brought to this floor on a calendar that offers no opportunity for amendment and little debate.

Those who work for genuine reform on both sides of the aisle are outraged by this thinly disguised charade. I call on every American to send a message to this Congress that they too are outraged, that they deserve and rightly expect a system of democracy where their voice and their vote determine the outcome of elections, not the hundreds of thousands of dollars poured into campaigns by special interests, dollars hidden in so-called soft money.

Every American understands that true campaign reform must be accomplished in a bipartisan effort. No such bill was allowed on this floor tonight. Instead we were given the illusion of reform. I am confident that the American people know the difference and that they will demand government in the public interest, not the special interests.

Mr. WHITE. Mr. Speaker, I yield myself 30 seconds to point out to the gentleman from California, who may have left the Chamber, that it is absolutely

our intention to fund the FEC separately to accomplish all the goals that are at issue on this bill. So I think he can rest assured that that will actually happen.

Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman from Washington for yielding me this time and for his leadership on this issue.

I too have introduced legislation to require electronic filing of Federal Election Commission reports, and I would hope that our colleagues on the other side of the aisle who have complained about the lack of opportunities to support real campaign finance reform will join us in supporting this important measure, because who could possibly be opposed to this common sense reform? It ensures accountability and provides access to essential information regarding our political system.

Right now when we file a campaign finance report with the FEC, we have to file it by the deadline imposed by the FEC. But that filing simply means putting it in the mail, the U.S. Postal Service, and sometimes it can take a week to get that report to the FEC. They then might take another several days or more to get it up and available to the public, so the news media, campaigns, the general public have a delay of sometimes 10 days or even 2 weeks between when a contribution is made and when they can learn about who contributed to whom in this situation.

I think it is critically important that we adopt this legislation with electronic filing. We can still file on the deadline, but they will receive it on the deadline as well. And if we require them to immediately put it up on the Internet, everyone in the country with access to a computer in their home and libraries and schools can have access to this information instantaneously, and that is a critical reform, letting people decide for themselves what the purpose of campaign contributions are, who is receiving what for what purpose. The best way to deal with campaign finance is to lay it out on the table and let the public know exactly who has received what.

Who could possibly oppose requiring campaign committees that raise or spend more than $50,000 to file their reports electronically with the FEC? Who could possibly oppose a requirement that Federal committees immediately report contributions and expenditures made within 90 days of an election?

I urge adoption of this legislation.

Mr. GEJDENSON. Mr. Speaker, it is my privilege to yield 2 minutes to the gentleman from New York (Mr. SCHUMER), an excellent legislator, an orator and someone who has fought for reform for decades in this Congress.

Mr. SCHUMER. Mr. Speaker, I hope the introduction did not count against my time. In any case, I thank the gentleman and my friend for yielding this time to me, and I would like to make 2 points.

One, the desperate need for campaign finance reform. It hit me about 7–8 years ago. My best friend came down and worked in the Congress for 3 months, one of my best friends, and he is a smart and sensitive person. I asked him at the end of the three months, we went out to dinner and I said, ''Well, Mark, what do you think of the Congress?''

He said there was good news and bad news. He said the good news was that the quality of the people was much better than he ever imagined. He thought the staffs were better than anything he had seen in business or law or anything else. He said the bad news what it all did not matter because the way we finance campaigns vitiated the entire system.

Mr. Speaker, tonight does not do justice to that problem. Four quick bills put on suspension, calculated, carefully crafted to simply get the issue off their back; it is not right, it is not fair. Sooner or later, I do not know if it will be sooner or whether it will be later, but they will pay the price for trying to play a game with a very serious issue.

The second point I would like to make is the one also made by my colleague from New York (Mr. OWENS), this idea that there should be choice applies to labor unions but not to corporations. What hypocrisy. Do shareholders get the right to determine whether a big company makes a contribution or cascades soft money into a campaign? Not under this logic. What is good for the goose is good for the gander. If my colleagues believe it for one, they believe it for the other. But if my colleagues want the American people to think they really care about the issue, and are not engaged in just a cheap political trick to go after their opponents but not those who support them, they would never put such a bill on the floor.

□ 2130

Mr. WHITE. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Mr. Speaker, we need full and immediate disclosure, and that is what H.R. 3582 does. At the end of next month, most of us will file our FEC report for the first time since 1997. I cannot imagine a Member here or a challenger that does not have a fax machine, a telephone, e-mail, the ability to get on the Internet.

This bill will require reports by all committees that raise or spend $50,000 to be filed electronically so that we can see an immediate reporting of contributions and expenditures within 24 hours. What is wrong with that? Nothing, and that is why every Member here should support it. This bill is an important first step as we look for full disclosure and the need to enforce the law.

Last year, there was a report in the magazine, The Hill, that all of us receive here in Washington in our offices, and it said that most Members do not comply fully with the laws that are already on the books.

Well, I have a fourth grader at home, and I know that when she does not fully comply with her homework assignment, that her dad, myself, or her mom, makes sure that in fact that work is done before she goes to school the next day.

I would say that both this bill and other measures will seek full compliance with the law so that every constituent can see how we raise and spend money which is very important as we look forward to the days when we receive the full confidence that our constituents should have in the Members that run for office.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. MALONEY), who has worked on campaign finance reform from the day she got here.

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Speaker, the Republican majority has spent in this Congress $8 million investigating alleged campaign finance abuses, yet the same Republican majority failed to fund the Federal Elections Commission at the level they requested and said they needed to do the job. It was $6 million short.

I am pleased my colleague says he will get the funding for this bill, but we have to get the funding they said they need in order to investigate the cases before them, the only group charged to investigate in a bipartisan way.

The Speaker earlier said we would have a vote on campaign finance reform in this Congress, but what we have tonight is a campaign finance reform kill. Everyone knows that true reform has to be comprehensive. A little small approach, although worthy, will not get the job done.

We have a comprehensive bill, Shays-Meehan. We should allow a vote on this bill before we go home and ask our constituents to vote for us.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the able gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, what is going on this evening is really a cruel hoax on the American people. I would like to say to the Republican leadership, what are you afraid of? Why can we not have an open debate and real campaign finance law?

Today's Roll Call has it right. It says, ''Angry GINGRICH scheduled doomed reform votes.'' It says, ''Angry GINGRICH scheduled doomed reform votes,'' and it says that ''GINGRICH scheduled four reform votes under the suspension calendar, requiring a virtually impossible two-thirds majority to pass.''

The fact is the Republican leadership does not want campaign finance reform, so they will not give us real reform. Of all these bills, the anti-union

bill is the worst bill. It is nothing more than a cheap political trick to try to punish labor unions for supporting Democratic candidates. It is a sham, and it ought to be exposed for what it is.

The fact of the matter is that we need to have a discharge petition signed so that this Congress can vote on McCain-Feingold and Shays-Meehan and have a real debate on campaign finance reform.

Let the majority of this Congress prevail. Let us have an up or down vote on campaign finance reform, not the sham being perpetrated this evening.

Mr. WHITE. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. SALMON).

Mr. SALMON. Mr. Speaker, when I came here 3 years ago, I came, I think, full of fire in the belly ready to make some major changes in this place.

I, too, am very disappointed tonight. There are a lot of reformers on both sides. The gentleman that just spoke is a true hero of mine, the gentleman from New York (Mr. ENGEL). I think he is a great guy and somebody that stands for the right thing time and time again. Hopefully, he sees there are some of us on the other side that try to do the same thing.

We get a little tired of the games between the leadership on both sides. Frankly, we stand here tonight, and I am ashamed, I really am ashamed to see how this is coming up tonight, that it is in the same manner as that of the leadership who ran the House for 40 years under the Democrats. It is wrong. It is wrong when they did it, and it is wrong if we do it, and I don't think this is a service to the American people.

Let me say something. We are here to talk about a very sensitive issue, special interest influence on Washington. I come from a State that passed the most comprehensive campaign finance reform in the Nation. You can only give $300 to a candidate in the State of Arizona, yet scandals still persist, problems still occur, because people do break the law.

Let us stop telling lies to the American people. Everybody knows that the Republicans want to preserve the ability for big corporations to give bucks on the side through soft money to the ones in charge.

By the way, if the Democrats were in charge, they would be giving to you, because, frankly, I do not think they have a soul. They give to whoever is in charge of the place so they can get what they need.

But the Democrats do not want the unions to be restricted in any way. They do not want union employees to know where their money is going. So there is this perpetration on both sides. I think it is wrong.

Frankly, I think that until we have a real debate, and I hope we do, we are never going to get this resolved. Let us finally realize what will really make a difference. It is not about stopping PACs or stopping this or that. What is going to stop it is full disclosure.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the articulate gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank the gentleman for his previous comments a moment ago, and I applaud his common sense in approaching this. I join him, Mr. Speaker, in the idea that having come here to Congress and knowing before I got here, obviously, there is a great deal of cynicism about our process, speaking to any number of students that come to Washington or going throughout the district and speaking to students, trying to address them and tell them they ought not to be caught up in the cynicism, it is very hard to watch what has been going on here tonight.

Although this particular portion of the bill may indeed be well-intended, and what you intend to do with this may, in fact, have some merits that could be supported, the whole process by which you have gone about doing this tonight, the whole idea of not even addressing any of the bills that have been filed for some period of time now, not giving them the period of time for debate and discussion, putting it forward tonight in a late-drafted bill, broken down into four parts, very cynically, looking to get people on record for campaign purposes, but never really dealing with any details of campaign finance reform. We do not talk about getting money out of campaigns, we do not talk about shortening campaigns.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the able gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. Mr. Speaker, I am a freshman, and one of the things that we first did when we first got here, freshmen Republicans and Democrats, we tried to work together on campaign finance reform. We wanted to make a difference.

Tonight what is going on is wrong, only because there are a lot of good bills out there that could make a difference.

We have to go home and face the people and they do not understand. To be very honest with you, when I am working with people and they are thinking that because someone comes in to lobby me I am getting money out of this, I do not like it.

I have a campaign coming up. I do not want to have to raise the amount of money I have to raise. I think it is obscene. I would rather see it go to education and health care. I think our businesses and people would rather see the money go there also.

I hope tonight does not end the debate. I am hoping we will truly get finance campaign reform before I retire from this place.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. SLAUGHTER), who has fought for this issue year after year.

Ms. SLAUGHTER. Mr. Speaker, Congress desperately needs to reform our campaign finance laws. The Federal campaigns are becoming little more than a money chase to pay for increasingly expensive elections, and voter turnout is at an all time low. The most recent election cycle spent on the Federal election an estimated $1.6 billion, but less than half of the eligible Americans exercised their right to vote.

The cost of political campaigns has simply become too high, threatening the integrity of our system of representative government. The American people are discouraged by a system in which money seems more important than issues, and the interests of money seems more important than the concerns of working families.

But the legislation the House will vote on today actually increases the amount of money that can be contributed by wealthy individuals and special interests, and it includes a gag rule that makes it even more difficult for working Americans to get information on issues that matter to their families.

To add insult to injury, this misguided legislation has been brought to the House under suspension of the rules.

Mr. GEJDENSON. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MEEHAN), another gentleman deprived of the opportunity to offer his legislation.

Mr. MEEHAN. Mr. Speaker, not that long ago I listened to my friend, the gentleman from California (Mr. THOMAS), state all kinds of reasons as to what was wrong with the Shays-Meehan-McCain-Feingold bill, and he went on and on and on about all these problems with this bipartisan approach to campaign finance reform.

It kind of made me wonder why the Republican leadership has gone to great lengths, such great lengths, to prevent a vote on this bill, if it is such a bad bill. It is incredible how far the Republican leadership has come to try to stop this debate.

We were promised a debate; a full, fair debate, with integrity and honesty on the floor of this House, and we have not gotten it.

The gentleman from California (Mr. THOMAS) knows full well that every public interest group in America who has been fighting for campaign finance reform supports the bipartisan approach, and he knows as well that every major editorial board in America favors the bipartisan approach. He also knows that Members on both sides of the aisle have been working for 3 years to get a debate and get a vote on meaningful bipartisan campaign finance reform, and he also knows that the other body just voted 53 votes for the same bill in the United States Senate.

Well, we are going to get this bill sooner or later, because the American people will respond and newer Members will respond. All I have to do is look at the newest Member of this body, the gentlewoman from California (Mrs. CAPPS), who walked into my office with the gentleman from Connecticut (Mr.

SHAYS), and made this legislation the first bill that she signed on to as a new Member, and the people of the 22nd District of California are proud of the gentlewoman from California (Mrs. CAPPS), and Walter is as well, and there will be more Members that will be elected in the November elections, and campaign finance reform will be an issue. There will be a price to be paid for this disgusting maneuver.

Mr. WHITE. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. EHLERS).

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

Mr. Speaker, my interest in campaign finance reform goes back to 1972 when I became very angry at a fellow Republican, Mr. Nixon, for the manner in which he raised and disbursed money in his Presidential campaign, and that, in fact, is one of the reasons that I ran for public office the following year.

Today, we have decided that those laws which were passed after Watergate simply no longer do the job, and I speak particularly in favor of the bill that is before us, the one introduced by the gentleman from Washington (Mr. WHITE). It is something we should do. I am sorry we are not debating it more. But in this electronic age we clearly should do precisely what this bill requires, and that is to have instantaneous disclosure, instantaneous reporting of contributions received. The money contributed will be known to the entire world and to the opponents of the person involved.

Now a few general comments about the debate. Several speakers have said we need comprehensive campaign finance reform. Those are the bills that do not pass.

I think what we are doing here tonight is right. I am hopeful that at least one, perhaps two, maybe even three, and, if a miracle occurs, all four will pass. But I am convinced that the only way we are going to get campaign finance reform passed in this House is to take it bit by little bit, put it up for a vote, up or down, and some will pass and some will fail, and we will keep plugging away.

□ 2145

Parkinson's law, for those of us who are old enough to remember Parkinson's law, tells us that the difficulty in getting something passed in a decision-making body is inversely related to the experience that body has with the issue.

We all know and understand campaign finance reform, and we can find something wrong with every bill. The more comprehensive the bill is, the harder it is to get it passed. So I think doing what we are doing tonight, breaking it into little pieces and saying we will pass each individually, is the right way to go. We have to continue doing that.

Mr. GEJDENSON. Mr. Speaker, I yield 2½ minutes to the articulate gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, even in the perpetration of a sham, a little light comes through. There is nothing wrong with this bill. It is the right thing to do.

I would hope everybody would support this bill, even in their disappointment about this process, even in their disappointment that this bill is a sliver of what we ought to be doing, even though this bill, introduced by the gentleman from Washington (Mr. WHITE), does not cover soft money. There is no disclosure of soft money in the bill offered by the gentleman; and, furthermore, there is no disclosure of independent expenditures: who come into your districts and spend all sorts of money.

Both candidates, both the gentlewoman from California (Mrs. LOIS CAPPS) and her opponent, said that that kind of expenditure undermined the integrity of their election.

So even though the bill of the gentleman from Washington (Mr. WHITE) goes only a little bit, it is a proper bill, so it would be foolish to oppose this bill.

I suggest to my colleagues that this bill was put last in this group of four because, number one, it is such a small facet, a correct one but a small facet, that it would perhaps clean up what has been an otherwise desultory representation of campaign finance reform.

Let me again repeat to all the editorial referencing this process,

> Newt Gingrich has selected today as the moment to line up his firing squad and kill campaign finance reform in this Congress. Just how desperate Mr. Gingrich is to thwart reform is clear from the parliamentary tactics he is preparing and is using this night. It is a cynical maneuver that will come back to haunt Mr. Gingrich and any House Member who supports it.

Yes, this facet is an acceptable small but appropriate facet. But the package that has been presented is a sham and a shame.

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

Mr. Speaker, when the gentleman from Maryland (Mr. HOYER) said it would be foolish to oppose this bill, and that it was a bright light shining in an otherwise dark universe, I realized how very articulate he really is. I appreciate that very much.

Mr. Speaker, I yield 1¼ minutes to the equally articulate gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I would like to respond to my good friend, the other gentleman from Maryland (Mr. STENY HOYER) that the part of this legislation that is by the gentleman from Washington (Mr. WHITE) is a good piece of the puzzle.

I would also add, however, that I think the package that we are voting on tonight, the fundamental issue here is that the package that we have an opportunity to vote on tonight pushes the whole campaign finance funding problem into a better situation. Basically what we are voting on is a package that will put the whole campaign funding situation in a much better light for the American public.

I would like to say one other thing, that each succeeding Member that speaks to the House tonight, Mr. Speaker, should also tell the American people that we as individuals have an opportunity every single day, every day we have the option, we have the choice, to reject all out-of-State money, all PAC money, all out-of-district money. Each of us can just say, I will only accept money from those people who vote and live in my district.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. BECERRA), a fighter for campaign finance reform.

Mr. BECERRA. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, because we have not been given enough time to truly and meaningfully debate this, let me tell a story about a meeting I had with some constituents on Friday night. I met with folks from the Citizens Committee to save Legion Park on Friday night, and I had a chance to briefly speak to them.

I said this morning, meaning today, we are going to be debating campaign finance reform, but I said, do not hold your breath. Chances are we are going to do it in the dead of night, and it is going to be a stacked deck against the passage of any bill. Sure enough, that is what we have.

But perhaps the worst thing and saddest thing about this is that none of my constituents were surprised. They all knew that we were not going to head toward any type of meaningful reform. So for me to stand here and tell why this legislation we have before us is bad for the average citizen who is fed up with money-driven elections, or bad for working men and women who simply want to keep their meager voice in society heard, or it is bad for long-term legal residents who are always asked to pay their taxes, but the little chance they have to express their voice in this democracy is now going to be stifled through this legislation. It is also bad for new citizens, whose new voice through their vote will be stifled, as well.

That is okay with this bill, but we will not pass it because we know it is being done in the dead of night, stacked against us. It will go nowhere. Vote against this legislation.

Mr. WHITE. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I probably will not take the 2 minutes, because I want to say that we have heard some harsh rhetoric in the last few minutes, but it is actually harsh rhetoric that hides a relatively pleasant fact: That there probably is one piece of legislation that just about everybody in this Chamber can agree on.

I will grant that it does not do everything that any of us would like it to do,

but it is a small step in the right direction. It may be all that we are able to do this year, but by golly, let us at least do something. Let us not miss this opportunity to take a step, small though it may be, to move in the direction of real campaign finance reform.

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

Mr. GEJDENSON. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. FOLEY). The gentleman from Connecticut (Mr. GEJDENSON) is recognized for 3½ minutes.

Mr. GEJDENSON. Mr. Speaker, it is time for a little review. We have been here going over four proposals, all authored by the Republicans. I have been in this Congress for 18 years. I have spoken to Members in this Chamber who have been here longer. I have never, ever in my life been on the floor debating campaign finance reform where the other party was not given an opportunity to put forth a proposal.

My parents fled Hitler and Stalin. In those countries there was no debate. We have just done that here on the floor of the House. Unless you are an R, unless you are a Republican, you do not get to offer something.

That is not bad enough. Even on the proposals they have put forth here, they have chosen a procedure that guarantees failure on the Thomas proposal, because they choose a procedure that guarantees a necessity of two-thirds of the House of Representatives.

Let me get this straight: They get to set up the rules for their own proposal, and rather than half, they choose two-thirds. Why? Because they do not want to succeed.

We look at this institution we serve in, and we look back to our Founding Fathers. There have been references here to Jefferson. I would venture to say, none of us can speak for Jefferson, none of us can match his imagination, but I would be shocked to find Jefferson being for a system that did not allow the other party in the Congress to offer even one alternative proposal.

I can read from Madison. Madison, in questioning who the electors are, who should control the great fate of this country, he said, ''Not the rich,'' ''Not the rich, more than the poor; not the learned, more than the ignorant; not the haughty heirs of the distinguished names more than the humble sons of obscure and unpropitious fortune. The electors are the great body of the people of the United States.''

We have come a distance from democracy's beginnings in England and elsewhere: A Magna Carta that gave rights to wealthy lords, so they could protect their property against the nobility of the King. Along came the revolutionaries on this continent, and they gave the power of the vote to white men who owned property, even though without title. It was a step forward.

Through years and struggles, we extended that vote to blacks and Indian males, and finally, yes, we included women. But there is still one great divide. If you have money, you get to speak and you get to be heard. If we get the Republican proposal of the gentleman from California (Mr. THOMAS), money speaks louder than it ever has in this Chamber.

Mr. Speaker, I ask Members to tell me, is what is wrong with the American political system that rich people cannot find their voice? Do we need to triple the amount of money that wealthy individuals can give? I do not believe there is a nonpartisan American in this country that believes it.

Give us a chance to vote on real reform. Reject this fundamental proposal that the gentleman from California (Mr. THOMAS) has put before us. Vote for American clean government. Reject that proposal.

Mr. WHITE. Mr. Speaker, I yield the balance of my time to the gentleman from California (Mr. THOMAS).

The SPEAKER pro tempore. The gentleman from California (Mr. THOMAS) is recognized for the 4 minutes remaining in the debate.

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

Mr. THOMAS. Mr. Speaker, if some are looking for the definition of ''cynical,'' I would suggest they go back to the 103rd Congress. The current minority party controlled the House of Representatives, controlled the United States Senate, controlled the office of the presidency. The Democratic Party could pass in the House or in the Senate and sign by their President campaign reform. Guess what happened? Guess what happened? Nothing. Nothing went to the President.

So what I find about these fervent reformers is simply this: They are fervent. The problem is, if we look at the previous legislation, McCain-Feingold or Shays-Meehan, what they are fervent about changes. Go back to the original McCain: This country is being undermined by Political Action Committees. We have to ban PACs. We have to ban leadership PACs. Take a look at their bill. It is not in there.

Now, does it mean that what was fundamentally important to Americans has changed, or are they in search of a political answer that they can use under the guise of real reform? If we want to ban soft money, take a look at H.R. 3581. This bill tonight bans soft money at the Federal and the State level tougher than they do. Yet they are going to complain and moan about soft money.

Take a look at what we are doing in terms of non-citizens. The gentleman from Massachusetts (Mr. MEEHAN) has a bill that agrees with that, but he has been coming to the floor and berating what we are doing. It seems to me that at some point cynicism has to stop, and it stops now.

They have had 2 hours and 40 minutes more time than we have had previously to debate reform. It seems to me that the key to good legislation, the key to following the process, is to see if any of these measures pass. I believe campaign reform tonight will pass.

Mr. FROST. Mr. Speaker, the Republican Majority is again bringing to the floor of this House legislation designed to discourage voter registration and participation and our electoral process.

H.R. 3582 is but another attack on the rights of thousands of citizens to vote, aimed primarily at our nation's Hispanic citizens. Earlier in this Congress, Republicans targeted Hispanic voters in the 46th Congressional District of California during their outrageous investigation of LORETTA SANCHEZ's victory in 1996. What happened there was simply an effort to deny a Hispanic candidate a legitimately won seat in Congress, while attempting to intimidate lawful citizens and discourage them from voting.

But that's not all. The Republicans are also attempting to limit the impact of Hispanics in the political process by setting up a Census procedure that will severely undercount Hispanic and other minority populations. They are promoting a method that by all accounts will prevent an accurate Census count, with Hispanics in particular being harmed by their proposal.

Now this troubling trend is continuing with this unwarranted provision of H.R. 3582, a provision which could allow state and local officials to drop thousands of American citizens from the voter rolls, solely on the basis of race or an ''ethnic-sounding'' name. I find it incredible and intolerable that the Republicans would so blatantly go after Hispanic Americans and attempt to deny them their rights at the voting booth.

Mr. Speaker, Hispanic Americans are watching, and they understand that they are being targeted by the Republican Majority for discriminatory treatment. It is absolutely critical that we stand up to this attack against Hispanic citizens, and defeat this and other provisions promoted by the Republicans that would erect substantial barriers to voter participation and undermine the right to vote.

The priority under our Constitution is on citizens' rights to participate in democratic elections. This proposal undermines that right, and it must be soundly rejected.

Mr. POSHARD. Mr. Speaker, I rise today to register my strong opposition to H.R. 3582, the majority's embarrassing attempt to bring campaign finance reform to the House floor. As a member who has worked for meaningful campaign reform for many years, who refuses PAC money and voluntarily limits individual campaign contributions, I find it offensive that the leadership would try to fool the American people into believing that they have kept their promise to allow debate and a vote on real reform. However, I am confident that the people will not be fooled, and I trust that my colleagues will join me in my opposition if they truly believe in our duty to reduce the overwhelming influence of money and return our campaign system to its roots of citizen legislators who challenged each other on the issues and their vision of the future.

It is incredible to me that one of the most complex, contentious and critical issues facing this Congress could be brought up under suspension of the rules, but it is no more than a

thinly veiled attempt by the Republican leadership to stifle debate and disallow amendments, thereby locking out Democrats and Republicans who would embrace the challenge of implementing true reform. H.R. 3582 ignores the most pressing issues in campaign financing and focuses instead on intimidating working men and women and attempting to shut them out of the political process. The Republican bill delivers yet another unwarranted and mean-spirited attack on the labor movement by erecting barriers to the political participation of working families and making it more difficult for them to exercise their fundamental right to join together to protect their interests. Furthermore, this legislation seeks to silence minority populations by establishing a ''ballot integrity'' pilot program in, certainly not by coincidence, the five states with the largest Hispanic populations.

Mr. Speaker, my colleagues and I were promised the opportunity to debate and vote on meaningful campaign finance reform during the 105th Congress. Instead, all we have seen are delays, stalling tactics and tricks designed to place the blame for failing to enact campaign reform on those who have gone to the line to press for its passage. I am confident that my constituents, and the American public, will see this sham for what it is and will instead reward the efforts of those who have continued to work against the odds in the hopes that someday this tainted system can again be a source of pride for all of us.

Mr. MALONEY of Connecticut. Mr. Speaker, I am a strong supporter of campaign finance reform. I firmly believe that we must work to end the money chase and put power back in the hands of voters, not special interests. The political process should be a competition of ideas, not of checkbooks.

To this end, I am a co-sponsor of H.R. 493, the Shays-Meehan legislation which is the companion bill to the McCain-Feingold legislation introduced in the Senate, and also a cosponsor of the Bipartisan Campaign Integrity Act of 1997, legislation introduced by both Democratic and Republican members of the current freshman class of Congress. In addition, I am one of 187 signatories to the discharge petition to force comprehensive campaign finance legislation to the floor for a vote.

Along with many of my Democratic colleagues, I have also signed two letters to Speaker GINGRICH and Chairman SOLOMON of the House Rules Committee to urge a fair and open bipartisan debate on campaign finance reform. Our Republican reform colleagues have also submitted similar letters to Speaker GINGRICH and Chairman SOLOMON.

Unfortunately, Republican Leadership has ignored our plea with its decision to bring bills today to the House floor under suspension of the rules, seriously jeopardizing their passage and tabling open discussion of campaign finance reform for the remainder of this Congress. For example, Republican Leadership is recommending passage of H.R. 3485 which would triple the amount of money individuals may contribute to federal candidates and political parties.

Placing these bills on the suspension calendar effectively precludes free and open debate on these bills from occurring on the House floor, which would include the option of considering the Shays-Meehan/McCain-Feingold bills, comprehensive legislation which is supported by legislators on both sides of the aisle as well as by citizens groups serious about campaign finance reform.

This move on the part of the Republican Leadership reflects their desire to block the House from enacting true campaign finance reform and cheapens bipartisan efforts to address the concerns of American voters across the country who feel politics are unduly influenced by checkbooks. To restore voter confidence in the American electoral process, we need authentic, comprehensive campaign finance reform.

Reform-minded Republicans and Democrats alike have worked very hard to craft legislation that deals with the real issues behind campaign finance reform, such as banning soft money contributions and tightening up disclosure requirements. Partisan Republican Leadership should not be allowed to defeat our efforts with transparent political posturing such as bringing disingenuous legislation to the floor in the name of campaign finance reform.

Mr. EWING. Mr. Speaker, I rise today in support of the four bills on the floor to reform our campaign finance system. While I am a cosponsor of H.R. 2183, The Bipartisan Campaign Integrity Act of 1997, the legislation on the floor today would make many needed improvements. The campaign finance system needs to be reformed in order to improve public confidence and accountability in the system. The investigations of campaign finance abuses during the 1996 presidential campaign only serves to further the public's distrust and cynicism of our election system. However, new laws would not have prevented many of these abuses from occurring—the abuses occurred despite the laws already on the books. We need to ensure that the opportunity to violate the law is as limited as possible, and that when the law is broken, the responsible parties are swiftly punished. Today's debate is an important step in strengthening our democracy, and ensuring that continued violations of campaign finance laws are stopped.

While reform measures can benefit our political process, we must be careful not to compromise the free speech constitutional rights of voters, candidates and other participants in the system. I am concerned that some of the reform proposals seek to adopt public financing of congressional campaigns. Some measures advocate free television advertising for candidates, an unwarranted provision that is inevitably intended to lead to eventual taxpayer-funding of national elections. Further, legislation has been introduced which prohibits any PAC contributions to federal candidates, a very likely unconstitutional provision which would remove citizen's constitutionally guaranteed rights to fee speech and to support groups that participate in public advocacy.

The campaign finance abuses that we have witnessed over the last few years could be all but eliminated by adopting two reform measures, and Congress has the opportunity to do just that today. The first is to ban the use of soft money by state and national political parties and federal candidates, and to ban the transfer of soft money between state and political parties. Unlike hard money (which can legally be accepted by a candidate or used by a party for political advocacy), soft money is raised outside the federal limits on campaign contributions, and can be used for such events like party building and voter registration drives, which were abused during the last election cycle. The current controversies over illegal fundraising activities by the administration focus almost entirely on abuses in raising soft money. Soft money is not subject to any donation limits, meaning corporations, labor unions, and wealthy individuals can donate massive amounts of money to political parties, completely unregulated by the Federal Election Commission.

We also need to adopt measures requiring complete and immediate disclosure of campaign donations. Implementing a full disclosure policy will ensure that the public has quick access to candidates' campaign activities, which would also have greatly curbed the fundraising abuses of the last presidential campaign. The Campaign Reform and Election Integrity Act we are considering requires all contributions that a campaign receives within the last 20 days of an election to be reported within 24 hours, requires mandatory electronic filing for campaign committees which raise or spend more than $50,000, and prohibits a candidate from accepting cash contributions greater than $100. Further, the bill takes steps to curb the use of ''push polls'' by requiring a disclaimer on who is paying the expenses of a federal election poll and requires that the contributions and expenditures for non-publicized polls of more than 1,200 people and conducted within 90 days of the election to be reported to the FEC.

Congress has the opportunity to adopt rules that will require a corporation or labor union to obtain the written and voluntary consent of their employees or union members before removing from their pay any portion of their wages for political purposes. These reform measures also prohibit campaign contributions from individuals who are not United States citizens. Also, ''issue advocacy'' is a practice that has been prone to abuse, and the Campaign Reform and Election Integrity Act requires disclosure of all contributions and expenditures for communications that identify a federal candidate or political party within 90 days of the election.

We have the opportunity today to ban soft money, mandate full disclosure of campaign spending, require workers' consent to use their dues for political purposes, and ban noncitizen contributions to political campaigns. While we will never be able to eliminate the possibility of campaign abuses occurring, today's legislation would put in place campaign finance reforms that will greatly reduce the chance of future abuses, and that will make it extremely difficult to hide abuses of campaign law. Congress is faced with the task of reforming our campaign funding system so that public confidence in our democratic system is strengthened, but that at the same time protects citizens' basic constitutional free speech rights.

Mr. FAWELL. Mr. Speaker, today we are considering legislation which addresses in part other issue of union dues being taken from workers without their consent and spent on activities which have nothing to do with legitimate collective bargaining activities.

I rise to point out that H.R. 1625, the Worker Paycheck Fairness Act, which the Committee on Education and the Workforce favorably reported to the House November 8, 1997, after six hearings the past two years in my Employer-Employee Relations Subcommittee, addresses the issue of compulsory union dues from a different perspective.

While H.R. 3485 would amend federal election campaign law to require written consent of

employees before funds could be taken from their paychecks to fund political activities, H.R. 1625 is a free-standing federal statute, also requiring written consent, but which focuses on the union security agreement, contains tough enforcement measures, provides for notice and disclosure to workers, and prohibits unions from retaliating against those exercising their rights under the statute. It is my hope that the House will consider H.R. 1625 later this year, perhaps in June, when the State of California will be voting on a similar initiative in its drive for fairness.

Indeed, decades ago Congress granted unions as extraordinary power—the power to require employees to give financial support to unions as a condition of employment. This mandate is called a union security agreement, and such agreements are currently legal in 29 states. Simply put, a union security agreement forces a worker to pay an agency fee to the union, or the worker has no right to work. The reason I introduced H.R. 1625 is because unions are diverting wages from employees working under such security agreements and spending it on activities having nothing to do with a union's legitimate activities.

In the six hearings I chaired on this issue during the past two Congresses, we heard from worker after worker telling us one thing they wanted from their union: ''Give me the respect,' they all said, 'of asking me for my permission before you spend my money for purposes unrelated to your union obligations.' Yes, most of these employees were upset over finding out their hard-earned dollars were being funneled into political causes or candidates they did not support. However, these employees supported their union and still overwhelmingly believe in the value of organized labor. A number of them were stewards in their union. All they want is to be able to give their consent before their union spends their money on activities which fall outside collective bargaining activities and which subvert their deeply held ideas and convictions.

At its simple core, H.R. 1625 is about common sense and basic fairness. It is not about trying to silence unions or interfere with the role they play in the political process. In fact, nothing in H.R. 1625 keeps unions from spending their money exactly as they currently do.

What H.R. 1625 does is grant to workers, union members and non-members alike, the ability to give their consent to unions before they direct workers' funds into activities that are not ''core'' union functions. H.R. 1625 is about implementing the spirit of the Supreme Court's Beck decision nearly a decade ago, which held that workers cannot be required to pay for activities beyond legitimate union functions. It is about the freedom of all men and women to make individual and informed choices about the political, social or charitable causes they support.

H.R. 1625 also requires employers whose employees are represented by a union to post a notice telling workers of their right under this legislation to give their prior consent. It also amends the Labor-Management Reporting and Disclosure Act of 1959 to ensure that workers will know what their money is being spent on. Under this change, unions will have to report expenses by ''functional classification'' on the LM-forms they are currently required to file annually with the Department of Labor. This change was proposed by the Bush administration in 1992 but was done away with by the Clinton administration. H.R. 1625 also puts real enforcement into place, as those whose rights are violated would be entitled to double damages and attorney's fees and costs—similar to relief available under the Family and Medical Leave Act.

Finally, H.R. 1625 includes a common employment law provision making it illegal for a union to retaliate against or coerce anyone exercising their consent rights. This provision is intended to overrule the Fourth Circuit's 1991 Kidwell decision, a case arising under the Railway Labor Act, which has been interpreted by some to hold that a union can kick a member out of the union for exercising his or her Beck rights. H.R. 1625 applies to all employees—union members and non-members alike—and under it unions may not discriminate against any worker for giving, or not giving, their consent.

Some say the current system is working fine and no changes are needed because workers already have the right under the Supreme Court's Beck decision to opt-out of paying non-collective bargaining fees under a union security agreement. To them I say two things. First, the current system absolutely is not working. As my six hearings have shown, individuals attempting to exercise their rights under current law often face incredible burdens, including harassment, coercion, and intimidation. Second, no one would argue that just because the Supreme Court has issued decisions regarding racial or gender discrimination, or on the rights of handicapped children to a quality public education, that Congress was somehow precluded from passing legislation addressing due process concerns guaranteeing such rights. The current system is badly broken, and it is our responsibility to fix it.

It is my strong belief that equity and fairness in the area of compulsory union dues would become a reality under H.R. 1625, and it is my hope that the House of Representatives will consider this legislation this June.

Mr. HINOJOSA, today we are scheduled to debate what is purported to be campaign finance reform. If only that were the case. Sadly, it is not.

When I ran for this office I said I wanted to see substantive change. I, in fact, co-sponsored a bipartisan bill to bring about such change. It is a measure which would ban soft money and take the biggest of the big money out of the political system. It would replace unregulated, million dollar contributions with limited, hard money contributions. It also would require advocacy groups to disclose their identify and expenditures when they run advertisements to affect a political race. Tough new candidate disclosure provisions are also part of the bill.

But what is before us today does not bear any semblance to this solid package. What is before us is a bill that locks average citizens out of the political process, and gives even greater influence to big money contributors. Americans want less money in politics, not more.

Simply put, this bill is not genuine campaign finance reform. And what is even more onerous is that this bill has been placed on the suspension calendar, a procedural tactic effectively blocking the House from having a free and open debate that allows consideration of alternative measures. I have brought with me an article printed in this past Saturday's New York Times which I would like to have inserted into the CONGRESSIONAL RECORD elaborating on this sham, and which I find to be nothing less than a total disregard for public interest.

The opportunity that should be before us today is one to make the system better. That is what the public wants and that is what we need to do. However, the legislation before us will do nothing more than preserve the status quo. It is egregious, to say the least. That is why I cannot vote for this package. The status quo must be changed and I will continue to fight instead for real campaign reform, so that Congress responds to the needs of all Americans, not just those who are able to contribute the most money.

HOUSE G.O.P. SHIFTS ON CAMPAIGN BILLS VOTE SET FOR NEXT WEEK, BUT NOT ON THE MAIN BIPARTISAN PROPOSAL

(By Steven A. Holmes)

WASHINGTON, March 27.—Abruptly shifting gears, the House Republican leadership announced today that it would take up four campaign finance bills on Monday—but not the main bipartisan bill, which would not be allowed to the floor.

The four measures would be considered on a special calendar under which they could not be amended and would require a nearly insurmountable two-thirds vote to pass. These rules are usually reserved for noncontroversial legislative items like resolutions honoring a group or an individual.

The announcement was made by Representative Dick Armey, the Texas Republican and majority leader, and was the latest twist in efforts to overhaul campaign finance. Democrats and some moderate Republicans responded with indignation.

Among them was Representative Martin T. Meehan, the Massachusetts Democrat who is co-sponsoring the bipartisan bill with Representative Christopher Shays, Republican of Connecticut.

''I cannot believe the total disregard for the public interest that we have seen this afternoon,'' Mr. Meehan said, ''It's an absolute outrage. I have never seen it this bad before.''

In November, Speaker Newt Gingrich, hoping to secure enough votes from Republican centrists to adjourn the House, promised a vote on campaign finance legislation by the end of March. In announcing plans to vote on the four bills, Mr. Armey said the Republican leadership was fulfilling the commitment made by Mr. Gingrich, a Georgia Republican.

Christina Martin, his press secretary, explained the decision this way: ''Today, in an elected leadership meeting, it became clear that there were a number of members who had informed their constituents that there would be a vote on campaign finance before Easter, regardless of their stance on the issue. Therefore, they wanted the promise fulfilled.''

House Republican leadership is fiercely opposed to the Shays-Meehan proposal, which is similar to one sponsored in the Senate by John McCain, an Arizona Republican, and Russell D. Feingold, a Wisconsin Democrat. The House bipartisan proposal would restrict so-called issue ads, which often skirt campaign rules by focusing on candidates, and ban the unlimited and unregulated donations that corporations, unions and individuals give to political parties for general activities, not for specific candidate elections.

The Shays-Meehan bill would not have gained the two-thirds vote to pass if it had been included on the special calendar. But the Republican decision to exclude the bill in the package to be voted on next week eliminated not only the possibility of a test vote

showing that it could obtain a majority but also campaign television commercials singling out Republicans who voted against the Shays-Meehan proposal.

The Republican leadership's maneuver provoked the unusual scene on the House floor today as Democrats stepped back to allow some Republicans to direct sharp questions at their own leaders.

For several minutes, Mr. Shays mordantly questioned Mr. Armey on how he could call the new approach a fair and open debate. To question Mr. Armey, Mr. Shays had to ask the opposition Democrats to yield some of their speaking time. Each time he made the request, the Democrats complied, producing the legislative version of holding Mr. Shays's coat while he did the fighting.

''I yield to the gentleman from Connecticut,'' Representative Vic Fazio, Democrat of California, said eagerly as Mr. Shays pressed the majority leader. ''I'm more than happy to yield.''

The House leadership's maneuver came just a day after the Republicans abandoned their plans to vote this week on campaign legislation. The vote was put off because enough Republicans were leaning toward the Shays-Meehan bill that it threatened to pass on a procedural motion. The Republican rebellion showed that the bill could very likely have achieved a majority.

But the decision to kill any vote on campaign finance until after the House recess, which begins next mid-week, did not sit well with some members of the Republican leadership, said senior aides. Some Republicans did not want to be left vulnerable to criticism from Democrats and some moderate Republicans.

Thursday's decision provoked a group of conservative Democrats to press a petition that would allow a number of campaign finance bills, including the Shays-Meehan proposal, to be considered. The petition is about 30 signatures short of the necessary 188 needed to bring it to the floor.

One of the Democrats, Scotty Baesler of Kentucky, said he wanted ''to challenge those who say they are for campaign reform to fish or cut bait.''

Although Mr. Shays and Mr. Meehan cannot block the leadership's plans for Monday, they signaled that it would bolster the efforts by Mr. Baesler and others to collect enough signatures for the petition.

Mr. Shays offered this assessment: ''I think every Democrat and every reform-minded Republican would want to sign a discharge petition that allows for a free and open debate on campaign.''

Of the four bills to be considered on Monday, one would ban the national political parties from receiving the unlimited donations to the national political parties, known as soft money, but would still allow state parties to use such contributions for Federal candidates. The bill includes a number of other elements that are certain to provoke opposition from Democrats.

The second bill would prohibit noncitizens from contributing to political campaigns. The third bill, which is opposed by Democrats but embraced by many Republicans, would require labor unions to seek permission from members to spend their dues on political activity. The fourth bill, which might receive a two-thirds majority, would expand reporting and disclosure requirements for campaign contributions.

Mr. KIND. Mr. Speaker the campaign finance reform legislation we are considering today, and the process by which we reached this point is a complete sham and a fraud. The Republican leadership of the House of Representatives is engaged in a purely partisan attempt to kill campaign finance reform. As was illustrated by the debate last Friday, the scheduling of this bill took place without any consultation with the Democrats or even with moderate Republicans who are committed to reform. With the scheduling of reform under ''Suspension of the Rules'', which requires the support of 2/3 of Congress to pass, it is guaranteed that campaign reform will fail.

It is clear that a bipartisan majority of this House supports campaign finance reform. The delay of the vote from last week, and now the parliamentary tricks the leadership is using today, show the lengths the Republican leadership will go to kill campaign finance reform.

For the past year I have worked with my fellow freshman members on the Bipartisan Campaign Finance Reform task force. Our group came up with a strong, bipartisan bill that had no poison pills. No one from our group was consulted in scheduling this vote. Representatives CHRIS SHAYS and MARTY MEEHAN have been working in a bipartisan manner for more than three years to craft a campaign finance reform bill. They were not consulted in scheduling this vote. The members who are committed to changing the status quo have been shut out by the leadership in favor of those who want to increase the amount of money in the campaign system.

For the second time this year, the will of the majority to pass meaningful campaign finance reform has been denied. In the U.S. Senate, a majority of Senators supported the McCain-Feingold reform bill, but because of a Senate rule, 60 votes were needed to pass the bill. Now in the House, through the creative use of legislative tactics, the leadership is on its way to defeating reform legislation.

Mr. Speaker, it is time to end this deception and allow an honest vote on campaign finance reform. The House Republican leadership's attempts to deny the will of the majority and kill campaign finance reform is a black mark on this House. The only way to restore the faith of the public in their elected officials is by reforming our broken system. This is a sad day for our democratic process.

Mr. SERRANO. Mr. Speaker, I rise to express my outrage at the manner in which the Republican leadership has decided to bring campaign reform to the House floor and my opposition to the bills we are considering tonight.

Mr. Speaker, despite the well-remembered handshake with the President in New Hampshire, despite promises last fall that the House would have a full, fair debate this spring on reforming the way political campaigns are financed, the process your side has contrived goes in the opposite direction. Procedures that were designed to speed passage of non-controversial legislation are being bent to prevent passage of any meaningful reform.

Under the suspension procedures the Republicans have decided to use, each of the four bills being presented today will receive only twenty minutes of debate on each side. None can be amended unless by the bill's manager. To pass, each must gain two-thirds of the votes, not the usual majority, making passage virtually impossible.

Moreover, even though there is visible bipartisan interest in campaign finance reform, and even though several bipartisan bills have been introduced, the content of the four bills comes entirely from the Republican side. Democrats were simply not part of the process.

H.R. 3582, the so-called ''Campaign Reform and Election Integrity Act'', is far and away the worst bill of the bunch because it contains so many outrages. It is appropriate that the Republicans call this ''Campaign Reform'' instead of ''Campaign Finance Reform'', because it would vastly increase—double or even triple—the amounts of money that wealthy special interests could pour into political campaigns and political parties.

At the same time, its Worker Gag Rule provisions would silence working men and women by making union political activity subject to an expensive and cumbersome approval process. And political activity is defined so broadly that it would even keep unions from educating their members about legislation that could directly affect their health, safety, pensions, or bargaining rights.

It would continue the Republicans' recent string of immigrant-bashing measures in two ways:

It would prohibit non-citizen legal residents from contributing to federal campaigns—which, since they cannot vote, is the only way they can exercise their First Amendment rights and participate in the political system. I'm not aware of any legal barrier to felons contributing to candidates, although a candidate might think twice about accepting such a contribution. But legal permanent residents, who work, pay taxes, serve in the military, and spend their lives under our laws, would be silenced by this bill.

Moreover, the bill would establish a voter citizenship verification pilot program in the five states with the largest immigrant populations—a provision explicitly designed to harass and intimidate Hispanic and other ethnic voters by threatening would-be voters who look or sound ''foreign'' with investigation. It certainly can't be intended to actually verify anyone's citizenship, because the Immigration and Naturalization Service (INS) and the Social Security Administration (SSA) have said their records and databases are not complete or up-to-date enough to be used for that purpose. it can only be meant to intimidate and suppress minority voters.

Mr. Speaker, these are only a couple of the flaws in this bill, but the bottom line is that the process is outrageous. Members of this House, and the people we represent, have the right to full and open debate and votes on the range of proposals for reforming the campaign finance system. This is not that debate and the major reform proposals are left entirely out.

I intend to vote against all of these bills tonight and I will work to win the 218 signatures needed to free the discharge petition that would bring the various campaign finance reform proposals to the floor. I urge my colleagues to vote against these bills and to sign the discharge petition so we can finally engage in fair and open debate, with votes, on meaningful campaign finance reform.

Mr. DINGELL. Mr. Speaker, in one of the most outrageous, cynical, and arrogant displays I have seen in my long service in the Congress the Republican leadership put the bill H.R. 3485, the Campaign Reform Election Integrity Act, on the floor today under suspension of the rules.

This procedure allows no amendments, and only forty minutes of debate.

This is one of the most important issues in the Nation today.

Americans are being alienated by the deluge of money entering our political system and being alienated from their government and our political system by practices they believe are corrupting our entire political system.

I cannot and will not vote for bad legislation protected by a gag rule and outrageous procedure, without opportunity for either debate or amendment.

The SPEAKER pro tempore (Mr. FOLEY). All time has expired.

The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 3582.

The question was taken.

Mr. THOMAS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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.

□ 2000

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY). 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. 3581, by the yeas and nays;

H.R. 34, by the yeas and nays;

H.R. 2608, by the yeas and nays; and

H.R. 3582, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

CAMPAIGN REFORM AND ELECTION INTEGRITY ACT OF 1998

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3581.

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. THOMAS) that the House suspend the rules and pass the bill, H.R. 3581, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were— yeas 74, nays 337, answered ''present'' 1, not voting 18, as follows:

[Roll No. 81]

YEAS—74

Archer
Bachus
Ballenger
Bartlett
Bass
Bryant
Buyer
Camp
Campbell
Castle
Chambliss
Coburn
Cook
Duncan
Ehrlich
English
Ewing
Fawell
Fowler
Fox
Frelinghuysen
Gilchrest
Gillmor
Goss
Granger
Greenwood
Gutknecht
Hansen
Hayworth
Herger
Hill
Hilleary
Horn
Hulshof
Hutchinson
Kasich
Kingston
Kolbe
Livingston
Lucas
McCollum
McKeon
Metcalf
Mica
Miller (FL)
Petri
Porter
Pryce (OH)
Radanovich
Rogan
Rohrabacher
Roukema
Salmon
Sanford
Scarborough
Schaefer, Dan
Sensenbrenner
Shadegg
Shimkus
Shuster
Smith (MI)
Souder
Spence
Sununu
Tauzin
Taylor (NC)
Thomas
Thornberry
Upton
Watkins
Weldon (FL)
Weldon (PA)
Weller
White

NAYS—337

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Baesler
Baker
Baldacci
Barcia
Barr
Barrett (NE)
Barrett (WI)
Barton
Bateman
Becerra
Bentsen
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bunning
Burr
Burton
Callahan
Calvert
Canady
Capps
Carson
Chabot
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Collins
Combest
Condit
Conyers
Costello
Coyne
Cramer
Crane
Crapo
Cubin
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
Dunn
Edwards
Ehlers
Emerson
Engel
Ensign
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Fazio
Filner
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (NJ)
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilman
Goode
Goodlatte
Goodling
Gordon
Graham
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hefley
Hefner
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Hostettler
Houghton
Hoyer
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Klug
Knollenberg
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Poshard
Price (NC)
Quinn
Rahall
Ramstad
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer, Bob
Schumer
Scott
Serrano
Sessions
Shaw
Shays
Sherman
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Talent
Tanner
Tauscher
Taylor (MS)
Thompson
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Velazquez
Vento
Visclosky
Walsh
Wamp
Watt (NC)
Watts (OK)
Waxman
Wexler
Weygand
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Kim

NOT VOTING—18

Bereuter
Bliley
Cannon
Cardin
Coble
Cooksey
Cox
Gonzalez
Hunter
Jefferson
McCarthy (MO)
Payne
Rangel
Riggs
Royce
Solomon
Waters
Yates

□ 2219

Mrs. CUBIN, and Messrs. GIBBONS, PICKERING, EVERETT, RYUN, WICKER, BARRETT of Nebraska, and RILEY changed their vote from ''yea'' to ''nay.''

Messrs. FOX of Pennsylvania, SMITH of Michigan, and WELDON of Pennsylvania changed their vote from ''nay'' to ''yea.''

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY). Pursuant to the provisions of clause 5, rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

ILLEGAL FOREIGN CONTRIBUTIONS ACT OF 1998

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 34, 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. THOMAS) that the House suspend the rules and pass the bill, H.R. 34, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 369, nays 43, answered ''present'' 1, not voting 17, as follows:

[Roll No. 82]

YEAS—369

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
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
Capps
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coburn
Collins
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Dickey
Dicks
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fawell
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
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
Hulshof
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meehan
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Moakley
Moran (KS)
Moran (VA)
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Rush
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
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
Traficant
Turner
Upton
Vento
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Young (AK)
Young (FL)

NAYS—43

Becerra
Berman
Davis (IL)
Diaz-Balart
Dingell
Dixon
Doolittle
Ehlers
Farr
Fattah
Fazio
Filner
Gutierrez
Hoyer
Jackson-Lee (TX)
Johnson, E. B.
Kaptur
Kennedy (RI)
Lofgren
Martinez
McDermott
McKinney
Meek (FL)
Meeks (NY)
Mink
Mollohan
Morella
Murtha
Oberstar
Pelosi
Pombo
Ros-Lehtinen
Roybal-Allard
Sabo
Scott
Serrano
Skaggs
Torres
Towns
Velazquez
Watt (NC)
Waxman
Wynn

ANSWERED ''PRESENT''—1

Kim

NOT VOTING—17

Bereuter
Bliley
Cannon
Cardin
Coble
Cooksey
Gonzalez
Hunter
Jefferson
McCarthy (MO)
Payne
Rangel
Riggs
Royce
Solomon
Waters
Yates

□ 2226

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.

A motion to reconsider was laid on the table.

PAYCHECK PROTECTION ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2608.

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. THOMAS) that the House suspend the rules and pass the bill, H.R. 2608, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 166, nays 246, answered ''present'' 1, not voting 18, as follows:

[Roll No. 83]

YEAS—166

Archer
Armey
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bilbray
Bilirakis
Blunt
Boehner
Bonilla
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Christensen
Collins
Combest
Cook
Cox
Crane
Cubin
Cunningham
Deal
DeLay
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
Ensign
Everett
Ewing
Fawell
Fossella
Fowler
Frelinghuysen
Gallegly
Ganske
Gibbons
Gilchrest
Gillmor
Gingrich
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson, Sam
Jones
Kasich
Kingston
Klug
Knollenberg
Kolbe
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Livingston
Lucas
Manzullo
McCollum
McCrery
McInnis
McIntosh
McKeon
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Peterson (PA)
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Radanovich
Ramstad
Redmond
Riley
Rogan
Rogers
Rohrabacher
Roukema
Ryun
Salmon
Sanford
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Thomas
Thornberry
Thune
Tiahrt
Upton
Wamp
Watkins
Watts (OK)
Weldon (FL)
White
Wicker
Wolf
Young (FL)

NAYS—246

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Bachus
Baesler
Baldacci
Barcia
Barrett (WI)
Bass
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Carson
Castle
Chenoweth
Clay
Clayton
Clement
Clyburn
Coburn
Condit
Conyers
Costello
Coyne
Cramer
Crapo
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Foley
Forbes
Ford
Fox
Frank (MA)
Franks (NJ)
Frost
Furse
Gejdenson
Gephardt
Gilman
Gordon
Green
Greenwood
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Horn
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
LaFalce
LaHood
Lampson
Lantos
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey

Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McDade
McDermott
McGovern
McHale
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Neumann
Ney
Northup
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pappas
Pascrell
Pastor
Paul
Pease
Pelosi
Peterson (MN)
Petri
Pickett
Pomeroy
Poshard
Price (NC)
Quinn
Rahall
Regula
Reyes
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schumer
Scott
Serrano
Sherman
Shimkus
Sisisky
Skaggs
Skelton
Slaughter
Smith (NJ)
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (NC)
Thompson
Thurman
Tierney
Torres
Towns
Traficant
Turner
Velazquez
Vento
Visclosky
Walsh
Watt (NC)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wise
Woolsey
Wynn
Young (AK)

ANSWERED ''PRESENT''—1

Kim

NOT VOTING—18

Bereuter
Bliley
Cannon
Cardin
Coble
Cooksey
Gekas
Gonzalez
Hunter
Jefferson
McCarthy (MO)
Payne
Rangel
Riggs
Royce
Solomon
Waters
Yates

☐ 2233

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

CAMPAIGN REPORTING AND DISCLOSURE ACT OF 1998

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3582.

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. THOMAS) that the House suspend the rules and pass the bill, H.R. 3582, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 405, nays 6, answered ''present'' 1, not voting 18, as follows:

[Roll No. 84]

YEAS—405

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
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
Capps
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coburn
Collins
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
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
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
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
Hutchinson
Hyde
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
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
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
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Moran (KS)
Moran (VA)
Morella
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
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
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—6

Dingell
Martinez
Mollohan
Murtha
Sabo
Shadegg

ANSWERED ''PRESENT''—1

Kim

NOT VOTING—18

Archer
Bereuter
Bliley
Cannon
Cardin
Coble
Cooksey
Gonzalez
Hunter
Jefferson
McCarthy (MO)
Payne
Rangel
Riggs
Royce
Solomon
Waters
Yates

☐ 2239

Mr. GILLMOR and Mr. MCINTOSH changed their vote from ''nay'' to ''yea.''

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. MCCARTHY of Missouri. Mr. Speaker, on rollcalls no. 81, on HR 3581, Campaign Reform & Election Integrity Act; 82, on HR 34, Illegal Foreign Contribution Act; 83, on HR 2608, the Paycheck Protection Act; 84 and on HR 3582, the Campaign Reporting and Disclosure Act.

I was absent due to respiratory illness.

Had I been present, I would have voted no on rollcall 81, yes on rollcall 82, no on rollcall 83, and yes on rollcall 84.

UTAH VICTORY OVER NORTH CAROLINA TARHEELS

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

Mr. COOK. Mr. Speaker, I am delighted to stand here and to recount the Utah victory last Saturday night over the North Carolina Tarheels. It gives me particular great pleasure because just a year ago I was forced to wear all day the cap of the Chicago Bulls when a bet of mine went sour with my colleague and good friend, the gentleman from the State of Illinois (Mr. JACKSON). But tonight I get to stand here; and my very good friend, the gentleman from the State of North

Carolina (Mr. PRICE), is wearing the Utah red and acknowledging his loss to the bet we had last week.

Mr. PRICE of North Carolina. Mr. Speaker, if the gentleman will yield, I have to say red is not normally my color. I usually prefer a light shade of blue. But the outcome of Saturday's game between the University of Utah and the Tarheels of North Carolina has forced me to alter my wardrobe this evening.

I do want to thank my friend and colleague, the gentleman from Utah (Mr. COOK), for the T-shirt. Make sure we see it. This may be the last time, though, it is seen on me. I am not the only Tarheel politician seeing red today. I believe the Governor, a United States Senator, many others were run over by the Rick Marjerus-led Utes last Saturday.

In North Carolina, of course, we are very proud of our school and players. I mostly feel bad for my colleague from Utah because he missed out wearing that fine light blue T-shirt I had for him. But I hope Saturday's victory is a source of some consolation.

Mr. COOK. Mr. Speaker, reclaiming my time, I want to thank very much the gentleman from North Carolina and just to say, as I left the cloakroom just a few minutes ago before this last vote, Utah was ahead by almost six points, on the verge of winning the national championship; and I have to tell him that all day today I searched for someone from the Kentucky delegation to take me up on a bet. I thank my colleague. Go Utah.

Mr. PRICE of North Carolina. Well, my colleague certainly beat a highly regarded Carolina team. We are real proud of that team, led by Coach of the Year Bill Guthridge. The Tarheels ended their season with 34 wins and just four losses, a great year by any measure.

So I will save this T-shirt for next year. I will suggest that it would be a fine fit, that blue T-shirt for my colleague or anyone else after next season.

□ 2245

I say to the gentleman from North Carolina, I hope he enjoyed today. I know he is doing real well right now, not doing too badly at the moment as that Kentucky game moves on. But Carolina blue is not the only blue that can cause you trouble. Good luck.

PERSONAL EXPLANATION

Mr. BERRY. Mr. Speaker, unfortunately because of the tragedy in the district that I represent, I missed rollcall votes numbers 79 and 80 on Friday, March 27, 1998.

Had I been present, I would have voted ''no'' on rollcall vote number 79. Had I been present, I would have voted ''yes'' on rollcall vote number 80.

GENERAL LEAVE

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the four bills just debated, H.R. 3581, H.R. 34, H.R. 2608, and H.R. 3582.

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

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON SMALL BUSINESS

The SPEAKER pro tempore (Mr. SHIMKUS) laid before the House the following resignation as a member of the Committee on Small Business:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 30, 1998.

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

DEAR MR. SPEAKER: I hereby resign from the House Committee on Small Business.

Sincerely,

MARION BERRY,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3060

Mr. WATTS of Oklahoma. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of the bill, H.R. 3060.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. 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.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. KLINK) is recognized for 5 minutes.

(Mr. KLINK 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 Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

QUESTIONS REGARDING CHINESE EXPORT OF MISSILES AND NUCLEAR TECHNOLOGY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, earlier this year I stood in this Chamber and expressed my concern regarding the administration's certification that China had provided clear and unequivocal assurances that it was not either directly or indirectly assisting nonnuclear weapon states, and the states that I used as an example were Pakistan and Iran, in the acquisition of nuclear explosive devices. I had pointed out that this was the first time in 12 years that a U.S. President had granted such a certification.

Mr. Speaker, last Thursday, the administration officials in China reaffirmed their claim that China had kept its pledge. They had accepted the Chinese assurances that they have not helped Iran build nuclear weapons. They were, however, concerned about Chinese missile sales to Tehran. They also declined to discuss a foiled plan by a Chinese firm to sell Iran a chemical that could be used in the enrichment of uranium for nuclear weapons.

Sources have said that the meeting between the administration and the Chinese Government was to work out an agreement to give China access to Washington's more advanced missile technology if the Chinese agree not to export missiles to Iran and Pakistan.

Mr. Speaker, I must express tonight my concern regarding statements made by the administration regarding nuclear technology and China. As many Members of this body are aware, China is a major supplier of weapons of mass destruction, nuclear and missile technology.

When the United States and China signed an accord in 1985 to allow American firms to export nuclear technology to China, Members of Congress were concerned over China's sales of nuclear weapons technology to third countries. In response, Congress quickly passed legislation to require the President to first certify that China has not sold or transferred nuclear technology to countries that are not subject to inspection by the International Atomic Energy Agency.

In granting the certification, the Clinton Administration has chosen to overlook China's recent transfer of nuclear technology to unregulated nuclear facilities in Pakistan and Iran. The administration has accepted so-called assurances by Beijing that it would cancel or postpone indefinitely several projects, especially secret nuclear facilities in Pakistan and a uranium conversion facility in Iran, as the basis for the U.S. granting the certification.

Earlier this year, the Congressional Research Service stated that China may be continuing to violate its commitment to abide by international nuclear proliferation guidelines. Yet, the administration continues to overlook CIA findings that the Chinese have sold 5,000 ring magnets to Pakistan for its uranium enrichment facility. The ring magnets were transferred to a laboratory in Kahuta, Pakistan. The facility in Kahuta is named after the founder of Pakistan's nuclear weapons program. I

would like to note that ring magnets are used for the building of nuclear weapons.

The administration has overlooked a CIA report that described the Chinese sale of special industrial furnace and high-tech diagnostic equipment to Pakistan. The furnace and diagnostic equipment have dual use and can be used to melt plutonium and uranium for nuclear weapons.

Paul Levanthal of the Nuclear Control Institute said that the United States should be on the lookout for China providing Pakistan with heavy water to start up a military plutonium production reactor at Khushab.

Mr. Speaker, I would like for the administration to outline the Chinese policy on controlling sales of missile technology. Unfortunately, they cannot. As several sources have correctly pointed out, the Chinese have not established export controls that meet the international standards.

Despite the foiled Chinese plan and Mr. Levanthal's concerns regarding the sale of heavy water to Pakistan, the administration continues to look the other way. The administration will continue to support China's export of technology and ballistic and missile components to Pakistan.

The administration is willing to approve China's continued support of Pakistan's commitment to build a plutonium production reactor and a plutonium reprocessing plant. These facilities are essential for a nuclear weapons program. Despite the repeated protests by Members of this body, China continues to assist Pakistan in building a sophisticated nuclear arsenal. Unfortunately, this nuclear arsenal is not subject to international inspection.

I would like to remind my colleagues that Pakistan is not a member of the International Atomic Energy Agency and bans investigators from several of its nuclear facilities.

Members of this body have supported, and at times insisted, that China receive U.S. peaceful nuclear technology only if China halts all nuclear exports to nations with unregulated nuclear facilities. Last year, a letter was sent to President Clinton by Members of this body stating that China has not earned or behaved in a manner that warrants such certification.

The Arms Control and Disarmament Agency's annual report to Congress stated that while the administration could not stipulate a violation, questions remain about contacts between Chinese entities and elements associated with Pakistan's nuclear weapons program.

Last week I cosigned a letter with Members from both sides of the aisle, authored by the chairman of the Committee on International Relations, the gentleman from New York (Mr. GILMAN), that urged the President to prevent the delivery of reactors and nuclear technology to China. Many of my colleagues share the same concerns that I have outlined today. We are concerned that the Chinese Government has not held true to its promise.

Many of my colleagues share the same concerns that I have outlined today. We are concerned that the Chinese Government has not held to its promises in stopping the spread of its own technology to countries that are trying to develop nuclear weapons.

Mr. Speaker, the Members of this body have continued to send a message that we will not turn our heads away and accept the Chinese nuclear weapons relationship with Pakistan and Iran. We cannot accept the assurances made by the Chinese government when it has failed to be a responsible member of the international nuclear proliferation community.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland (Mrs. MORELLA) is recognized for 5 minutes.

(Mrs. MORELLA addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

HISTORIC PRESIDENTIAL VISIT TO AFRICA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, the last couple of days I had the honor of joining the President of the United States in a very historic visit to the continent of Africa. For those of us who care very much for this emerging relationship, let me applaud the President and the First Lady for making the larger statement, the viability of Africa as a world partner, both socially and as well as economically.

The President's journey to Ghana, Uganda, Rwanda, South Africa, Botswana and Senegal, albeit a small portion of the 53 nations of the continent and certainly of sub-Saharan Africa, counting 48, was not only symbolic, but meaningful and filled with substance for the world as well as this Nation.

The coverage by our media that followed and saw fit to respond and report on this story overall symbolizes the changing attitude about Africa. The front page or cover story on Time Magazine and the commentators from local news around the Nation showed our country willing to learn more about Africa and willing to accept Africa for what it is, a brilliant continent, rich in history and great in its future.

It was important that my local station, Channel 13, traveled all the way to South Africa to cover this historic journey. My local paper, the Houston Chronicle, carried a series day after day on the President's visit and the importance of its opening the doors of opportunity and economic opportunity as far away as Houston, Texas.

I was very pleased to have the opportunity one on one to discuss in meetings with business persons, both Americans doing business in South Africa and Africa, and African companies who wanted to extend the opportunity to do business in the United States.

I was encouraged by the attitude. I was greatly encouraged by the interest in Houston's port, and as well the noted recognition of the amount of business already done with our Houston port and the availability of doing more business with our port.

I was very much involved in discussing the ability of capital financing for joint ventures between businesses in the United States, particularly in Houston, particularly minority and small businesses, and South African businesses, and talking with business persons and owners of companies in South Africa that would provide for the financing of many of our small and minority businesses to engage in the right kind of successful business opportunities.

I am likewise very much encouraged by the potential opportunity for direct air routes to West Africa from Houston and other parts in the United States, and as well the recognition by the United States in making sure that our foreign policy is not trade instead of aid, but trade and aid, that we have the ability to respond to the great need of infrastructure, building and rebuilding, as well as the great health needs, particularly involved in the HIV ravaging epidemic in Africa.

Let me also pay special tribute to Alma Brown, who joined us in celebrating the opening of the Ron Brown Commercial Center in Johannesburg, South Africa. Her eloquent words and tribute to her late husband, Secretary Ron Brown, highlighted the importance of his legacy and message, joined by President Clinton and Secretary Daley and Congressman RANGEL, that we all must be committed to economic enhancement.

But needless to say, we must recognize the doors that were opened by Ron Brown's commitment to Africa and recognition of the kind of partner it can be on the world stage.

Let me say that this was not only an economic trip or a trip that would promote businesses and cooperative efforts between Africa and the United States of America, but it was one for social justice. With the visiting of Robin Island as well as the visiting of Soweto and Johannesburg, acknowledging the killing of young Mr. Peterson, 12 years old, in a 1976 uprising against apartheid, we knew full well the commonality between those of us of African American decent and our African brothers and sisters in the fight for social justice.

It was quite appropriate for our President to speak up eloquently on what slavery did to both continents and how in fact it enslaved all of us and how wonderful it was that we must move forward in the future, to never be shackled again by human bondage.

□ 2300

With that in mind it was very important that we spoke in Rwanda, as I close, Mr. Speaker, about the abuses in Sudan and other places in Africa

against human rights. We must stand for human rights around the world.

All in all, Mr. Speaker, this was an outstanding effort to raise up the bonding between Africa and the United States, and I believe it is only a start and we must continue to work together to make it a reality.

YUCCA MOUNTAIN MUST BE DISQUALIFIED AS A SITE FOR REPOSITORY OF DEADLIEST MATERIAL EVER MADE BY MAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nevada (Mr. GIBBONS) is recognized for 5 minutes.

Mr. GIBBONS. Mr. Speaker, the proponents of storing nuclear waste in Nevada suffered a huge setback last week when scientists from the California Institute of Technology and Harvard University reported that the strain in the Earth's crust near Yucca Mountain makes it at least 10 times more prone to earthquakes and lava flows than government scientists previously estimated.

The study commissioned by the Nuclear Regulatory Commission concluded that the ground around Yucca Mountain could stretch more than 3 feet over the next 1,000 years. While this may not sound like a great deal of movement, this distance is a distance that would easily crush any canister of nuclear waste buried there, exposing a wide area including the water table of the Southwest to deadly radioactivity and pollution.

When the original criteria for a long term nuclear storage site was created, the Environmental Protection Agency ruled that any site that would be stable for 10,000 years would be appropriate for a high-level nuclear waste dump. However, now this latest data shows that the ground around Yucca Mountain will not be stable for even one-tenth of that time. It is a sure bet though, if we give the U.S. Department of Energy a scientific reason to doubt the wisdom of storing high-level waste at Yucca Mountain, the agency will simply ignore the findings.

Nevada ranks third in the Nation for current seismic and earthquake activity. Earthquake databases indicate that since 1976 there have been 621 seismic events of a magnitude greater than 2.5 within a 50-mile radius of Yucca Mountain. The most notable event that occurred this period was a earthquake with a magnitude of 5.6 that occurred in 1992.

Now, the mountain ranges and valleys in the Yucca Mountain area are a result of millions of years of intense faulting and volcanism. With 33 earthquake faults and more than 30 earthquakes a year, Yucca Mountain is not geologically safe. Any nuclear accident at Yucca Mountain could send invisible but deadly radioactive dust across the Nation, contaminating everyone and everything in its path, since the winds blowing across the country move from West to East.

Mr. Speaker, on December 1997 an incident occurred near Kingman, Arizona in which a truck carrying radioactive waste had leaked from one of its nuclear waste containers. The nuclear waste canister leaks proved that transporting this refuse poses a real threat to our children and our communities. DOE's previous statement and guarantees made about the safety of transporting nuclear waste are now clearly irrelevant.

Their findings confess to four reasons why this incident occurred. First, containers were used for shipping after design flaws were identified in earlier container failures. Second, lack of understanding of the properties of the waste, specifically that excess free liquid would form during transportation. Third, lack of formality and rigor in contractor oversight between DOE Fernald and DOE Nevada. And finally, fourth, failure to provide the appropriate attention and oversight to these shipments because of the relatively low potential threat to public health and safety.

Acting Assistant Secretary for Environmental Management Jim Owendoff stated, ''We are troubled by lapses in contractor management and DOE oversight, especially because problems with the containers had been identified on previous occasions.''

These canister leaks were not caused by an accident or other large catastrophe. The Accident Investigation Board concluded that stress fractures caused the leaks in the shipping containers and were widened by vibration and wear associated with normal highway transport. Yet the DOE would have us believe that canisters that cannot withstand highway travel are impervious to earthquakes and other natural disasters.

When looking ahead to the possibility of canisters carrying high-level nuclear waste to Yucca Mountain, Nevada, canisters that carry 10 times the long-lived radiation that the bomb on Hiroshima released, citizens across this country must be protected, and cannot be threatened and endangered by canister leaks caused by simple highway vibrations.

Yucca Mountain must be disqualified as a site for a temporary or a permanent repository for the deadliest material ever made by man. The Department of Energy cannot safely transport nuclear waste, and this Congress wants to store the refuse in the third most active earthquake area in the United States.

Mr. Speaker, it becomes apparent that the lives of our constituents and their communities depend on the decisions we make on this floor. I encourage all Members and the American people to learn the true science surrounding this issue, for our children and their future depend on it.

THIS IS NOT THE END OF CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FARR) is recognized for 5 minutes.

Mr. FARR of California. Mr. Speaker, I notice the gentleman from Nevada, who is just leaving the room, arrived here almost 12 hours ago and began the session today. It is now ended, we are in special orders, and it has been quite a day.

This was the day we were supposed to deal with substantive debate on campaign finance reform. It is now 11 p.m. in the Nation's Capital. As I speak, here in the East they are watching the last minute of the national collegiate basketball championships. We have Members, as you heard earlier, that came back from Africa today; we had Members that spent the day in New Mexico. It has been quite a day.

But I think what is so shocking to me and to many other people who spoke today is that today, with all of these other activities, was the day we were going to try to adopt in this House a comprehensive campaign finance reform bill, and we had votes on bills. There were four bills up today. They were under extraordinarily difficult procedures. No amendments were allowed, no Democratic bills, there were not bipartisan bills on the floor. A vote was taken on the Republican bill, H.R. 3581, and that vote, I think after you heard the comments, people were not surprised that that bill because what it did was, it did not do campaign reform.

It tripled the total Federal limit from $25,000 to $75,000 that can be given to a campaign, it tripled the party contributions from $20,000 to $60,000, and it doubled the individual, which under present law is $1,000, and would increase it to $2,000. I think what this body saw was by putting more money into campaigns you cannot call that campaign finance reform.

And so this House in an overwhelming bipartisan effort rejected that bill brought here by the leadership of the House, brought here with the idea that this was going to be the most substantive bill on campaign reform, and as the vote was tallied tonight you saw that it got 74 votes in favor of it and 337 votes against it and one abstention.

I think that the tragedy is that, perhaps for a lot of people leaving tonight in frustration, was that now that we have been there and done that, that campaign finance reform is over. I hope not. The issue started in this House. It started when the President of the United States came and, Mr. Speaker, spoke right in front of the podium you are now at and asked this House to give him a complete, comprehensive campaign finance reform bill in a timely fashion. We missed the deadlines, we missed any action last year on the bill, and now we have a vote that has rejected a bad bill.

Let us hope that that is not the end. Let us hope that we can do several

things. One is regroup, because I think the public is going to be outraged by this action tonight and bring to the floor a true bipartisan bill or all the bills, and allow all of them that were not discussed here today to be voted on. We can do that by signing the discharge petition, and I hope my colleagues have; I know I have and many others have.

But let us bring a bill that does some reform. This bill tonight had no cap or no limit on what you could spend; it had no ban on soft money. What was passed in the House were noncontroversial issues, essentially saying that you have to be a United States citizen to contribute to a campaign. I am very curious that a House that has been so concerned about unfunded mandates would pass such a comprehensive law, requiring the FEC to monitor the nationality and the citizenship of everybody who contributes to a campaign either in kind or by money, because that is going to be very difficult to do, very difficult to enforce.

And so I think what we have passed here tonight is another huge unfunded mandate which may cripple the FEC, the Federal Elections Commission.

The other thing we did was to pass a bill that says let us file reports in a timely fashion electronically, and obviously that had overwhelming support. But this, my colleagues, is not campaign finance reform. Campaign finance reform has not been voted on by the House of Representatives, we have not dealt with the issue in a substantive way, we have not had a bipartisan bill on the floor, and, Mr. Speaker, as I close I hope that you will convey to your leader that we may have had a day discussing some bad bills, but we have not yet dealt with campaign finance reform.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. HUTCHINSON) is recognized for 5 minutes.

(Mr. HUTCHINSON 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 Illinois (Mr. EWING) is recognized for 5 minutes.

(Mr. EWING 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 Georgia (Mr. KINGSTON) is recognized for 5 minutes.

(Mr. KINGSTON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

RECESS

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to clause 12 of rule I, the Chair declares the House in recess, subject to the call of the Chair.

Accordingly (at 11 o'clock and 12 minutes p.m.), the House stood in recess, subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 12 o'clock and 48 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3579, EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 1998

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 105–473) on the resolution (H. Res. 402) providing for consideration of the bill (H.R. 3579) making emergency supplemental appropriations for the fiscal year ending September 30, 1998, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 10, FINANCIAL SERVICES ACT OF 1998

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 105–474) on the resolution (H. Res. 403) providing for consideration of the bill (H.R. 10) to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial service providers, and for other purposes, which was referred to the House Calendar and ordered to be printed.

OMISSION FROM THE CONGRESSIONAL RECORD OF TUESDAY, MARCH 24, 1998

A PORTION OF THE FOLLOWING SPECIAL ORDER WAS INADVERTENTLY OMITTED

RELIGIOUS FREEDOM

The SPEAKER pro tempore (Mr. LEWIS of Kentucky). Under the Speaker's announced policy of January 7, 1997, the gentleman from Oklahoma (Mr. ISTOOK) is recognized for 60 minutes.

Mr. ISTOOK. Mr. Speaker, I am thankful for the opportunity to address an extremely significant issue that relates to our schools, that relates to some of our most cherished principles as citizens of the United States of America and that unfortunately involves things which the courts of the United States have thrust upon the people despite the unwillingness of the people, in fact despite great concern and opposition by the public.

This relates, Mr. Speaker, to the matter of what happens in our public schools. It relates to the practices that have gone on for generations upon generations in this country involving prayer in public bodies, in particular, in our schools.

I am not talking about this just to be talking about it, Mr. Speaker. I am doing it because we are going to have an opportunity in the next few weeks here in the House of Representatives to vote on correcting what the courts in the United States have done, what the U.S. Supreme Court has done in its bans and restrictions and prohibitions on the practice of simple prayers being offered at public school. That particular legislation is the Religious Freedom Amendment, House Joint Resolution 78. I am privileged to be the principal sponsor of it. There are over 150 Members of this body who are sponsors as well. I would like to share with my colleagues the text of that. The Religious Freedom Amendment is very simple and straightforward and tries to return us to what were bedrock principles of this country until the Supreme Court began undercutting those principles some 36 years ago. The text is very straightforward and reads as follows as an amendment to the U.S. Constitution:

> To secure the people's right to acknowledge God according to the dictates of conscience, neither the United States nor any State shall establish any official religion, but the people's right to pray and to recognize their religious beliefs, heritage or traditions on public property, including schools, shall not be infringed. Neither the United States nor any State shall require any person to join in prayer or other religious activity, prescribe school prayers, discriminate against religion or deny equal access to a benefit on account of religion.

It is simple and it is straightforward. It states that just as the constitutions of every single State in this country state, we believe in the people's right to acknowledge God, and expressly mentions him, as the constitutions of the States do. No official religion, but not these restrictions that are put on prayer and positive expressions of religious faith but that are not applied to other forms of speech.

Why is religious speech singled out for discrimination? Mr. Speaker, in 1962, the U.S. Supreme Court ruled that even when participation was voluntary and even if it was some sort of nonsectarian prayer, it was unconstitutional, they said, for school children to join together in a prayer in their classroom. That was followed by other Supreme Court decisions, Stone v. Graham in 1980, in which the U.S. Supreme Court said that the Ten Commandments could not be displayed on the walls of a public school. Mr. Speaker, I would note that that decision came out of your home State of Kentucky because it was Kentucky schools that had the practice. Groups would make copies of the Ten Commandments available and they would be hung with other important documents as the source of law as well as the source of spiritual guidance.

I notice, Mr. Speaker, here in the Chamber of this House as I am facing

and as the Speaker faces from the Speaker's dais, right there is the visage of Moses looking down on this Chamber, the great lawgiver who brought down from Mount Sinai the Ten Commandments which cannot be displayed in public schools. The U.S. Supreme Court says it is unconstitutional.

They went beyond that. They ruled in a case that came out of Pennsylvania, they ruled that a nativity scene and also a Jewish menorah could not be placed on public property during the holiday season unless right up there next to it you put nonreligious emblems, like plastic reindeer and Santa Claus and Frosty the Snowman. They had to be balanced. But, Mr. Speaker, I have never heard of any community that is required if they want to put out Santa Claus that they have to balance him with a nativity scene or a menorah or whatever it may be. It seems to be a one-way street.

The U.S. Supreme Court kept going. They had the case in 1985 of Wallace v. Jaffree. It came out of Alabama. Alabama had a law that said you can have a moment of silence to start the day at school, a moment of silence. The U.S. Supreme Court ruled that was unconstitutional, because one of the permitted uses of that moment of silence was to enable students to have a silent prayer, and thus they said the whole moment of silence is even unconstitutional. And then a case upon which I would like to elaborate in 1992. By a 5–4 decision, the case of Lee v. Weisman out of Rhode Island, the U.S. Supreme Court ruled a prayer at a school graduation to be unconstitutional. It was a prayer that was offered by a Jewish rabbi. The court held it was unconstitutional.

All of these things, Mr. Speaker, are what the Supreme Court has done to twist and distort and undermine our First Amendment, the very first right mentioned in the First Amendment, Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof. Now, without even getting into the point of whether a school is creating an act of the Congress, and we are kind of two different bodies at two different levels, but to say that they are ignoring the part of the Constitution that says you do not prohibit the free exercise of religion, because what the Court did, Mr. Speaker, in all of these cases is to say that having a prayer or the Ten Commandments or a moment of silence or a nativity scene or a menorah, that that was the same as creating an official church. How absurd. An official church created just because you have a prayer? We open sessions of this Congress with a prayer. The House and the Senate, just like legislative bodies all around the country, be it State legislatures or city councils or private groups, Chamber of Commerce meetings, Kiwanis Club, Rotary Club, PTA meetings, people commonly open those things with prayer, just as we do here in Congress. It is normal. It does not make us a church just because we have a prayer. But the Supreme Court says, ''Oh, you have a prayer at school and you're turning the school into a church.'' Therefore, they ignore the free exercise clause of the Constitution.

We have been living under this for 36 years. The only way that we are going to be able to fix this is with the religious freedom amendment, to straighten out the courts, by saying that the things they have said are somehow wrong are indeed, as the American people believe, right.

I said I wanted to focus on a particular case. That was the case in 1992 of Lee v. Weisman. What I would like to do, Mr. Speaker, is in different evenings during these special orders in talking about the Religious Freedom Amendment, I think it is important to dissect and to help Members of this body as well as the general public to understand what the courts said so that we can understand the necessity of correcting it with the Religious Freedom Amendment. After all, that has been the method that we have used to correct Supreme Court decisions ever since the 1800s in America, including, for example, Supreme Court decisions such as the Dred Scott decision that were trying to uphold the practice of slavery. We made sure that it was outlawed.

Mr. Speaker, looking at the Lee v. Weisman case, and I would note, it is a 5–4 decision of the U.S. Supreme Court. Had one justice, just one of the nine justices of the U.S. Supreme Court gone the other way, we would not have this same problem when it comes to being able to have a prayer at a school graduation. Yet because one justice would not go the other way, we have to get two-thirds of the House of Representatives, two-thirds of the Senate to approve a constitutional amendment, and of course then it has to be ratified by the legislatures in three-fourths of the States, all because by a margin of 5–4 the Supreme Court made this ruling.

This was a very strange ruling, Mr. Speaker, because the Supreme Court rested the whole decision on the notion that to expect someone during a prayer is psychological coercion that the majority of the Supreme Court equated with the same as using compulsion on someone to have a particular religion just because at this graduation the students were expected to be respectful, not only respectful of the prayer offered by the rabbi but respectful of the other speakers, respectful of the people as they came in as a group, as part of this graduation, respectful of the other people in attendance. But, oh, if it was respect for the rabbi's prayer, oh, there the Supreme Court said, ''Well, you can't expect people to be respectful of religion. After all, they may disagree.'' Okay. I disagree with many of the things said on the floor of this House. That does not mean that I have a right to silence and to censor the people who may say it. It is common in everyday life. In all sorts of settings, we hear things with which we disagree. That does not give us the right to censor and silence people. But this notion of political correctness which has been extended into schools is saying, ''Oh, but my goodness, if somebody doesn't like it, let's see if we can find an excuse to silence them,'' and they twist and distort the First Amendment to make it anti-religious instead of positive toward religion and use that as an excuse to silence people. Let us look at this decision. The decision came down from the U.S. Supreme Court June 24, 1992. The justices who said that this prayer at a school graduation was unconstitutional were Justices Kennedy, Blackmun, Stevens, O'Connor and Souder. Dissenting and, boy, did they dissent in very clear terms, dissenting were Justices Scalia, Rehnquist, the Chief Justice, White, and Thomas.

I am looking at the Supreme Court decision and for people that look up these things and want to look up the reference, which is called the citation, it is cited as 505 U.S. 577. That is 505 United States Reports, page 577. As the Court wrote, and Justice Kennedy wrote the opinion for the majority and a lot of organizations got involved in this, and I am glad to say, Mr. Speaker, by the way, that most of those who were arguing in favor of the graduation prayer are also supporters of the religious freedom amendment. The prayer actually happened in 1989. The Supreme Court took 3 years to make its decision. But it was a public school, Nathan Bishop Middle School in Providence, Rhode Island. There was a 14-year-old girl who was one of the graduates of middle school, her name was Deborah Weisman. At the time she was about 14 years old. Now, it was the policy in the schools and the superintendent to permit principals to invite members of the clergy to give invocations and benedictions. Often, it was not always but often they chose to make these part of the graduation ceremonies.

□ 2230

The objector in this case was Deborah Weisman and her father Daniel Weisman. The school principal invited a Jewish rabbi to offer the prayer. The rabbi's name was Leslie Gutterman, and he was from the Temple Beth El in Providence, Rhode Island.

Now these were the two prayers that he offered Mr. Speaker, which the Supreme Court held were unconstitutional, and I think people can decide for themselves if they think there is something offensive here. The invocation offered by Rabbi Gutterman was as follows:

> God of the free, hope of the brave, for the legacy of America where diversity is celebrated and the rights of minorities are protected, we thank You. May these young men and women grow up to enrich it. For the liberty of America, we thank You. May these new graduates grow up to guard it. For the political process of America in which all its

citizens may participate, for its court system where all may seek justice, we thank You. May those we honor this morning always turn to it in trust. For the destiny of America, we thank You. May the graduates of Nathan Bishop Middle School so live that they might help to share it. May our aspirations for our country and for these young people who are our hope for the future be richly fulfilled. Amen.

So the invocation by Rabbi Gutterman even praised the very courts which later said that he violated the Constitution in doing so.

Then there is the benediction that the rabbi offered at the close of the graduation. These were the words that he pronounced:

O God, we are grateful to you for having endowed us with a capacity for learning which we have celebrated on this joyous commencement. Happy families give thanks for seeing their children achieve an important milestone. Send your blessings upon the teachers and administrators who helped prepare them. The graduates now need strength and guidance for the future. Help them to understand that we are not complete with academic knowledge alone. We must each strive to fulfill what you require of us all, to do justly, to love mercy, to walk humbly. We give thanks to you, Lord, for keeping us alive, sustaining us and allowing us to reach this special happy occasion. Amen.

That was the benediction offered by Rabbi Gutterman which again the U.S. Supreme Court, because someone chose to find it offensive, the U.S. Supreme Court ruled it unconstitutional.

Now in this, Mr. Speaker, do you notice the case was brought by and on behalf of one student?

Now the Court does not tell us clearly just how big the class was. It was evidently, from other comments you know, a good-size graduating class from this middle school.

No one else joined in the court case to say I also object, just one student, and that is part of the problem with the standard, the erroneous standard that has been created by the Supreme Court. If one person objects, everyone else is censored. In fact, they have even said even if nobody does object, the possibility that somebody could object is enough to make us say that you should not have prayers at school graduations or prayers at the start of the school day.

Since when, Mr. Speaker, does something have to be unanimous before we can say it under free speech in the USA? And why should we restrict religious speech?

But let me get back to what Justice Kennedy wrote for this five—four-Court majority. He mentioned

* * * the parties stipulate attendance at these graduations is voluntary, and they also note the students stood for the Pledge of Allegiance, and then they remained standing for the rabbi's prayers,

and the court wrote that they assume that there was a respectful moment of silence just before and just after the prayers, but despite that, the rabbi's two prayers probably did not last much beyond a minute each, if even that much.

Now the school board, and by the way the United States of America through the Solicitor General's Office, sided with the school board. The Solicitor General filed a brief on behalf of the school. The school board argued that the short prayers and others like it are of profound meaning to many students and parents throughout the country. As Justice Kennedy noted, they consider that

* * * due respect and acknowledgment for divine guidance and for the deepest spiritual aspirations of our people ought to be expressed at an event as important in life as graduation.

Now first the plaintiffs, the Weismans, asked for a court injunction to stop the prayer from taking place. The court said we do not have time before the graduation, did not grant the injunction. They maintained the suit after the prayers were given, the court made the decision, oh, it should not have happened, it was unconstitutional, and they held, of course, a violation of the first amendment. They issued a permanent injunction against the school system there in Providence, Rhode Island, saying you are permanently enjoined, do not do this again, do not have one of these horrible prayers at school graduation.

Of course, I do not think it is horrible, I think it is normal. But the court held that it was unconstitutional, and on appeal the U.S. Court of Appeals agreed with the district court, as ultimately the U.S. Supreme Court did.

Now Justice Kennedy wrote, well, even though attendance is voluntary at graduation it is really kind of obligatory because you expect students to want to be at their graduation. And they found a lot of criticism with the fact that the actual invitation to the rabbi, rather than coming maybe from a student body officer or something like that, the fact that the invitation was extended by the principal of the school, the Supreme Court thought that was very significant. Now I do not know how that affected necessarily the nature of the prayer that the rabbi gave, but the rabbi was given a copy of different guidelines for civic occasions. And that was the name of the document, Guidelines for Civic Occasions, that the principal gave him and said, I hope your prayers are going to be nonsectarian. And, as the Court said, well, that was a State effort to control the prayer.

Now imagine that. They say we hope that you will offer a prayer that will be as acceptable as possible to people, and the Court says that is the same as controlling the content.

And then the Court went on to say that it is unconstitutional for the government to try to suggest that a prayer seek common ground. Really, they really said that. This is what Justice Kennedy wrote, these are his words:

If common ground can be defined which permits one's conflicting faiths to express the shared conviction that there is an ethic and morality which transcends human invention, the sense of community and purpose sought by all decent societies might be advanced. But though the First Amendment does not allow the government to stifle prayers which aspire to these ends, neither does it permit the government to undertake that task for itself.

I find it very interesting, Mr. Speaker, that Justice Kennedy says the first amendment does not allow the government to stifle prayers, and yet that is what the Supreme Court did in this very case. They stifled the prayers. They said that it may have happened that time but do not let us catch you doing it again.

Then Justice Kennedy said, ''Let's look at the position of the students, both those who desired the prayer and she who did not.''

Now that is interesting, it is in the plural. Those who desired the prayer, that is plural; and ''she,'' one person who did not want the prayer to occur.

Justice Kennedy wrote:

To endure the speech of false ideas or offensive content and then to counter it is part of learning how to live in a pluralistic society, a society which insists upon open discourse towards the ends of a tolerant citizenry. Against this background, students may consider it an odd measure of justice to be subjected during the course of their education to ideas deemed offensive and irreligious, but to be denied a brief formal prayer ceremony that the school offers in return.

Now, I am glad he noticed that. It does seem strange, Mr. Speaker, all the things that happen in schools, all the things that are advanced as part of school curriculums that so many people find distasteful and objectionable, whether it be things that relate to evolution, some people find offensive same-sex marriages, rainbow curriculums, a lot of the things that are done in public schools today that offend a great many people. But we are told we have to learn to live in a pluralistic society except when it comes to a situation such as a prayer, and then we are told, oh no, tolerance does not go that far, tolerance does not dictate that we listen to or respect religious expression on public property.

Here was the linchpin of what Justice Kennedy wrote. He went on to say:

The undeniable fact is that the school district's supervision and control of a high school graduation ceremony places public pressure as well as peer pressure on attending students to stand as a group or at least maintain respectful silence during the invocation and benediction. This pressure, though subtle and indirect, can be as real as any overt compulsion.

Of course, in our culture, standing or remaining silent can signify adherence to a view or simple respect for views of others, and no doubt some persons who have no desire to join a prayer have little objection to standing as a sign of respect for those who do. But for the dissenter of high school age who has a reasonable perception that she is being forced by the State to pray in a manner her conscience will not allow, the injury is no less real. What matters is that, given our social conventions, a reasonable dissenter in this milieu could believe that the group exercise signified her own participation or approval of it.

Notice what Justice Kennedy said. People, by standing, do not indicate that they are agreeing with the prayer. People, by being quiet and respectful, that does not necessarily mean that they are joining in the prayer, becoming participants in it. But because one individual might think that that is the same as participating in a prayer in which they did not want to join, therefore you cannot have it.

You can teach people, you can teach our children at school, and I sure hope they do, Mr. Speaker. You can teach them to be tolerant and respectful and courteous about other things, but not to be respectful of religion or of prayer.

Justice Kennedy wrote further:

It is, we concede, a brief exercise during which the individual can concentrate on joining its message, meditate on her own religion, or let her mind wander. But the embarrassment and the intrusion of the religious exercise cannot be refuted by arguing that these prayers are of de minimis character. To do so would be an affront to the rabbi who offered them.

Can you understand that, Mr. Speaker? The Supreme Court ruled that we cannot say that it was just a minimal intrusion, because otherwise it would be insulting the rabbi, so instead of insulting the rabbi by saying that maybe there is somebody in the audience that did not want to hear the prayer, the Supreme Court says let us insult the rabbi by just saying you violated the Constitution.

□ 2245

What a remedy. They say that they knocked out the prayer to avoid insulting the rabbi who offered the prayer.

It is really hard for me, Mr. Speaker, to follow this psychological coercion test that Justice Kennedy and the majority of the Supreme Court wrote about in this decision. I think it is much more fruitful to look at what the four Justices wrote when they dissented, that being Justices Scalia, Chief Justice Rehnquist, Justice White, and Justice Thomas.

This is what they wrote countering what the Supreme Court had done. I would like to advise you, Mr. Speaker, that it is the philosophy that was voiced by four Justices of the U.S. Supreme Court in this dissent; it is that philosophy which is embodied in the Religious Freedom Amendment. In fact, in other cases impinging upon religious freedom, there were dissents filed by other Justices of the Supreme Court.

We have taken to heart what they said, and what they believe is the proper interpretation of the Constitution and I think what the American people believe is the proper interpretation. We have sought to incorporate that in the religious freedom amendment upon which we will soon be voting.

So let us look then at what these four Justices wrote through Justice Scalia. Talking about the majority ruling, they wrote:

As its instrument of destruction, the bulldozer of social engineering, the Court invents a boundless and boundlessly manipulable test of psychological coercion; lays waste a tradition that is as old as public school graduations themselves, and that is a component of an even more long-standing American tradition.

Today's opinion shows more forcibly than volumes of argumentation why our Nation's protection, that fortress which is our Constitution, cannot possibly rest upon the changeable, philosophical predilections of the Justices of this Court, but must have deep foundations in the historic practices of our people.

They went on to discuss, Mr. Speaker, some of the historic practices of prayer in public settings. As they wrote,

* * * the history and tradition of our Nation are replete with public ceremonies featuring prayers of thanksgiving and petition.

In his first inaugural address, after swearing his oath of office on a Bible, George Washington deliberately made a prayer part of his first official act as President. Such supplication has been a characteristic feature of inaugural addresses ever since.

Thomas Jefferson, for example, prayed in his first inaugural address. In his second inaugural address, Jefferson acknowledged his need for divine guidance and invited his audience to join his prayer.

Reading further from the Court dissent,

* * * similarly, James Madison, in his first inaugural address, placed his confidence in the guardianship and guidance of that Almighty Being whose power regulates the destiny of nations.

Most recently, President Bush, continuing the tradition established by President Washington, asked those attending his inauguration to bow their heads and made a prayer his first official act as President.

Reading further from Justice Scalia,

* * * the day after the First Amendment was proposed, Congress urged President Washington to proclaim a day of public thanksgiving and prayer to be observed by acknowledging with grateful hearts the many and signal favors of Almighty God. President Washington responded by declaring Thanksgiving for November 26, 1789.

Reading further from the dissent in the Lee v. Weisman case,

* * * the other two branches of the Federal Government also have a long-established practice of prayer at public events. As we detailed in Marsh v. Chambers, congressional sessions have opened with a chaplain's prayer ever since the first Congress. And this Court's own sessions have opened with the invocation ''God save the United States and this Honorable Court'' since the days of Chief Justice Marshall.

In addition to this general tradition of prayer at public ceremonies, there exists a more specific tradition of invocations and benedictions at public school graduation exercises.

By one account, the first public high school graduation ceremony took place in Connecticut in July 1868, the very month, as it happens, that the Fourteenth Amendment was ratified, when 15 seniors from the Norwich Free Academy marched in their best Sunday suits and dresses into a church hall and waited through majestic music and long prayers.

As the Court acknowledges in describing the customary features of high school graduations, the invocation and benediction have long been recognized to be as traditional as any other parts of the school graduation program and are widely established.

Yet, Mr. Speaker, despite what 4 dissenting Justices were telling them in the words which I am reading to you, Mr. Speaker, despite that, just by a margin of 5 to 4, the Supreme Court said you should not have prayer at school graduations.

Now, these dissenting 4 Justices, Mr. Speaker, they turned their attention then to the argument, this psychological coercion argument that had been made by Justice Kennedy on behalf of the majority. Let me read you what they wrote about this.

According to the Court, students in graduation who want to avoid the fact or appearance of participation in the invocation and benediction are psychologically obligated by public pressure as well as peer pressure to stand as a group or at least maintain respectful silence during those prayers.

This assertion, the very linchpin of the Court's opinion, is almost as intriguing for what it is does not say as for what it says. It does not say, for example, that students are psychologically coerced to bow their heads, to place their hands in a prayerful position, to pay attention to the prayers, to utter amen, or in fact to pray.

It claims only that the psychological coercion consists of being coerced to stand or at least maintain respectful silence. That is all anybody was coerced to do. Nobody was required to join in a prayer. They were just expected to be respectful.

Mr. Speaker, it is a sad day when students in public schools are not taught to be respectful even, and perhaps especially, when somebody is saying or doing something with which they disagree.

The 4 dissenting Justices called the arguments of their 5 brethren ''ludicrous.'' That is their word for it, ludicrous. But they wrote further,

* * * let us assume the very worst, that the nonparticipating graduate is suddenly coerced to stand. Even that does not remotely establish a participation or an appearance of participation in a religious exercise.

The Court acknowledges that in our culture, standing can signify adherence to a view or simple respect for the views of others. But if it is a permissible inference that one who is standing is doing so simply out of respect for the prayers of others, then how can it possibly be said that a reasonable dissenter could believe that the group exercise signifies her own participation or approval.

The opinion manifests that the Court itself has not given careful consideration to its test of psychological coercion. For if it had, how could it observe with no hint of concern or disapproval that the student stood for the pledge of allegiance which immediately preceded Rabbi Gutterman's invocation?

Does that not ring a bell, Mr. Speaker? Is that now how we open our sessions of this Congress? We stand together, and we say the Pledge of Allegiance to the flag that is draped behind you, Mr. Speaker, and a prayer is offered. The Supreme Court said that that simple pattern was unconstitutional in a public school setting.

Now, about this requirement of standing, which is the only thing that any student was asked, not compelled, but they said, well, it was coercion. It was coercion to expect him to stand, even though they were not forced to.

As Justice Scalia wrote in the dissent,

* * * if students were psychologically coerced to remain standing during the invocation, they must also have been psychologically coerced moments before to stand for, and thereby, in the Court's view, to take part in or appear to take part in the Pledge of Allegiance. Must the Pledge, therefore, be barred from the public schools?

I mention that, Mr. Speaker, because there is another U.S. Supreme Court decision, it is 50 years old now, 50 years old this year, relating to the Pledge of Allegiance in public schools. I think, Mr. Speaker, that it incorporates the proper standard, whether you are talking about at the graduation or the classroom setting, the proper standard.

Because in that case, which came out of West Virginia, West Virginia versus Barnette, the U.S. Supreme Court said no child can be compelled to say the Pledge of Allegiance. That is fine with me, Mr. Speaker. I do not want to compel someone to say the Pledge of Allegiance if they do not wish to say it. But what the Court did not do was to say that, because one child objects or might object, therefore, they can stop the other children from saying the Pledge of Allegiance.

That ought to be the standard that applies to prayer, to voluntary prayer at public schools or at a school graduation. No one is compelled to participate. The Religious Freedom Amendment makes that explicit. You cannot require any person to join in prayer or other religious activity, but that does not give you the right to censor and silence those who do.

And as Justice Scalia noted here, does this mean that under this test that the Supreme Court applied to graduation prayer, now we are going to have to go back and ban the Pledge of Allegiance from our public schools? Because it is the same coercion to be respectful for that.

Mr. Speaker, it is long overdue that we correct decisions like this that have come from the U.S. Supreme Court, decisions that have used the First Amendment not as a shield of protection for religious freedom of the U.S.A., but as a weapon to stifle simple prayers, simple expressions of faith, whether it be at a school graduation or in a classroom.

Let me read some of the last words that were written by the 4 Justices who stood strong for our values and our traditions and dissented from this decision in Lee versus Weisman. Here is what they wrote in closing their decision or their dissent:

The reader has been told much in this case about the personal interest of Mr. Weisman and his daughter and very little about the personal interests on the other side. They are not inconsequential. Church and State would not be such a difficult subject if religion were, as the Court apparently thinks it to be, some purely personal avocation that can be indulged entirely in secret, like pornography in the privacy of one's room. For most believers, it is not that and has never been.

Religious men and women of almost all denominations have felt it necessary to acknowledge and beseech the blessing of God as a people and not just as individuals, because they believe in the protection of Divine Providence, as the Declaration of Independence put it, not just for individuals, but for societies.

One can believe in the effectiveness of such public worship or one can deprecate and deride it, but the long-standing American tradition of prayer at official ceremonies displays with unmistakable clarity that the establishment clause does not forbid the government to accommodate it.

Nothing, absolutely nothing * * *

the closing words of Justice Scalia,

Nothing, absolutely nothing is so inclined to foster among religious believers of various faiths a toleration, no, an affection for one another than voluntarily joining in prayer together. No one should be compelled to do that, but it is a shame to deprive our public culture of the opportunity and, indeed, the encouragement for people to do it voluntarily.

The Baptist or Catholic who heard and joined in the simple and inspiring prayers of Rabbi Gutterman on this official and patriotic occasion was inoculated from religious bigotry and prejudice in a manner that cannot be replicated.

To deprive our society of that important unifying mechanism in order to spare the nonbeliever what seems to me the minimal inconvenience of standing or even sitting in respectful nonparticipation is as senseless in policy as it is unsupported in law.

□ 2300

We have had a lot of senseless decisions from the U.S. Supreme Court when it comes to prayer in public schools, at graduation, the ability to have the Ten Commandments displayed in public places, or a nativity scene, a menorah, or it might be an emblem of some other religious holiday at an appropriate time of celebration. But, Mr. Speaker, to strip away the history, the culture, the tradition, the beliefs, the faith and the heritage of the people of the United States of America, not by a joint decision of the people of this country, but by bare majorities or even a 9-to-0 decision of the U.S. Supreme Court, to tromp upon the beliefs and convictions of the people of this country is not justified by the First Amendment.

Mr. Speaker, I do not want to change the Constitution to fix this, but there is no other way, because the Supreme Court has already distorted our First Amendment, using it as a weapon against public expression of faith; using it to censor and to silence simple prayers of hope and faith by children in our schools.

The Religious Freedom Amendment, Mr. Speaker, addresses this, and we will be addressing it in the next few weeks. It has been approved by the Subcommittee on the Constitution; it has been approved by the House Committee on the Judiciary; it will be coming to this floor for a vote, to correct decisions such as this one and others of the U.S. Supreme Court.

I repeat, Mr. Speaker, a simple text, the Religious Freedom Amendment:

To secure the people's right to acknowledge God according to the dictates of conscience. Neither the United States nor any State shall establish any official religion, but the people's right to pray and to recognize the religious beliefs, heritage or traditions on public property, including schools, shall not be infringed. Neither the United States nor any State shall require any person to join in prayer or other religious activity, proscribe school prayers, discriminate against religion, or deny equal access to a benefit on account of religion.

Religion is something that is good in this country. It has had a positive influence ever since it motivated the pilgrims to come to America and to found this Nation, because they sought religious freedom; they sought the protections that the Supreme Court would deny people today.

Mr. Speaker, I urge my colleagues to support the Religious Freedom Amendment. To those who have not joined the more than 150 cosponsors, I invite them to join and put their name on this amendment and join with us today in that. I hope that their constituents will call their offices and tell them they need to be supporting the Religious Freedom Amendment, they need to put their name on it. They need to be helping Congressman Istook and the others who are supporting this.

Mr. Speaker, this is something that is so vital because our cherished first freedom is being undercut by the Supreme Court that is supposed to be its guardian, and the Constitution sets up a system where if something goes wrong with interpretation of the Constitution, we offer an amendment, because we, Mr. Speaker, are charged to be the protectors of what the Founding Fathers intended, and the Religious Freedom Amendment helps us to provide that protection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COBLE (at the request of Mr. ARMEY) for today and March 31 until 1 p.m., on account of official business.

Mr. CANNON (at the request of Mr. ARMEY) for today and the balance of the week, on account of the birth of his child.

Mr. BEREUTER (at the request of Mr. ARMEY) for today, on account of official business.

Mr. SOLOMON (at the request of Mr. ARMEY) for today, on account of official business.

Mr. BLILEY (at the request of Mr. ARMEY) for today, on account of official business.

Mr. YATES (at the request of Mr. GEPHARDT) for today, on account of physical reasons.

Mr. CARDIN (at the request of Mr. GEPHARDT) for today, on account of a death in the family.

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. FOLEY) to revise and extend their remarks and include extraneous material:)

Mr. GIBBONS, for 5 minutes, today.

Mr. HUTCHINSON, for 5 minutes, today.

Mr. EWING, for 5 minutes each day, today and on March 31 and April 1.

Mr. KINGSTON, for 5 minutes each day, today and on March 31.

Mr. SMITH of Michigan, for 5 minutes each day, on March 31 and April 1.

(The following Members (at the request of Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. KLINK, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. FARR of California, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Ms. JACKSON-LEE of Texas) and to include extraneous matter:)

Mr. KIND.

Mr. MORAN of Virginia.

Mr. SKELTON.

Mr. KUCINICH.

Ms. LOFGREN.

Ms. DELAURO.

Mr. CLYBURN.

Mr. HINOJOSA.

Mr. TOWNS.

Mr. LEVIN.

Mr. FORD.

Mr. ANDREWS.

Mr. HALL of Ohio.

Mr. DINGELL.

Ms. SANCHEZ.

Ms. BROWN of Florida.

Mr. FROST.

Ms. EDDIE BERNICE JOHNSON of Texas.

(The following Members (at the request of Mr. FOLEY) and to include extraneous matter:)

Mr. HAYWORTH.

Mr. FAWELL.

Mr. BILBRAY.

Mr. FRANKS of New Jersey.

Mr. GILMAN.

Mr. ENSIGN.

Mr. FORBES.

Mr. EVERETT.

Mr. WOLF.

Mr. SOLOMON.

Mr. BALLENGER.

Mr. CASTLE.

Mr. HORN.

(The following Members (at the request of Mr. FARR of California) and to include extraneous matter:)

Ms. BROWN of Florida.

Mr. BECERRA.

ADJOURNMENT

Mr. GOSS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 50 minutes a.m.), under its previous order, the House adjourned until today, Tuesday, March 31, 1998, at 9:30 a.m. for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

8288. 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; Florida [Docket No. 98–014–1] received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8289. A letter from the General Sales Manager and Vice President of Commodity Credit Corporation, Foreign Agricultural Service, transmitting the Service's final rule—Foreign Donation of Agricultural Commodities (RIN: 0551–0035) received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8290. A letter from the Director, Administration and Management, Department of Defense, transmitting the Department's final rule—Department of Defense Grant and Agreement Regulations (RIN: 0790–AG28) received March 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

8291. A letter from the Comptroller, Department of Defense, transmitting the Department of the Navy's plans to initiate a multiyear procurement for the AV–8B Harrier aircraft beginning in fiscal year 1998 and continuing through fiscal year 2001; to the Committee on National Security.

8292. A letter from the Assistant to the Board, Federal Reserve System, transmitting the System's final rule—Bank Holding Companies and Change in Bank Control; Clarification to the Board's Section 20 Orders [Regulation Y; Docket No. R–1010] received March 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

8293. A letter from the Administrator of National Banks, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, transmitting the Office's final rule—Lending Limits [Docket No. 98–04] (RIN: 1557–AB55) received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

8294. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Notice of a Final Funding Priority for Fiscal Years 1998–1999 for a Rehabilitation Engineering Research Center—received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8295. A letter from the Assistant Secretary for Children and Families, Department of Health and Human Services, transmitting the Department's final rule—Head Start Program (RIN: 0970–AB53) received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8296. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the semi-annual report for the period April 1, 1998 to September 30, 1998 listing Voluntary Contributions made by the United States Government to International Organizations, pursuant to 22 U.S.C. 2226(b)(1); to the Committee on International Relations.

8297. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Removal of Solvent Free Basis Calculation Requirement and Trace Quantity Exemption [Docket No. 980219044–8044–01] (RIN: 0694–AB66) received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

8298. A letter from the Chairman, Federal Reserve System, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1997, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

8299. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's report entitled ''The Changing Federal Workplace: Employee Perspectives,'' pursuant to 5 U.S.C. 1204(a)(3); to the Committee on Government Reform and Oversight.

8300. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Prevailing Rate Systems; Survey Order Month Change for Jefferson, New York, Nonappropriated Fund Wage Area (RIN: 3206–AI01) received March 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

8301. A letter from the Acting Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's final rule— Labor Certification Process for the Permanent Employment of Aliens; Researchers Employed by Colleges and Universities, College and University Operated Federally Funded Research and Development Centers, and Certain Federal Agencies (RIN: 1205–AB11) received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

8302. A letter from the Commissioner, Immigration and Naturalization Service, transmitting the Service's final rule—Fingerprinting Applicants and Petitioners for Immigration Benefits; Establishing a Fee for Fingerprinting by the Service; Requiring Completion of Criminal Background Checks Before Final Adjudication of Naturalization Applications (RIN: 11150–AF03) received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

8303. A letter from the Administrator, Foreign Agricultural Service, transmitting the Service's final rule—Modification of the Tariff-Rate Import Quota Licensing for Certain Cheeses From Hungary [7 CFR Part 6] received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8304. A letter from the Assistant Secretary for Import Administration, International Trade Administration, transmitting the Administration's final rule—Procedures for Conducting Five-year (''Sunset'') Reviews of Antidumping and Countervailing Duty Orders [Docket No. 980313063–8063–01] (RIN: 0625–AA51) received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8305. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to provide the Secretary of Agriculture with the authority to pay employees of the Food Safety and Inspection Service working in establishments subject to the Federal Meat Inspection Act and the Poultry Products Inspection Act for overtime and holiday work perfomed by such employees at rates the Secretary deems appropriate; jointly to the Committees on Agriculture and Government Reform and Oversight.

8306. A letter from the Acting Assistant Secretary for Environmental Management, Department of Energy, transmitting the Savannah River Site Nuclear Material Stablization Activities report for fiscal year 1998, as requested in the Conference Report 105–27; jointly to the Committees on Commerce 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:

Mr. YOUNG of Alaska: Committee on Resources. H.R. 2574. A bill to consolidate certain mineral interests in the National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, and for other purposes (Rept. 105–471). Referred to the Committee of the Whole House on the State of the Union.

Mr. LEACH: Committee on Banking and Financial Services. H.R. 1151. A bill to amend the Federal Credit Union Act to clarify existing law and ratify the longstanding policy of the National Credit Union Administration Board with regard to field of membership of Federal credit unions; with an amendment (Rept. 105–472). Referred to the Committee of the Whole House on the State of the Union.

Mr. GOSS: Committee on Rules. House Resolution 402. Resolution providing for consideration of the bill (H.R. 3579) making emergency supplemental appropriations for the fiscal year ending September 30, 1998, and for other purposes (Rept. 105–473). Referred to the House Calendar.

Mr. SOLOMON: Committee on Rules. House Resolution 403. Resolution providing for consideration of the bill (H.R. 10) to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial service providers, and for other purposes (Rept. 105–474). 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:

H.R. 1778. Referral to the Committees on Commerce, Government Reform and Oversight, and Transportation and Infrastructure extended for period ending not later than March 31, 1998.

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. THOMAS (for himself, Mr. CASTLE, Mr. HORN, and Mr. UPTON):

H.R. 3581. A bill to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election for Federal office, and for other purposes; to the Committee on House Oversight.

By Mr. WHITE (for himself, Mr. THOMAS, Mr. GOODLATTE, Mr. PAXON, Mr. FRANKS of New Jersey, and Mrs. LINDA SMITH of Washington):

H.R. 3582. A bill to amend the Federal Election Campaign Act of 1971 to expedite the reporting of information to the Federal Election Commission, to expand the type of information required to be reported to the Commission, to promote the effective enforcement of campaign laws by the Commission, and for other purposes; to the Committee on House Oversight.

By Mr. WOLF:

H.R. 3583. A bill to amend the Internal Revenue Code of 1986 to increase the child tax credit to $1,000 for children under the age of 5 and to allow such credit against the alternative minimum tax; to the Committee on Ways and Means.

By Mr. BOSWELL:

H.R. 3584. A bill to delay the effective date of the final rule promulgated by the Secretary of Health and Human Services regarding the Organ Procurement and Transplantation Network; 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. CASTLE:

H.R. 3585. A bill to suspend temporarily the duty on Pigment Red 177; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 3586. A bill to suspend temporarily the duty on diclofop-methyl; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 3587. A bill to suspend temporarily the duty on piperonyl butoxide; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 3588. A bill to suspend temporarily the duty on tralomethrin; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 3589. A bill to suspend temporarily the duty on deltamethrin; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 3590. A bill to suspend temporarily the duty on thidiazuron; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 3591. A bill to suspend temporarily the duty on Triflusulfuron Methyl; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 3592. A bill to suspend temporarily the duty on resmethrin; to the Committee on Ways and Means.

By Mr. ENSIGN (for himself and Mr. GIBBONS):

H.R. 3593. A bill to improve the ability of small businesses, Federal agencies, industry, and universities to work with Department of Energy contractor-operated facilities, and for other purposes; to the Committee on Commerce.

By Mr. HILL:

H.R. 3594. A bill to provide for the permanent extension of income averaging for farmers; to the Committee on Ways and Means.

By Mr. MANTON (for himself, Mr. DINGELL, Mr. SPRATT, Mr. HALL of Texas, Mr. BOUCHER, Mr. KLINK, Mr. STUPAK, Mr. GORDON, Mr. RUSH, Mr. SAWYER, Ms. MCCARTHY of Missouri, Mr. STRICKLAND, Mr. BROWN of Ohio, Mr. DEUTSCH, Ms. ESHOO, Ms. FURSE, Mr. WAXMAN, Mr. MARKEY, Mr. WYNN, Mr. GREEN, Ms. DEGETTE, Mr. TOWNS, Mr. ENGEL, Mr. HINCHEY, Mrs. LOWEY, Mr. MEEKS of New York, Mrs. MCCARTHY of New York, and Mr. ACKERMAN):

H.R. 3595. A bill to reauthorize the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; to the Committee on Commerce, and in addition to the Committees on Ways and Means, and Transportation and Infrastructure, 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 Mrs. MEEK of Florida (for herself and Mrs. NORTHUP):

H.R. 3596. A bill to authorize the Secretary of Education to make grants to institutions of higher education for demonstration projects to ensure equal educational opportunity in post-secondary education for individuals with learning disabilities; to the Committee on Education and the Workforce.

By Mrs. MEEK of Florida (for herself, Mr. FRANK of Massachusetts, and Mr. WATT of North Carolina):

H.R. 3597. A bill to amend the Immigration and Nationality Act to prohibit discrimination in the issuance of nonimmigrant visas, and for other purposes; to the Committee on the Judiciary.

By Mr. REYES:

H.R. 3598. A bill to designate the Federal building located at 700 East San Antonio Street in El Paso, Texas, as the ''Richard C. White Federal Building''; to the Committee on Transportation and Infrastructure.

By Mr. SAXTON (for himself, Mr. WATTS of Oklahoma, and Mr. SANFORD):

H.R. 3599. A bill to ban the provision of Federal funds to the International Monetary Fund until Iraq is expelled from the International Monetary Fund; to the Committee on Banking and Financial Services.

By Mr. SAXTON:

H.R. 3600. A bill to amend the Internal Revenue Code of 1986 to allow penalty-free withdrawals from retirement plans to provide medical care for relatives who are 55 years old or older; to the Committee on Ways and Means.

By Mr. SHADEGG (for himself, Mr. CLEMENT, Mrs. MYRICK, Mr. TIAHRT, Mr. CALVERT, Mr. MARTINEZ, Mr. FILNER, Mr. COBURN, Mr. HOSTETTLER, Mr. HOEKSTRA, Mr. ENGEL, Mr. ACKERMAN, Mr. HAYWORTH, and Mr. SOLOMON):

H.R. 3601. A bill to amend chapter 47 of title 18, United States Code, relating to identity fraud, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Transportation and Infrastructure, 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. FRANKS of New Jersey (for himself, Mr. DIAZ-BALART, and Ms. ROS-LEHTINEN):

H. Con. Res. 254. Concurrent resolution calling on the Government of Cuba to extradite to the United States convicted felon Joanne Chesimard and all other individuals who have fled the United States to avoid prosecution or confinement for criminal offenses and who are currently living freely in Cuba; to the Committee on International Relations.

By Mr. HOYER (for himself, Mrs. MORELLA, Mr. WYNN, Ms. NORTON, Mr. WOLF, Mr. MORAN of Virginia, and Mr. DAVIS of Virginia):

H. Con. Res. 255. Concurrent resolution authorizing the use of the Capitol grounds for the Greater Washington Soap Box Derby; to the Committee on Transportation and Infrastructure.

By Mr. MARTINEZ (for himself and Mr. RIGGS):

H. Res. 401. A resolution expressing the sense of the House of Representatives that social promotion in America's schools should be ended and can be ended through the use of high-quality, proven programs and practices; to the Committee on Education and the Workforce.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

265. The SPEAKER presented a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 112 memorializing the Congress of the United States to overturn the ruling of the United States Labor Department that subjects workfare/welfare recipients to the provisions of the Fair Labor Standards Act and other regulations as the ruling pertains to certain recipients; to the Committee on Education and the Workforce.

266. Also,a memorial of the Legislature of the State of Washington, relative to House Joint Memorial No. 4030 praying that the President submit and Congress quickly pass legislation that grants states extensive flexibility in the use of Medicaid funding for acute and long-term care services; to the Committee on Commerce.

267. Also,a memorial of the Senate of the State of Texas, relative to Senate Concurrent Resolution No. 34 memorializing the improvement of patient access to quality health care by facilitating the rapid review and approval of new drugs, biological products and medical devices; to the Committee on Commerce.

268. Also,a memorial of the Senate of the State of California, relative to Senate Joint Resolution No. 33 expressing its complete support for full inclusion of the Republic of Poland, the Republic of Hungary, and the Czech Republic into the North Atlantic Treaty Organization; to the Committee on International Relations.

269. Also,a memorial of the Legislature of the State of Washington, relative to House Joint Memorial No. 4032 praying that the United States Government immediately resolve the United States-Canada fishing dispute, enforce the two hundred-mile limit and the ban on high seas drift net fishing, and provide funding for salmon recovery efforts which mitigate the loss of habitat caused by the construction of hydroelectric dams on the Columbia River; to the Committee on Resources.

270. Also,a memorial of the Legislature of the State of Washington, relative to House Joint Memorial No. 4035 praying that the United States Government promptly complete the proposed Interstate 90 land exchange, thus securing the greatest possible environmental, recreational, and land-management benefits at the earliest possible time; to the Committee on Resources.

271. Also,a memorial of the Senate of the State of New Jersey, relative to Senate Resolution No. 16 urging the reauthorization of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) at a level of funding for highway and mass transportation purposes that is no less than ISTEA authorization levels; to the Committee on Transportation and Infrastructure.

272. Also,a memorial of the Senate of the State Legislature of Alaska, relative to Senate Resolve 1 memorializing the Senate's gratitude to the members of the Swiss government and banking officials who have cooperated thus far in allowing investigations to be carried out because, without their assistance, these investigations would not be possible and none of the assets in question would be recoverable by their rightful owners or their heirs; jointly to the Committees on International Relations and Banking and Financial Services.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. SCOTT, Mr. LAFALCE, Mrs. MINK of Hawaii, and Mr. NEAL of Massachusetts.

H.R. 614: Mr. PASCRELL.

H.R. 619: Mr. DELAHUNT and Mrs. JOHNSON of Connecticut.

H.R. 860: Mr. FORBES.

H.R. 872: Mr. PAPPAS.

H.R. 979: Mr. PAYNE and Mr. YATES.

H.R. 981: Mr. CLEMENT, Mr. BROWN of Ohio, Mr. MENENDEZ, and Mr. STOKES.

H.R. 1041: Mr. STUPAK.

H.R. 1126: Mr. GREENWOOD, MR. WEXLER, Ms. HOOLEY of Oregon, Mr. ROTHMAN, and Mr. BROWN of California.

H.R. 1151: Mr. MINGE.

H.R. 1176: Mr. PASTOR.

H.R. 1283: Mrs. FOWLER, Mr. CHAMBLISS, and Mr. MILLER of Florida.

H.R. 1315: Mr. TORRES.

H.R. 1605: Mr. WAXMAN.

H.R. 1737: Mr. COOK.

H.R. 2004: Ms. KAPTUR.

H.R. 2397: Mr. FILNER.

H.R. 2427: Mr. FROST, Mr. LEWIS of Georgia, and Mr. KUCINICH.

H.R. 2606: Mr. KUCINICH and Mr. MEEKS of New York.

H.R. 2671: Mr. UNDERWOOD.

H.R. 2788: Mr. MATSUI.

H.R. 2792: Mr. MANZULLO.

H.R. 2821: Mr. ENGEL and Ms. MILLENDER-MCDONALD.

H.R. 2931: Ms. SANCHEZ.

H.R. 3010: Mr. FILNER.

H.R. 3029: Mr. ENGLISH of Pennsylvania.

H.R. 3048: Mr. ETHERIDGE.

H.R. 3049: Mr. SMITH of New Jersey.

H.R. 3086: Ms. CARSON, Mr. BOUCHER, Mr. POMEROY, Mr. FRANK of Massachusetts, and Mr. RODRIGUEZ.

H.R. 3107: Mr. MORAN of Virginia and Mr. SPENCE.

H.R. 3131: Mr. DOYLE.

H.R. 3149: Mr. SESSIONS.

H.R. 3151: Mr. SESSIONS.

H.R. 3156: Mr. TIERNEY, Mr. ALLEN, Mr. RAMSTAD, Mr. OBEY, Mr. KENNEDY of Rhode Island, Mr. KUCINICH, Mr. OXLEY, Mr. MALONEY of Connecticut, Ms. ROYBAL-ALLARD, Mr. DREIER, Mr. PICKETT, Ms. HOOLEY of Oregon, and Mr. BOSWELL.

H.R. 3181: Mr. FILNER.

H.R. 3216: Mr. ENGEL and Mr. ENGLISH of Pennsylvania.

H.R. 3242: Mr. WATTS of Oklahoma.

H.R. 3247: Mr. WISE, Mr. GOODE, Ms. PRYCE of Ohio, Mr. STRICKLAND, Mr. HINCHEY, Mr. PORTMAN, Mrs. NORTHUP, Mr. RAMSTAD, Mr. BOUCHER, Mr. RAHALL, and Ms. KAPTUR.

H.R. 3331: Mr. SUNUNU and Ms. DANNER.

H.R. 3447: Mr. PAUL and Mr. FROST.

H.R. 3448: Mr. PAUL and Mr. FROST.

H.R. 3449: Mr. PAUL and Mr. FROST.

H.R. 3510: Mr. DEUTSCH and Mr. JEFFERSON.

H.R. 3557: Mr. STUMP.

H.R. 3567: Mr. SANDERS and Ms. KAPTUR.

H. Con. Res. 55: Ms. KILPATRICK.

H. Con. Res. 247: Mr. HILLIARD, Ms. HARMAN, Mr. HINCHEY, Mr. DOOLEY of California, Mrs. KENNELLY of Connecticut, Mr. FARR of California, Mr. GREEN, Mr. OLVER, Mr. STOKES, Mr. KENNEDY of Massachusetts, and Mr. WEXLER.

H. Res. 313: Mr. BARRETT of Wisconsin, Mr. HILLIARD, and Mr. ABERCROMBIE.

H. Res. 340: Mr. BOYD.

H. Res. 399: Mr. FAWELL and Mr. UPTON.

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. 3060: Mr. WATTS of Oklahoma.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 3579

OFFERED BY: MR. FAZIO OF CALIFORNIA

AMENDMENT NO. 1: At the end of chapter 1 of title I (relating to Department of Agriculture), insert the following:

GENERAL PROVISIONS

SEC. 101. Notwithstanding the area loss requirements of section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) and the regulations promulgated under such section, agricultural producers in areas declared a disaster pursuant to a Presidential declaration that suffered an agricultural loss due to a natural disaster that occurred between January 1, 1998, and the date of the enactment of this section, shall be eligible for Noninsured Crop Assistance Program payments calculated pursuant to such section 196.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, SECOND SESSION

Vol. 144 WASHINGTON, MONDAY, MARCH 30, 1998 No. 38

Senate

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, Ultimate Sovereign of this Nation and of our lives, we commit this week to seeking and doing Your will. We all desire to do what is best for our Nation. Help us to wait on You and listen patiently for Your voice whispering in our souls solutions for the complexities we face. Guide us to express our convictions with courage but also with openness to others. We have in common our trust in You and our dedication to serve our Nation. We relinquish our desire simply to win in a contest of wills or party loyalties. If we all seek You and Your righteousness, we know You will show us the answer. For Your name's sake and the good of America. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

Mr. HAGEL. Thank you, Mr. President.

SCHEDULE

Mr. HAGEL. Today the Senate will be in a period of morning business until 1 p.m., at which time the Senate will resume consideration of the budget resolution. As previously announced, there will be no rollcall votes conducted during today's session. However, the managers do expect amendments to be offered, and the next rollcall vote will occur on Tuesday morning at a time to be determined by the majority leader. As always, Members will be notified as to the time of those votes.

In addition, today the Senate may consider any executive or legislative business cleared for Senate action. In regard to the balance of the week, the Senate is expected to complete action on the budget resolution and the supplemental appropriations conference report, if available, prior to recessing for the Easter holidays. Therefore, Members can anticipate a very busy week of floor action.

As a reminder to Members, the next rollcall vote will occur on Tuesday at a time yet to be determined. It will be announced later.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THOMAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HAGEL). Without objection, it is so ordered.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business.

SPENDING AND TAXES

Mr. THOMAS. I will take some time, and I think I will be joined by at least one Member, to talk just a little bit about spending and taxes in general.

We are coming into a time, of course, this week, and I suspect now for a number of weeks, when the focus of this Congress will be budgets, on appropriations, on spending, as it should be. I want to talk a little bit about at least my perception of some of the broader objectives that go into debate that extends beyond mathematics, that extends beyond the dollars—actually measures these dollars, about how spending really impacts on the philosophy of government, how spending impacts upon the priorities that we have here in the Congress, how spending impacts upon our whole philosophy of whether or not we want to increasingly have a larger Federal Government delving into all activities of our lives, or whether, in fact, there is a limited role for the Federal Government as opposed to State and local governments, and if so, then what does our decision reflecting spending have to do with that.

It does seem to me that one of the real issues that we have is the extent and the role of the Federal Government's involvement in all the activities in our country. Many would argue, and I argue, that the Constitution clearly defines that there is a limited role for the Federal Government. As a matter of fact, I think it says in the 10th amendment that those things not precisely and clearly described in the Constitution are left to the States and to the people. I take that part of the Constitution very seriously.

As we talk about problems that arise throughout the country, some of them are appropriate to take care of in the Federal Government, some are not. We find on almost everything we talk about, not always recognized, not always defined, but I think if you look through the things we talk about, it is the basic first decision that probably should be talked about.

We talk a lot about balancing the budget. We balanced the budget last year for the first time in, what, 25 years. That was when income reached expenditures for the first time in 25 years. That is an excellent start. I think it is something this Congress ought to be particularly proud of. It is an excellent start.

But you can balance the budget at almost any level if you continue to increase revenues, increase taxes, increase the burden of taxes on the American people. You can increase revenues and spending can go on and still be balanced, and it gets away from the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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philosophy of having a smaller Federal Government. So the choices that we make and the choices that we take are very often directed by spending.

I think we find ourselves in an interesting situation, talking about surpluses. First of all, there is no surplus at this point even though there is an expectation of one. So we find ourselves in great debates over spending a surplus that has not yet appeared. Further, almost an indication that if there is a surplus, by gosh, we have to find some way to spend it. Now, that really doesn't necessarily need to be the case. We could apply it to the debt. We have a little debt, remember—$5.7 trillion I believe it is—a debt that we could be paying. When we don't, pages like those sitting here before the Senate will be paying for it. We put it on the credit card and the credit card is maxed out. There are places to do something with surpluses besides spending them.

The Senator from Massachusetts last Friday arose with four or five problems he talked about: We need school repair. Of course we need school repair. We need more teachers. I suspect we need more teachers. Nobody would argue with the idea there ought to be improvements in education. There ought to be more money spent in education, but there is a philosophy and there is a question as to where that money should come from. Schools have basically been under the control of the States and local school districts and local governments. As a matter of fact, out of all the billions of dollars we spend in education, only about 7 percent is contributed by the Federal Government. That is almost all in special education. Each time there is a problem defined, it doesn't automatically mean that the best solution is to take Federal money and spend it, and spend it along with the Federal regulations that inevitably go with it.

Mr. President, I think as we go through this next several weeks of debates and discussions about budgets and about appropriations some of the first decisions we make ought to be philosophical decisions as to what is the role of the Federal Government, what is the role of the Federal Government with regard to the taxes?

I don't know about the rest of you, but I spent at least part of this lovely weekend doing some things that weren't that much fun, and that was doing my income taxes. I didn't complete it, by the way. I got to that page with 59 questions on capital gains, and I gave up for the weekend. There is some philosophy as to what we do about that, what the level of taxation ought to be, and we ought to be dealing with that. There are lots of things that we are talking about. We are talking about highway funding. A great debate is going on in the House. We have generally completed our debate here.

We intend to spend more money on highways. Why? Because there is a need, but because there are the Federal taxes where we raise the money for highways. There was quite a large TV story the other night—on ABC, I think—about pork-barrel highway spending. They failed to mention during the whole 10 minutes that the dollars that came from there all came from the taxes you and I pay on a gallon of gas—the Federal tax that is raised for highways. There was no mention of that. I was a little distressed.

So I would like to think, Mr. President, that as we go forward here, we give some thought to the appropriateness of programs, whether they should be at the Federal level, whether they should be at the State level, and how much government we want at the Federal level and centralized government and the things that ought to be there that are more properly done at the local level, more properly done at the State level. I have a bill that I think is very important which carries out the idea of contracting in the private sector. We have had, almost for 50 years, a policy of taking those activities within Government that are commercial in nature and giving the private sector an opportunity to bid and to contract those. We have not done it. There has been a policy, but it has not been implemented. In doing that, we would keep more activities in the private sector, we would have a smaller centralized Government, and, indeed, save money.

These are the kinds of philosophical issues that seem to me to be important as we move forward to try to determine what size of Government we think we ought to have and is necessary at the central level—to talk about the level of taxation and the variants of taxation among the American people. These are very important issues. Also, we talk about being responsible, in terms of the $5 trillion debt, and being responsible in terms of balancing the budget, being responsible in terms of having Medicare and Social Security that will continue, which is essentially and fundamentally based on sound economics. These are the things we talk about. I know the politics of it is different. Increasingly, our politics and our governance are driven by the media, by polling. It has almost become a sideshow of political activities rather than really talking about governance, which is what politics is all about.

Mr. President, I have been joined on the floor by my friend, the Senator from Montana, and I would like to yield to him as much time as he might use to talk some about taxation and some of the areas of taxation that are of concern to him.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BURNS. I thank my friend from Wyoming.

Mr. President, the 45th parallel up there is the only thing that keeps us apart, and we get arguments over that. Nonetheless, we get along pretty well as neighbors. A lot of what I am going to talk about today is what we have in common. Our agriculture is similar, and a few other things that one might not recognize at first. Montana and Wyoming are watershed states, Wyoming is the only State in the country where the water runs from it from all four directions. There may be a reason for that, maybe not.

My colleague talked about dealing with a $5 trillion national debt. I would take that another step forward and remind the American people and my colleagues who make decisions based on history that we have almost double that number in a little fund, an unfunded liability, when we talk about Social Security. So in our dealings with doing something about the national debt, we are in essence dealing with the problem that we have in Social Security.

I thank my friend from Wyoming for allowing me to edge in on his time here.

Mr. President, I have another subject on which I want to speak.

The PRESIDING OFFICER. The Senator from Montana is recognized.

(The remarks of Mr. BURNS pertaining to the introduction of S. 1879 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. THOMAS. Mr. President, let me close by saying I hope that, as we go into this all-important time of budgets and spending, we really take a long look at how it impacts where we are going in the future and how it impacts the size and composition of Government. I hope it is not just driven by polls. I hope we don't find ourselves trying to get some political advantage by standing up when there is a problem somewhere and declaring that it is the Federal Government's obligation to fix everything by spending Federal money. I hope we don't live by sound bites indicating that these are the political things that people want, but, rather, talk really about how it impacts our future and our kids' future and our debt. I hope we don't contribute to the cynicism of Government by making it show business and sales promotion.

Politics is the way we govern ourselves. Politics is how we take to our precincts the decisions of what kind of government we are going to have, what our spending matters will be, what our taxes will be, and what our debts will be. I think this administration has perfected the idea of using sales promotion and sound bites. I think polling has become sort of the direction for the White House and for this administration.

Taking all the issues that people care about—of course they care. Who doesn't care about child care? Who doesn't care about education? Who doesn't care about school buildings? Who doesn't care about insurance for everyone? Social Security? Those are issues that everyone embraces. The question is how do you best deal with it?

The White House tends to talk about the issue and declare their interest in

the issue with no plans to resolve it. It is sort of triangulation. If somebody in the Congress finds some sort of a resolution to it, then the White House claims success. If it fails to happen, then the White House criticizes Congress but never has a plan of its own. I hope we move away from that. I hope we really address the legitimate question.

There are those who support more government, more Federal Government, a larger Government, and more taxes. It is a belief—and an honest belief, I think sometimes—that that is the best way to govern, that the best way is to take the money from people, bring it here, and then spread it out as they see fit. They believe that. I happen not to share that notion. I happen to share the notion that the better government and the stronger government is closer to the people who are governed; that in fact a smaller central government and a more efficient central government is better and leaves the ability to govern closer to the people.

Mr. President, I hope those are some of the issues and some of the really basic fundamental things that we include as we talk about budgets and as we talk about spending.

I thank you for the time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ABRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ROBERTS). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEARS 1999, 2000, 2001, 2002, AND 2003

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. Con. Res. 86, which the clerk will report.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 86) setting forth the congressional budget for the United States Government for fiscal years 1999, 2000, 2001, 2002, and 2003 and revising the current resolution on the budget for fiscal year 1998.

The Senate resumed consideration of the concurrent resolution.

Pending:

Murray amendment No. 2165, to establish a deficit-neutral reserve fund to reduce class size by hiring 100,000 teachers.

Mr. ABRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator is recognized.

Mr. ABRAHAM. Mr. President, thank you very much.

For the information of the Senate, we will now, as indicated, begin consideration of the budget resolution. Although there are not any votes scheduled for today, it is certainly the hope of the majority leader and of the Budget Committee that we can begin the process of hearing from those who wish to bring amendments so they can be fully debated and discussed. I urge any colleagues who might be thinking about offering amendments to join us today. We have heard that a couple may be coming in a little bit. We will welcome them and begin this process of trying to sort through them in the hours ahead.

At this time, it is my understanding that the Senator from North Dakota has opening comments to make. I yield the floor.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The distinguished Senator from North Dakota is recognized.

Mr. CONRAD. I thank the Chair.

Mr. President, today is a historic day. For the first time in 30 years, the Budget Committee is able to present a budget that is balanced on a unified basis. I think all of us have looked forward to the day when we would be able to say to our colleagues, ''The deficit has been erased.'' That is what we are able to come to the floor and say today.

We all understand that there is more to do, because we all understand we are continuing to use the Social Security trust fund surpluses. So that is the next challenge that faces us. But on that front, we are making progress as well, because in this budget resolution, we are saving the surpluses until Social Security can be strengthened, and we are doing it on both sides. The Republican budget resolution and the alternative Democratic resolution will both be balanced on a unified basis and also preserve all of the surpluses generated by the 5-year spending plan until Social Security is strengthened.

I thought it might be useful to recount for our colleagues and those who might be watching how we got to the position we are in today, what it took to get here, what is the history, how did it happen, because I think it is an important story.

In 1993, President Clinton was inaugurated, came into office and laid down an economic plan to reduce the deficit. It was a controversial plan, one that cut spending and also raised income taxes on the wealthiest 1.5 percent of the people in this country. Many said that plan would not work. In fact, our friends on the other side of the aisle said it would crater the economy.

How well I remember the debate we had on the floor of the Senate. How well I remember the description that came from our colleagues on the other side who told us, ''If you pass this plan, it will not reduce the deficit, it will increase the deficit.'' They said it would increase unemployment; that it would increase inflation; that it would increase the debt; that it would stifle economic growth. Mr. President, the record is now clear. Our friends on the other side of the aisle were simply wrong. They were wrong on every single count. The plan that we passed in 1993 not only reduced the deficit, it has done it each and every year since the 1993 plan was passed.

It has also led to a remarkable economic resurgence. It has led to the lowest unemployment in 24 years, the lowest rate of inflation in 31 years, the strongest business expansion in any of our memories, and put this country on a sound financial footing.

But, again, I think we must all recognize the challenge is not over, because the next step is to stop using the Social Security trust fund surpluses. Again, the budget resolution offered by our friends on the other side of the aisle this year and the alternative that will be offered by our side recognize the Social Security surpluses should no longer be used in the calculation of the budget deficit and that we will preserve all budget surpluses until the time Social Security is strengthened.

Mr. President, this first chart shows that the unified budget is balanced for the first time in 30 years. Here is the record since 1969. Thirty years ago is the last time we were able to achieve unified balance—30 long years ago. And in between, we saw deficits rising inexorably, until in 1992 they reached $290 billion. Then, as I indicated, President Clinton came into office and proposed the 1993 budget plan, a 5-year economic blueprint that has made dramatic progress. You can see what has happened since: The deficit has been in steep decline, until this year when we anticipate we also may run a small unified surplus, but clearly we are on the right track.

I thought I might also help to put in perspective what has happened in the last three Presidencies, what the record has been on the question of budget deficits, because those budget deficits weighed down on this economy and prevented the kind of economic growth that we have now enjoyed since progress has finally been made.

This chart shows from 1981 through 1999 the budget deficit record. We can see during the Reagan administration, he came in and inherited a deficit of $79 billion. That promptly skyrocketed so that we were running on almost a consistent basis deficits of $200 billion a year, absolutely unheard of before that time.

In the last years of the Reagan administration, some improvement was made. We were still running budget deficits of $150 billion a year.

Then we had the 4 years of the Bush administration, and the deficits took off like a scalded cat. Deficits went up, as I indicated before, so that at the end of the Bush administration, the deficits were running $290 billion a year. And with the election of President Clinton, a Democratic Congress passed a budget plan in 1993 that has succeeded in reducing the deficits every year of that 5-

year plan. The deficit went down in 1993 to $255 billion; the next year was down to $203 billion; then $164 billion; then $107 billion; then down to $22 billion and, as you can see, additional progress is being made so that in 1999, we are now anticipating a unified budget surplus.

As I indicated, the 1993 plan was controversial: Cut spending, raise taxes, income taxes on the wealthiest 1.5 percent in this country. Some told the American people that all of their income taxes were going up. It was not true. But they were able to confuse an awful lot of people, make an awful lot of people believe that was what was happening.

The fact is income taxes went up on the top 1.5 percent, but others actually had their taxes cut because of the expansion of the earned income tax credit. In fact, many more people had their taxes cut as a result of the 1993 plan than had their income taxes increased. The news media never told that story. But that is a fact. Yes, we increased the income taxes on the wealthiest 1.5 percent, but we also reduced taxes by expanding the earned income tax credit for more modest wage earners in this country, and millions of them received a tax reduction.

But this shows what has happened to both the spending and the revenue of the Federal Government since 1980. The blue line represents the spending of the Federal Government. The red line represents the receipts, and these are all stated as a percentage of our national income or, as sometimes said by the economists, our gross domestic product, because that is probably the most realistic way to look at the trends in spending and revenue.

What you can see is that the spending, as a percent of our national income, has come down; the revenue has come up. And it is that combination—reduced spending, increased revenues—that has allowed us to achieve unified balance. And it is that unified balance that has taken the pressure off interest rates, that has improved the economic climate in this country, so that we now enjoy very healthy economic growth, low inflation, low unemployment, and all of the other benefits that flow from a strong national economy.

This chart shows how we achieve a balanced unified budget. Looking back to 1992, looking at the savings from the 1993 deficit-reduction package that I have previously referenced, and looking at the additional savings that will be achieved as a result of the 1997 bipartisan budget deal—I think it is very important that we be direct with everybody.

In 1993, the Democrats did the heavy lifting. In 1993, there was not a single Republican vote for the budget plan that year—a 5-year economic plan to get us back on track. And we understood it was controversial. We did cut spending. We did raise income taxes on the wealthiest 1 percent. And the Republicans all voted no. Again, I think they were simply wrong. They were wrong in their anticipation of what it would mean to this economy. But in 1997, we had a bipartisan budget deal. That made further progress at getting our fiscal house in order.

Now, I prepared this chart to show the relative size of the two plans. The 1993 budget package had $2.5 trillion of savings between 1992 and 2002, that 10-year timeframe. The 1993 budget package will account for $2.5 trillion of the savings.

The 1997 bipartisan budget deal, between 1997 and 2002, will account for $600 billion of budget savings. So there is no question in terms of the 10-year period, part of that is attributed to the bipartisan budget deal of 1997, $600 billion. But most of it can be attributed to the 1993 package—$2.5 trillion of savings.

As I have indicated, Federal spending has been declining under the budget agreement of 1993 and the follow-on bipartisan budget agreement in 1997. And if we look at Federal spending as a percentage of gross domestic product for national income, we can see in 1992 the Federal Government was spending 22.5 percent of our national income. In each and every year under the budget plan that was passed by Democrats in 1993 and the follow-on plan that was a bipartisan plan in 1997, Federal spending has been coming down as a percentage of our national income.

In 1993, it was down to 21.8 percent; in 1994, 21.4 percent; in 1995, 21.1 percent; in 1996, down under 21 percent to 20.7 percent; in 1997, 20.1 percent. In 1998 we are now anticipating Federal spending will be down to 20 percent of our national income—a dramatic improvement under the budget plan first passed in 1993, the 5-year plan passed by the Democrats, and the follow-on bipartisan budget plan passed last year.

The result has been a dramatic improvement in the economic health of this country. Economic performance has been sustained, it has been strong, and it has produced the third largest postwar expansion in our history. You can see from 1961 to 1969, we had 106 months of economic expansion. From 1982 to 1990, we had 92 months of economic expansion. From 1991 to now, 84 months of economic expansion.

The economy has grown at a very healthy rate. This chart shows the real growth of our gross domestic product, and the growth in 1997 was the best in a decade. The central, underlying reason is the budget plan passed in 1993 that led to the deficit reduction, that allowed interest rates to come down, that made this economy much more competitive, much stronger, put us in a position to be the most competitive nation in the world.

Mr. President, I think this record is now becoming very clear. Deficit reduction, fueled by the 1993 budget plan, has led to reduced interest rates, stronger economic growth, and that has meant many positive things for the U.S. economy.

The first, perhaps most important, is job growth. We have now seen 15 million jobs created since the Clinton administration came into office. That is the first 61 months. We compare that to the first 61 months of the Reagan administration. We can see during that period about half as many jobs were created—about 7.7 million. And that is why we see such strong economic performance across the country.

Well, it is not just job growth where we have seen dramatic results of getting our fiscal house in order. In other areas of the economy, we have also seen a dramatic improvement. This chart shows what has happened to investment in business equipment.

One of the real strengths of the national economy, one of the reasons the United States is performing so well in competition with others around the world is because our economy is improving its productivity. One of the reasons we are improving our productivity is because of the computerization of our businesses. One of the key investments they make is in business equipment. That has been growing at an 11 percent annual rate for 4 years.

You can see, going back to 1985, we were going along at between $300 and $400 billion, in 1992 dollars, of business equipment investment. Once we got that 1993 budget plan in place, business investment took off, and we are now approaching $700 billion a year in business investment in this economy. It is one of the key reasons this economy is performing so well.

Again, it is not just business investment that shows the power of the economic plan that was put in place in 1993 and the follow-on bipartisan plan of last year. We can see in unemployment—here is what has happened with unemployment, looking back to 1991. Our unemployment rate is now the lowest since 1973. In over 24 years, we have the lowest level of unemployment in this country.

In my home State of North Dakota, we now see an unemployment rate of under 2 percent. The economists said that was not possible. The economists said full employment was an unemployment rate of 3 percent because of people changing jobs in the economy and other structural factors. But in my State of North Dakota, we have now an unemployment rate of less than 2 percent, and, of course, nationally, the lowest level since 1973.

There is not only good news on the unemployment front, there is also good news on the inflation front. And generally those two do not go together. Generally, if you have good news on unemployment, you have bad news on inflation. That is not the case with this economy. The inflation rate is showing its best sustained performance since 1967—the best rate in over 31 years—and that inflation performance is anticipated to continue.

So inflation is under control, with low levels of unemployment, high levels of business investment, and the

budget deficit eliminated on a unified basis, and moving towards preserving the Social Security surpluses by preserving the budget surpluses.

We have heard a lot of talk from some: ''Well, but you raised taxes in 1993. You raised income taxes on the wealthiest 1.5 percent.'' Yes, that is true, because that was important to balancing the budget, to getting these deficits behind us, to putting this country on a firmer economic footing. We also cut spending. And it is that combination that has made possible the deficit reduction we enjoy today.

But it has also translated into tax relief for many of the people in this country because, as I indicated before, while we have raised income taxes on the top 1.5 percent, we also cut income taxes for millions of Americans through expansion of the earned income tax credits. In fact, as this chart shows, the tax burden is declining for a family of four. When you look at the payroll taxes they pay and the income taxes they pay, if you take those with a family income of $27,450 or less, you see they have had their tax burden reduced.

In 1984, they were paying over 13 percent of their income in income taxes and payroll taxes. That has been reduced for 1999, under the budget plan we are offering, to 6.5 percent—a 50 percent reduction in the effective tax rate on payroll taxes and income taxes for a family of four earning $27,000, in 1999 dollars.

Now, some of our friends on the Republican side say, ''Well, the Democrats just want to spend money.'' And there are places that Democrats believe we ought to spend some more money. We have the agreement from Republicans that we ought to spend more money on highways in this country. We also think more money ought to be spent on education.

We think we ought to do something about the crumbling schools. We think we ought to do something to reduce class sizes, to add 100,000 teachers in this country just as we added 100,000 police in the crime bill in 1993 that has had such a remarkable effect in reducing the crime rate in the Nation over the last 5 years. Each and every year, the crime rate has come down once we put 100,000—the authorization, at least, for 100,000 additional police on the streets and took tough measures to strengthen the crime laws of this country. We also believe we ought to provide 100,000 additional teachers across America to improve the educational performance of our kids.

So there are places that where think additional funds should be spent. The truth is, if you look at the next year or next 5 years in terms of spending, there is very little difference between the Republican plan and the Democratic plan—very little difference.

This shows, in the 1999 budget, the red is the Republican spending plan, the blue is the Democratic spending plan. You will notice there is very little difference, indeed, hardly any. There is about a $12 billion difference between the Republican plan and the Democratic plan, out of a $1.7 trillion budget. In fact, the Republicans' spending plan is for $1.73 trillion for 1999; the Democratic plan is for $1.74 trillion.

The difference is, Democrats believe we ought to put some more money into education. We believe we ought to put some more money into child care, because the vast majority of parents are both working and they tell us, we need some help; we are under enormous pressure.

I just had a neighbor of mine come and tell me he is spending $17,000, he and his wife, this year—$17,000—for child care. Now, he is probably relatively highly paid, a hard-working guy. Both he and his wife work, have two kids. They are paying $17,000 for child care.

All across the country, parents are coming to us and saying, ''Look, this is a part of our expenses that we really need some assistance on. Can't there be some tax relief for child care expenses that is above what we currently are provided?''

The Democratic response has been, yes, we have made dramatic progress on getting our fiscal house in order. We are preserving the budget surpluses until we get Social Security secured for the long term. But we have some additional revenue because of the proposed tobacco settlement, and we could use some of that money for smoking-related matters, health research, smoking prevention, smoking cessation, but we could also use some of it to strengthen child care in this country. We could use some of it to improve education in this country.

So the Democrats say, yes, we will take a little bit of that money and use it for those purposes. For the 5-year spending plan, from 1999 to 2003, the Republican spending plan is in red—that is $9.16 trillion; the Democratic plan is in blue, $9.24 trillion. A little bit more money, $80 million more over 5 years in the Democratic plan as contrasted with the Republican plan.

Again, why the difference? Because we believe we ought to invest a little more money in education. Yes, we believe we ought to invest a little more money in child care because working parents all across America tell us that is a priority for them. And yes, we ought to use a little of that money for increasing the investment in highway funds, a priority that our Republican friends on an overwhelming basis have agreed with us on.

There are other areas of disagreement and perhaps the big area of disagreement is on the question of providing for the use of the tobacco funds. In the budget resolution, the Republicans say all of the money that comes from a possible settlement of tobacco, all of that ought to go to Medicare. Democrats disagree. Democrats say some of the money ought to go to Medicare, absolutely, that is appropriate. Some of the money, we believe, ought to be used to strengthen Social Security. The Republicans say no, not a dime should be used to strengthen Social Security. We disagree with that. We also believe some of the money ought to be used to fund smoking cessation and smoking prevention and counter tobacco advertising, and have health research, and improve the funding for the National Institutes of Health. The Republicans say no, none of the money, none of it, not a dime, from the tobacco settlement should go for those purposes; all of it, every penny, should go for Medicare. We just disagree. We don't think that is the appropriate set of priorities.

Obviously, Medicare is important. No question about that. Democrats are the ones who helped pass it, the ones who helped preserve it, the ones who helped protect it. But we also recognize there are other critically important priorities from a windfall that might come from a tobacco settlement—shouldn't spend it all; some of it should be saved. That is why we say some of it should be used to strengthen Social Security. Yes, some of it should be for Medicare. We also recognize that if we are really going to be protecting Medicare, then we have to take steps to keep young kids from getting hooked and addicted to tobacco, because 90 percent of those who are smokers started before age 19; nearly half started before they were age 14. And the addiction of kids puts a later burden on Medicare and Medicaid and veterans' programs because of that addiction.

We think an ounce of prevention is worth a pound of cure. The Republicans just want to deal with it at the final result stage. They just want to deal with it once the people are addicted and diseased. We say let's prevent addiction and disease. Let's spend some of that money on smoking prevention, smoking cessation, counter tobacco advertising, so that we really prevent people from getting in those situations.

The fact is the Republican plan in terms of revenue that might come from the tobacco settlement puts all the money into Medicare, none to these other purposes. They say to us, ''We are funding some of those tobacco control efforts other places in the budget.'' That is their answer. The problem with that answer, if you look at numbers what, is that what they have put elsewhere in the budget is nowhere adequate to meeting the need; it doesn't take care of the problem.

We have had all the health experts come in and they have told us you need to be spending about $2 billion a year on tobacco control, smoking cessation, smoking prevention, counter tobacco advertising. Interestingly enough, every comprehensive bill introduced on this floor by Republicans or Democrats adopts a spending pattern on tobacco control efforts of about that magnitude, about $2 billion a year—some much more, some are as much as $4 billion a year. The proposed settlement itself contains $11.3 billion for these

purposes. The Republican budget over this next 5-year period provides $600 million, about 1/20th of what the experts say is necessary in order to really accomplish the goals of reducing teen smoking and of protecting the public health.

The budget resolution that Republicans have offered also ignores FDA funding for tobacco. In all of the bills that are out there—Republicans and Democrats—every comprehensive tobacco bill that has been offered says we ought to expand FDA authority to control this drug like they were given authority and responsibility to control every other drug in our society. Obviously, there is a cost to that. The proposed settlement says that cost is $1.5 billion over 5 years. The Republicans haven't given a dime for that purpose. It really makes you wonder if our friends on the other side of the aisle are at all serious about accomplishing the goals for the reduction of teen smoking and protecting our citizens from addiction, disease, and death caused by this industry.

These are the matters that will be central to this debate as we go forward. It is important to define differences between us because those differences are real and we have seen the difference they have made over the last 5 years. We believe the record has proved the Democrats were right when they cast a courageous vote in 1993 to really get our fiscal house in order. The results are undeniable. They are just as clear as they can be: deficit reduction, strong economic growth, the best performance on inflation and unemployment in nearly a quarter of a century. That is the record. It is a powerful one. It is one of which we are proud.

Now the question is, what do we do going forward? The Democratic answer is we have to maintain fiscal discipline. Yes, we have to achieve that unified balance in our budget, but we have to go further and preserve budget surpluses until we have secured the future of Social Security. As the President said to us, ''Save Social Security first.'' The Democrats agree to that position.

In addition, we believe with the windfall that may be anticipated as a result of any tobacco agreement, we ought to use some of that funding to accomplish the goals of protecting the public health, reducing teen smoking, and also we ought to put some of it toward strengthening Social Security, we ought to use some of it for preserving Medicare, and yes, we ought to improve health research in this country and children's health care. Those are things that the American people think are important, and we agree. No higher priority can be attached to anything than improving the education of the children of our country. That is something we simply must do.

If we are going to preserve the competitive position of the United States, we must have the best educated work force in the world. That is one reason we are doing well. If we are going to continue to do well, we must make certain that educational excellence is at the top of our priority list.

I yield the floor.

Mr. ABRAHAM. Mr. President, it is my understanding that the Senator from Alabama, Senator SESSIONS, will be here momentarily for the purpose of offering the first substantive amendment to be considered. In light of that, perhaps we could enter into a unanimous consent agreement. I ask unanimous consent that after the Senator from Alabama offers and discusses his amendment, we then allow the other Senator from North Dakota, Senator DORGAN, to seek recognition and be recognized following the Senator from Alabama.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ABRAHAM. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ABRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. ABRAHAM. I ask unanimous consent Philippe Ardanaz, an American Association of Political Science fellow with the Budget Committee, be granted floor privileges during consideration of the budget resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ABRAHAM. I yield 20 minutes to the Senator from Alabama for the purpose of introducing an amendment and speaking to the amendment.

The PRESIDING OFFICER. The distinguished Senator from Alabama is recognized.

AMENDMENT NO. 2166

(Purpose: Expressing the sense of Congress that the Federal Government should acknowledge the importance of at-home parents and should not discriminate against families who forego a second income in order for a mother or father to be at home with their children)

Mr. SESSIONS. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS], for himself and Mr. ENZI, proposes an amendment numbered 2166.

Mr. SESSIONS. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, insert the following:

SEC. ___. FINDINGS; SENSE OF CONGRESS.

(a) Congress finds that—

(1) studies have found that quality child care, particularly for infants and young children, requires a sensitive, interactive, loving, and consistent caregiver;

(2) as most parents meet and exceed the criteria described in paragraph (1), circumstances allowing, parental care is the best form of child care;

(3) a recent National Institute for Child Health and Development study found that the greatest factor in the development of a young child is ''what is happening at home and in families'';

(4) as a child's interaction with his or her parents has the most significant impact on the development of the child, any Federal child care policy should enable and encourage parents to spend more time with their children;

(5) nearly 1/2 of preschool children have at-home mothers and only 1/3 of preschool children have mothers who are employed full time;

(6) a large number of low- and middle-income families sacrifice a second full-time income so that a mother may be at home with her child;

(7) the average income of 2-parent families with a single income is $20,000 less than the average income of 2-parent families with 2 incomes;

(8) only 30 percent of preschool children are in families with paid child care and the remaining 70 percent of preschool children are in families that do not pay for child care, many of which are low- to middle-income families struggling to provide child care at home;

(9) child care proposals should not provide financial assistance solely to the 30 percent of families that pay for child care and should not discriminate against families in which children are cared for by an at-home parent; and

(10) any congressional proposal that increases child care funding should provide financial relief to families that sacrifice an entire income in order that a mother or father may be at home for a young child.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the functional totals in this concurrent resolution on the budget assume that—

(1) many families in the United States make enormous sacrifices to forego a second income in order to have a parent care for a child at home;

(2) there should be no bias against at-home parents;

(3) parents choose many different forms of child care to meet the needs of their families, such as child care provided by an at-home parent, grandparent, aunt, uncle, neighbor, nanny, preschool, or child care center;

(4) any quality child care proposal should include, as a key component, financial relief for those families where there is an at-home parent; and

(5) mothers and fathers who have chosen and continue to choose to be at home should be applauded for their efforts.

Mr. SESSIONS. Mr. President, I think the issue before the Senate as we debate the budget resolution is how to set our priorities as a nation. Where do we want to spend our resources? Are we expending our resources in ways that strengthen our American Republic and the people who make it up? Are we using resources in a way that will strengthen families? And are we using resources in a way that undermine families or at least undermine the freedom of families to make choices they believe are important in their lives?

I have just introduced an amendment which expresses the sense of Congress

that the Federal Government should acknowledge the importance of stay-at-home parents and should not discriminate against families who decide to forego a second income in order for a mother or father to be at home with their children. The resolution is nearly identical to the House resolution sponsored by Representative BILL GOODLING, chairman of the Education and Work Force Committee, which passed the House of Representatives on February 11 by a vote of 409–0.

President Clinton has proposed spending $21.7 billion over the next 5 years in new Federal child care programs. Although the money the President is proposing to spend will benefit parents who use business and institutional day-care providers, it will not assist the single largest provider of child care in this country, at-home parents. The President's plan does provide us with an opportunity to think seriously about this subject and see if we can provide a better way to help parents raise their children.

I believe this resolution is critically important. It provides this body with an opportunity to discuss and debate our Nation's focus on the issue of child care: Should our Government continue to promote and fund child care programs designed to give middle-class parents who hire others to care for their children tax cuts or other benefits while at the same time denying relief to parents who make sacrifices so that one parent can remain at home to care for their young children?

It seems unfair to me that we tax families who sacrifice outside earnings to ensure that one parent is home with their children while subsidizing families in which both parents work. In fact, the statistics show that when both parents work, they have a higher income. So in fact we are taxing those with a lower income to subsidize decisions of those with a higher income.

Studies show that most parents would prefer to work less and spend more time with their children if they could afford to do so. By subsidizing only nonparental care for our children, our Government is pushing many families in a direction they do not wish to go. More parents are staying home. They are choosing to forgo extra income. These private, personal, and family decisions are being reached on long-term moral, religious, and educational considerations. Good decisions by parents in these matters benefit our Nation, and they should be affirmed by governmental policy, not undermined by governmental policy.

As I traveled my State over the last recess and talked with people raising this issue, people would come up to me after meetings, and they would say: ''JEFF, we agree with you. We both used to work. Now only one of us works. We prayed about it and we know we are going to have to get by with less money. But we decided this is the best for our family.''

I don't denigrate in any way families who choose for both parents to work. I don't ask that we diminish support for the single parent who works. I just say, Mr. President, it is time for this body to join the House and to send a message to America and a statement to the President and to the rest of this Government that we believe that those parents who stay at home to raise their children ought to be affirmed also. They also should receive benefits, and they ought not to be the chumps in this process. Because they are giving of themselves with great sacrifice to raise the next generation of Americans who will lead this country.

Make no mistake our economy is in great shape. This Nation is strong and vibrant economically. The one threat I see that could undermine that strength is for us to undermine the values that we pass on to our children. That our work ethic is reduced, that our moral discipline and integrity as a people is undermined. These qualities are strengthened when families can spend those formative years with their children in a close relationship. Psychiatrists and psychologists refer to it as ''bonding.'' During those first years, it is important for a parent and a child to bond in order for that child to develop confidence and a sense of self-worth that can only be gained in many instances from that relationship with their parents. We have many difficult societal problems, and none are more important than developing properly the next generation of leaders.

I just say this, Mr. President: Our Nation can never rise higher than the individual quality of the citizens who make it up. And what are those qualities that make us a great people? It goes beyond mere education. It goes beyond how much money we make or how smart we are. It really depends on a willingness to cooperate, to work together, on whether or not we have high ideals, whether or not our children are raised with hope and a vision for progress, whether or not they have integrity, good discipline, a work ethic that will allow us to be competitive in the world. We need to strengthen our families as they endeavor to raise the next generation of leaders.

Now, Mr. President, last year, we passed a budget that wonderfully provided a $500 per child tax credit to families in this country—one of the finest steps we have taken in many years to actually help families. This allows them to keep money that they could spend as they wish. A family of three could, in effect, have $120 extra each month, tax free, not taxable, a tax credit that they could use for their children. This extra money may mean buying shoes, textbooks, or the extra money it takes to go to a movie or on a school trip. These families are able to make their own decisions about spending. That was a wonderful step in the right direction. It did not discriminate against those families who work or those who choose not to have both parents work. It was an equal, across-the-board benefit, something that was good. I think now we need to make this additional statement by this body: That we expect in the future to treat all parents equally. The amendment makes a number of points, Mr. President, and I will share those briefly. I don't know what my time is, but I don't want to go over.

The PRESIDING OFFICER. The Senator has 11 minutes remaining on the time requested.

Mr. SESSIONS. All right. Mr. President, the resolution notes a number of things. It notes that, whereas ''a recent National Institute for Child Health and Development study found that the greatest factor in the development of a young child is 'what is happening at home and in families.' ''

That is something all of us have known instinctively, and we believe that our public policy has not affirmed that effectively. Our resolution would move us in the right direction.

It goes on to note: Whereas,

as a child's interaction with his or her parents has the most significant impact on the development of the child, any Federal child care policy should enable and encourage parents to spend more time with their children;

nearly ½ of preschool children have at-home mothers and only ⅓ of preschool children have mothers who are employed full time;

a large number of low- and middle-income families sacrifice a second full-time income [by their own decision] so that a mother may be at home with her child;

the average income of 2-parent families with a single income is $20,000 less than the average income of 2-parent families with 2 incomes;

only 30 percent of preschool children are in families with paid child care and the remaining 70 percent of preschool children are in families that do not pay for child care, many of which are low- to middle-income families struggling to provide child care at home;

child care proposals should not provide financial assistance solely to the 30 percent of families that pay for child care and should not discriminate against families in which children are cared for by an at-home parent;

any congressional proposal that increases child care funding should provide financial relief to families that sacrifice an entire income in order that a mother or father may be at home with a young child.

Therefore, it be resolved that the Congress of this United States recognizes that:

many families in the United States make enormous sacrifices to forego a second income in order to have a parent care for a child at home;

there should be no bias against at-home parents;

parents choose many different forms of child care to meet the needs of their families, such as child care provided by an at-home parent, grandparent, aunt, uncle, parent, neighbor, nanny, preschool, or child care center;

any quality child care proposal should include, as a key component, financial relief for those families where there is an at-home parent; and

mothers and fathers who have chosen and continue to choose to be at home [with their children] should be applauded for their efforts.

Mr. President, the purpose of this resolution is not to suggest that we do

not need more relief for families. We need relief for families where both parents work or where the only parent works. They need relief. But we ought not to discriminate and be biased against those parents who sacrificially choose to spend the time they believe is necessary for their child to develop emotionally, morally, religiously, and ethically.

That is a good thing for America. It is a good thing when parents can and are willing to spend their time with their children. Public policy should affirm that choice, just as it affirms other choices that parents make or feel compelled to make. I would suggest that this is a matter we ought to support aggressively. I believe it is a matter that will help set the tone for our budget process as we go forward. It will send a signal to those on the committees who will be considering legislation to see what we can do to strengthen our ability to care for children, and I believe this resolution to be quite significant and representative of a marked change in the direction that we have followed before.

Mr. President, I ask unanimous consent that Senator DODD be added as a cosponsor to this amendment. He called our office before I had a chance to add his name to the sponsors of this resolution, among whom are Senators LOTT, SHELBY, ENZI, FAIRCLOTH, HELMS, NICKLES, GRAMS, MCCONNELL, LIEBERMAN, BROWNBACK, INHOFE, CRAIG, HUTCHISON, FRIST, COVERDELL, ASHCROFT, ABRAHAM, MACK, DEWINE, and COATS, and others are being added as we go along.

Mr. DORGAN. Will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator wish to add those names as cosponsors?

Mr. SESSIONS. The names I read, except for Senator DODD, have already been listed as sponsors on the legislation.

I ask that Senator DODD and Senator DOMENICI be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. I wonder if the Senator will yield for a question.

Mr. SESSIONS. Yes.

Mr. DORGAN. I ask the Senator if he would allow my name to be added also as a cosponsor.

Mr. SESSIONS. I would be honored to have that.

Mr. DORGAN. I ask unanimous consent that my name be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. I thank the Chair. Mr. President, I also ask unanimous consent that the occupant of the Chair, Senator ROBERTS, be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Thank you. Mr. President, I think, indeed, we are dealing with an important issue. I know the Chair himself, along with other Senators, has introduced legislation that would, in effect, accomplish many of the things that are called for in this amendment. I salute you for your concern for children and your work in that regard. I think it is time for us to make sure that we establish a policy in this body that treats parents equally who sacrifice for their children. I think this amendment makes that point, and I am proud to offer it.

Mr. President, I believe we do have, by consent, 2 hours set aside for debate on this amendment. At this time, I ask unanimous consent that the remainder of that time be reserved. I would like to speak on it some more, and other Senators have advised me that they would be speaking on this.

The PRESIDING OFFICER. Without objection, it is so ordered. The time is reserved.

Mr. ABRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. ABRAHAM. Mr. President, under the previously agreed-to unanimous consent agreement, I believe that the Senator from North Dakota will be recognized for up to 20 minutes, and I would like to seek unanimous consent that following the statement of the Senator from North Dakota we would then recognize the Senator from New Hampshire, Mr. GREGG, for up to 20 minutes.

The PRESIDING OFFICER (Mr. SESSIONS). The Senator is correct. Without objection, it is so ordered.

The Senator is recognized.

BUDGET PRIORITIES

Mr. DORGAN. Mr. President, I may not take the entire 20 minutes. But I thank the Senator.

Mr. President, we are talking about the budget. This is a ritual that occurs here every year in the U.S. Senate. And the budget reflects our priorities. What do we think is important? What do we hold dear? What do we think are the most important issues in this country?

I have said before that 100 years from now we will all be dead. None of us will be here. Historians will look at what this Congress felt was important, and find that out by evaluating what kind of a budget this Congress enacted. That will tell historians what Congress felt was important about the lives of the people who live in this country and what matters. What is the priority? That is what this budget debate is all about.

The Senator from North Dakota, Senator CONRAD, spoke a bit ago about where we have been. I recall a few years ago, during a particularly aggressive debate about the economy and fiscal policy, a colleague of mine standing on the floor of the Senate talking about how awful things are in America and how we really ought to be ashamed about what has happened in the last 35 years in this country. I sat over here. I listened to that. I thought, gosh, we must be living in different places.

I think this is a remarkable country. Yes; we have significant challenges. But I look at the last 50 years as 50 years of significant advancement in this country in a dozen different ways. Yet some see it differently.

We find ourselves in this country today living in a country with an economy that is growing, more people working and fewer people unemployed. The inflation rate is down; the unemployment rate is down; economic growth is up; the crime rate is down; and the welfare rolls are down. Things are moving in the right direction in this country. It doesn't mean we don't have some challenges. But the fact is things are moving in the right direction.

I suppose some have their own ideas about why this has happened, why is it that we have reached this intersection and why this country is doing quite well.

Senator CONRAD indicated that in 1993—at a time when our budget deficits were growing year after year and a swollen budget deficit that was getting worse, not better—that Congress was called upon by a new President to do something serious about fiscal policy and to send a message to the people of this country that times in the future will be different, that Congress and a President would no longer sit around and accept increasing budget deficits. He proposed a plan that was enormously controversial. It passed by one vote here in the Senate and one vote in the House of Representatives.

For anybody who asks if one vote matters, it does. In 1993, a plan that was very controversial passed by one vote in both bodies. The result was the American people finally understood that we were going to put this country on the right track on reducing the Federal budget deficit and getting this country's fiscal policy under some kind of control. Yes, that bill made the right investments in the future, but it cut a good deal of spending, and yes, it did increase certain taxes, in most cases only for the wealthiest Americans. But it did. And that is what made it so controversial. It was hard to vote for. Some of my colleagues who voted for it are not here any longer. But it was the right thing to do, and it put this country on the right track. We find ourselves in a country where things are better.

Now the question is, What should this budget provide? What is important now for the future—education, health care, safe food, a clean environment, safe workplaces, jobs? What represents the priority of those of us serving now today? Are we trying to move forward, or are we holding back?

Let me just again remind people that we have always had in the Congress folks who have their dander up, saying, ''Don't go there. Don't do that. It won't work.'' We had that with Social Security. We had it with Medicare. We had it with virtually everything that was intended to be done to make this a better country. When we decided to stop employing children in this country—let

us stop having 12-years-olds work 12 hours a day in the mines—we will have child labor laws, we had people who said, ''Don't do that. It will ruin the economy.'' When we decided we were going to have a minimum wage law, we had people saying, ''Don't do that. It will ruin the American economy.'' When we decided to have Social Security, we had people who said, ''Don't do that. It is socialism.'' When we said let us have a Medicare program because half the senior citizens in the country can't afford health care, people said, ''Don't do that. It will ruin this country.''

This country has been strengthened by a lot of good ideas that have made this a better place. Yes. Social Security. Yes. Medicare. Yes. Food safety standards, clean air requirements, child labor law, minimum wages—a whole series of things that have made a better country. This country has a wonderful, wonderful history, and I think a better future.

We survived a civil war. We survived a depression. We won two world wars. We defeated Hitler. We cured polio. We put people on the Moon. We invented the television, the computer, and the jet airplane. This is quite a remarkable country. There is nothing quite like it on Earth.

If you look at other developed nations around the world, their economies have slowed down and are not doing well. Yet this country—the biggest, most successful democracy in the world, truly a country with significant economic might—is on the move again, on the march again, and doing much, much better.

So what do we have to do now, in order to keep our country moving forward? We need to face several big challenges: Medicare and Social Security. Before I talk about the priorities in the budget, let me talk about Medicare and Social Security. Those are the two big entitlements that we have to deal with. Even though we have dealt with most of the fiscal policy problems, we have a demographic problem in the future with Medicare and Social Security. I want to make one point about that.

The problems in Medicare and Social Security are born of success. We could solve Medicare and Social Security instantly if we simply go back to the same life expectancy that we had 30 or 60 years ago. Those who created the Social Security program created a program that said, by the way, you are expected to live, on average, to be 63 years of age and we will pay a retirement benefit after 65. I went to a small school. But I understand that adds up pretty well. If you are paying benefits at 65 years and people are living on average 63 years, that works out pretty well.

But from the turn of the century, when we were expected to live to age 48 in this country, to now, when you are expected to live to age 77, nearly 78 years of age, we have increased life expectancy in this country by nearly three decades. Does that put some strain on Social Security and Medicare? Yes; it does. But, again, it is born of success. Just ratchet back life expectancy 30 years and you will solve the financing problem for Social Security and Medicare.

So we ought not shirk from these challenges. These are not difficult challenges. We can solve the demographic problems confronting Social Security and Medicare. But let us remember that the reason these problems exist is because we have had significant success in this country. People are living longer, better, and healthier lives. That is what is causing the problems in these areas.

Let me just for a moment talk about the priorities in the budget. Senator CONRAD talked about several of them. I want to focus on a couple.

Tobacco: Senator CONRAD has done a lot of work on the tobacco issue as the chairman of the task force here in our caucus. This budget resolution indicates that all of the revenue that will come from a tobacco settlement must be used exclusively to adjust the balances of the Medicare trust fund. In other words, it explicitly says no money from any tobacco settlement can be used for the central goal of the tobacco legislation, and that is, preventing people from starting to smoke in the first place, protecting young people in this country from the dangers of smoking.

Almost no one reaches 25 or 30 years of age and wonders what they can do to further enrich their lives and come up with the idea they ought to start smoking. Nobody does that because at that age they understand smoking can kill you. Cancer, heart diseases, and other illnesses persuade people who know the facts not to start smoking. The only future customers who exist for tobacco are kids. The targeted capability to try to addict our kids is something we are trying to attack in tobacco legislation.

The use of the funds from the tobacco settlement must be, it seems to me, used for anti-smoking education initiatives all across this country, for smoking cessation programs, for those who are addicted, for FDA tobacco-control activities, to counter tobacco advertising, and a range of other ways. But none of them are capable of being funded in this budget. None of them.

It doesn't make any sense at all to write handcuffs into this budget resolution that stop us from using the proceeds of the tobacco settlement to do the very things that we are having the tobacco settlement for in the first place, and that is to try to address the issue of teen smoking and to stop cigarette companies from addicting teens. Yet none of it is possible in this budget agreement. That cannot stand. We must have amendments and will have amendments on that issue.

Second, education: We have had a number of people here in the U.S. Congress who forever have said, ''Let's just say no on education'' when it comes to the U.S. Congress. I understand and respect the fact that most of elementary and secondary education funding comes from State and local governments. It is that way and ever should be that way. Yet we in the Congress have developed some niche financing and some assistance in certain areas that help invest in education and make our schools better.

President Clinton has made some proposals dealing with education that are very, very important proposals that will not be funded in this budget. The proposal dealing with repairing America's schools is a very important proposal.

We have thousands of schools in this country that are 50 years old, or 60 years old, or 80 years old. They are coming apart at the seams. We send our children there. In the morning we tell our children good-bye. We kiss them good-bye and send them to school. We in this country don't want our kids to go to unsafe schools or go to schools that are in disrepair. None of us want, as parents, to do that.

I have two young children in public school. The taxes I pay to support their education are something that I am enormously proud of. I want those children, and all American children, to be the best educated children that they can possibly be. I want them to be able to say, ''I went to the best schools in the world.'' That is what I want our public education system to be in this country. Yet, this budget says no to those education initiatives. It says we can't do anything about trying to stimulate the repair of crumbling schools by providing just a basic incentive from the Federal level to State and local school districts and others who would be able to put up the money at reduced interest charges to repair crumbling schools. This budget says we can't do that. It just says no to fixing crumbling schools.

Or, the question of class size. My daughter last year was in public school in a class of 30 students. Does anybody believe that it doesn't matter if your kid is in a class with 35 students or 30 students versus 15 students or 18 students? We know better than that. All of us know better than that. We all know that smaller class sizes mean better education, particularly more teacher time for each student. President Clinton talks about funding 100,000 new teachers, to try to reduce class sizes in this country. He is proposing after-school programs for school-age children who don't have any place to go after school because both parents are working. For all of these initiatives, the response is the response that we have had for 50 years from some of the same voices. ''Just say no to these issues. It is not the Federal Government's job.'' Gosh, if we had relied on that advice we wouldn't have done much of anything that has made this a better country. A fair amount of what we have done in terms of public

investment has made this country a much, much better place in which to work and to live.

When President Clinton proposes smaller class sizes with qualified teachers, he is talking about an initiative of over 7 years to help local schools provide small classes by hiring more teachers in the early grades. When he talks about modern school buildings, he is talking about Federal tax credits to pay interest on $22 billion in bonds to build and renovate public schools in this country.

But this budget that came out of the Budget Committee falls far short on these issues. The suggestion is, Well, this isn't a priority. This doesn't rank with other priorities. I disagree with that. And we have room, obviously, to disagree on these issues.

But if one doesn't believe that education is the first priority in this country—that our future is our children and the education of our children will determine what kind of country we have in the future, how we compete in the global economy, whether this country grows—if we don't believe that, we are not going to do well in the future. We must do as those who came before us have done and say that education is a priority. It represents the first priority for this country.

There is another little part of this budget we are considering that I find highly troubling, and I know at first blush it will be very, very interesting to some people. It is a piece that says let us sunset the Tax Code. In other words, it is saying that the Congress should sunset and get rid of the existing income tax system we have in this country. It includes a sense of the Senate provision providing for repealing the entire Internal Revenue Code at the end of 2001. Notice that it doesn't say what they would replace it with. It just says repeal the Tax Code.

Well, what that says to somebody who just bought a home yesterday or is considering buying a home tomorrow or next month or did 6 months ago, it says, ''By the way, don't count on your interest deduction on your mortgage being deductible, because there may not be a tax system that allows you to deduct interest on your mortgage.'' Can you imagine that coming from this Congress?—this Congress saying, ''Don't count on that?''

By the way, are you contributing to an IRA? This budget says, ''Don't count on that being treated as it is now for tax purposes.'' Are you making a charitable contribution? ''Don't count on that being deductible.'' Are you a business person about to make an investment, or a business about to make an acquisition of another company, and it hinges on the question of, How will this be handled from the Tax Code standpoint?'' What this says is, ''Don't count on it. Don't count on this Tax Code, because we have other ideas.''

We have billionaires walking around saying, ''We want a flat tax.'' Only in Washington, DC, would it be a new idea to hear a billionaire talking about a flat tax plan that cuts his own taxes. Only here could someone call that a stroke of genius. Flat tax, VAT tax, sales tax—these are the alternatives that are being proposed to the current system. What is behind this proposal to abolish the current Tax Code at 2001 without providing for an alternative? The stimulus behind this is that some people want to create a national sales tax, a national VAT tax, or some sort of national flat tax, all of which will cut taxes for the wealthiest Americans and increase taxes for working Americans.

Let me say that again, because it is important. This budget bill does not tell us what people have in mind as a replacement for the current system, because the majority can't agree on that. But all the plans that are being discussed to replace the current IRS Code—all of them would essentially say we are going to tax work and we are going to exempt investment.

I ask people this: Why is the income from work any less worthy than the income from investment? Why this romance with a plan that says, if you are a worker, we tax you; if you are an investor, we don't? If you get your money by working all day and you are bone tired at night after 10 hours going out working for a wage, trying to provide for your family, you pay a tax. But if you sit in a chair and clip your coupons and make your $10 million a year from interest and dividends, this Congress likes you so much that you don't have to pay any tax. It is just the work that is taxed, the investment is not. We will have an amendment to strike this provision.

Get rid of the Tax Code? I don't particularly like the Tax Code. I think we could substantially improve it, dramatically simplify it. But get rid of it and replace it with a plan that says the upper-income people pay less taxes and lower- and middle-income people pay more taxes? I don't know who came up with this approach, but I hope they are prepared to defend it on the floor in discussing this amendment that I will offer at some point during the debate.

Mr. President, those are some of the difference I have with this budget. But I don't want people to believe that there is nothing in common among Senators. There are things in the budget resolution to which we will all agree.

I just stood and asked the Senator who was introducing the child care amendment to add my name as a cosponsor. He is a Republican; I am a Democrat. I happen to think what he has said on the floor and what he has written on that amendment make good sense. It is right to say to those who need to find good child care, when both parents have to go off to work because they must make ends meet, and they have child care problems—can we and should we help them? Yes, I think we could and we should. Does it also imply that those who make sacrifices to have one spouse stay at home to take care of those children, should they have some opportunity to see us reach out to try to provide some help to them? Absolutely.

There are a number of things—this being just one example—where we agree on public policy issues. I have mentioned a few where we don't agree. Where we don't agree, from time to time we have significant debate about that, and then we vote, and when the vote is over, we count the votes. The winner is the one with the most votes. We understand that. My party here in this Chamber has fewer votes than the other party. Hopefully, a number of these amendments will not be party line votes. The child care issue, which I just mentioned, is a good example of that.

I hope the first issue I mentioned will be another example. On tobacco, there is a big difference, I mean a huge difference. There are billions of dollars coming from a tobacco settlement that the majority says cannot be used under any circumstance to deal with teenage addiction. But the whole purpose of this settlement is to say to tobacco companies, ''We won't allow you to addict our kids anymore. It is wrong.'' And we want to use some of the money from a tobacco settlement to fund smoking prevention, smoking cessation, addiction treatment and other public health work to deal with smoking. But the majority's budget says ''No, you can't do it.'' Well, this budget has to be changed, and we are going to have a big debate about that.

The last item I mentioned, the Tax Code, do we want a budget to go through the Congress that says: ''By the way, American people, we are going to sunset the Tax Code; we are going to get rid of the Tax Code at the end of 2001. So now, if you have your house, and you sit out there and wonder whether you are going to be able to deduct the interest on your mortgage? Just go ahead and wonder, because we are going to get rid of the Tax Code that allows to you do that and we are not going to tell you what we are going to put in its place. We may put a national sales tax in its place,'' they would say. ''We will not tell you that yet, because we know that is controversial and we know how you will react when you find out what a national sales tax would do.''

Well, we know what a national sales tax does because all the studies show it. There is no dispute about it. We know it will cut taxes for upper-income folks and raise taxes on working people. But the majority says, ''We are not going tell you what we are going to replace it with, but all we are going to do is serve notice on you today that your home mortgage interest may not be deductible tomorrow or in 2001.'' So we are going to have an amendment on that. We need to change that provision in this budget resolution.

Mr. President, I have used my time. There are several other items that I

will talk about later in this debate. I have mentioned a couple of amendments I intend to offer. I thank Senator CONRAD for giving me the time on this side.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 20 minutes.

Mr. GREGG. Mr. President, a number of points have been made by the Senator from North Dakota. He always makes them well. Even when I disagree with him, I enjoy listening to him.

Let me point out a few things that I want to talk about initially relative to this budget that, if you were to listen to the other side, you might not fully understand, because there appears to be an incomplete explanation.

For example, on the issue of education, the Senator from North Dakota used the term: ''The Federal Government has niches which it is responsible for in the area of funding education.'' I think that is a good term, ''niches.'' The Federal Government does not have responsibility for the overall funding of elementary and secondary school education. In fact, that has always been reserved to the local community, and should be reserved to the local community. It should be parents and teachers who are empowered, controlling their schools by controlling their local dollars.

But yes, we do have some niches that we are interested in as the Federal Government. Probably the primary niche we are interested in is taking care of the special-needs child. In fact, we have a law called 94–142, otherwise known as IDEA, the purpose of which is to make sure the special-needs children get adequate funding as they try to get decent schooling. When this law was passed, the Federal Government said it would pay 40 percent of the cost. Regrettably, the Federal Government, as of 2 years ago, was only paying about 6 percent of the cost. But as a result of the leadership of people on our side of the aisle, myself included, and Senator LOTT and a number of other people—Senator COLLINS from Maine—we have aggressively pursued trying to increase the funding for special education, and we have gotten it up to about 9.5 percent of the local cost. But it still remains the single largest unfunded mandate the Federal Government puts on local school districts and basically has the effect of saying to the local school district: You must educate these children. The Federal Government said it will pay 40 percent. We are not going to pay our 40 percent. Therefore, you must use your local tax dollars to pay the Federal share, and therefore you have very little flexibility in how you use your local tax dollars, because the Federal Government is requiring you to use them to educate children to pay for costs which the Federal Government was supposed to pay for in the first place.

Well, the administration has been grotesquely lax in its fulfillment of this obligation also. When the Senator from North Dakota says the administration has all these wonderful new education initiatives—they are going to go out and build schools and reduce class sizes, they are going to add proposals and programs for after-school education—what they do not mention—what they do not mention—is the administration, the White House, the President, and the Democratic Members of this Congress, in their own budget as proposed, failed to increase at all, for all intents and purposes, funding for special-ed kids. They failed to even make a minor attempt to try to fulfill the obligation of the special-ed child, something that we are by law required to do.

So, yes, the Federal Government has niches in education. One of those primary niches, which we have cited, by law, is that we will pay 40 percent of the cost of the special-needs child. We don't do it. The Democratic Membership is unwilling to do it. The White House is unwilling to do it. Why? They want to take all kinds of new programs to take care of new constituencies to generate new press releases. It is about time they lived up to the obligation on the books. Our budget, the Republican budget, does that. It moves one more time aggressively—in fact, outlines $2.5 billion of new spending for special education over the next 5 years—with a strong, firm commitment to try to get to that 40 percent, something that is totally ignored on the other side.

So, when you wanted to talk education, the Republican budget lives up to the obligation of the Congress, the Federal Government, in the area of education. The Democratic proposals just put out press releases and try to buy new constituencies and do nothing for the special-needs child. Basically, they failed in that arena.

Now we go to the issue of the tobacco settlement, and that is what I want to talk about primarily here today. The tobacco settlement is obviously a very complex and intricate piece of process. But there should be some black-letter rules that guide us in this settlement. The Senator in the chair has been a leader on identifying one of these black-letter rules, which is that attorneys should not get an outrageous amount of income out of these settlements. The billions of dollars in attorney's fees that are being awarded in Texas and Florida are just obscene, obscene. They are going out of the pockets of the taxpayer into the attorneys' pockets, and they are not doing anything for anybody. Clearly, there should be some action taken in that arena. That should be a black-letter law addressing this issue, and I congratulate the Senator in the chair for his leadership on that count.

Equally, we ought to recognize what the problems are that are created for the Federal Government as a result of tobacco smoking. The single biggest problem we have as a Federal Government as a result of tobacco smoking from a health standpoint is that senior citizens are disproportionately impacted by the health impacts of smoking all their life, and that impact on senior citizens flows directly back to the cost being on the Federal Treasury in the Medicare system. So it is perfectly reasonable and appropriate and right, to the extent that the Federal Government receives revenues as a result of this tobacco settlement, that those revenues should go to support the primary cost which the Federal Government incurs as a result of tobacco smoking in this country, which is the cost to take care of our senior citizens.

I point out, the other side of the aisle suddenly has decided to spend this tobacco settlement money on all sorts of new initiatives for a panoply of new constituencies and programs, the purpose of which appears to be once again to create press releases rather than create substantive progress. I point out to the other side, it was just a year ago we saw from the other side such crocodile tears, it now appears—because they wouldn't be genuine tears or they would be supporting us in this matter—crocodile tears about their concern for the trust fund, Medicare trust fund, and how it was being raided, they alleged, by the Republican side of the aisle.

We made a firm, unalterable commitment to Medicare. We recognize on our side that Medicare remains probably the single most difficult entitlement program, from the standpoint of fiscal solvency, that we have on the books. Social Security is a tough one, but Medicare is even tougher. If we are going to address it effectively, we do need those revenues from the tobacco settlement in order to make sure that our seniors have a legitimate health insurance program.

So this proposal that we have in this budget to put the money into Medicare is the most logical place that it should go. It should not go to some new program that the President announces. Every day, he seems to announce a new program on the basis of the tobacco settlement. There was a week where I think literally every day of the week he announced a new program.

Let's support the programs we have on the books, both in education and in health care.

The tobacco settlement raises other issues, issues that I am concerned about. I read in the papers about the movement toward an agreement on the tobacco settlement. From my standpoint, I find the issue of immunity to be really the core issue of how this settlement comes down. Of course, it is the issue of immunity which the tobacco companies are trying to buy as they try to settle this lawsuit—this situation; it is not a lawsuit. It is a lawsuit in some areas but not a lawsuit at the Federal level. They are trying to buy immunity, and I have a lot of problems with that, and I should think any thinking Americans would have a lot of problems with that.

Basically, what we would be doing if we give the tobacco companies immunity—remember that we as a Congress have been unwilling to give product liability protection, not immunity, just plain little old protection to company after company that functions across this country producing legitimate products that make sense for the American people, that they use regularly and that they need, whether it happens to be your toaster oven, or whether it happens to be some gadget in your car, or whether it happens to be some other item—your computer screen. Company after company which has sought product liability reform in this Congress has met with a stone wall. The only product liability we have given in this Congress over the last 10 years has been for the small plane producer, which was a very good decision, and it has worked great for them.

For every other industry in this country, legitimate industries producing legitimate products that are used daily by Americans and that benefit Americans—benefit Americans—we have said no, absolutely no product liability protection.

Yet, the tobacco companies come to us—the producers of a product which, by its very nature, causes an addiction which it appears the tobacco companies knew caused an addiction, the purpose of which was to not only addict Americans generally but specifically targeted at our kids to addict them to something that will kill them—when the tobacco companies come to us, we say, ''Oh, maybe we should give them immunity.''

What great irony. What incredible irony. We won't give immunity to the person who is making the toaster oven or the person who is making the computer or the person who is maybe making the device that allows somebody to live longer and live a better life, but we will give immunity to companies which are producing a product the purpose of which is to kill people, addict people and specifically targeted on our kids. I just find it incredible—incredible—that we would be considering that.

What is the argument for giving immunity? ''Well, if we don't give them immunity, the tobacco companies won't agree to advertising restraints.'' That is the only thing they give us for their immunity. We allow them to continue to produce a product which is inherently deadly, which is addictive, and what do we get? We get a little less of Joe Camel. What a great deal that is for the American people and for this Congress. It is absurd. Yes, we can't put limitations on their advertising without their agreeing to it because of the first amendment, in many ways, but there are limitations we can put on that are within the first amendment.

More importantly, we could act unilaterally as a Congress in all the other areas of this tobacco settlement, whether it has to be raising the cost of cigarettes so they become less marketable—which is exactly what we should do—whether it happens to be addressing the issues of immunity, or whether it happens to be initiating our own counteradvertising campaign, and certainly the Government of the United States has the capacity, the will and the dollars to do that without any question in a manner that will be equally effective. I will be happy to go into the arena of advertising and debate the issue.

We can do everything in this tobacco settlement without granting immunity, but by granting immunity, we get virtually nothing. All we get is the tobacco companies agreeing to advertising limits. To me, it is inherently inconsistent and affronts the logic of the institution for us to be having our first major product liability protection flow to companies, flow to an industry which is producing a product the purpose of which is to addict people, specifically children, with the knowledge that it will kill them. It makes no sense.

For that reason, I am offering a sense-of-the-Senate amendment on the issue of immunity.

I ask unanimous consent that the pending amendment be set aside, and I send an amendment to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from New Hampshire [Mr. GREGG] proposes an amendment numbered 2167.

Mr. GREGG. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of title III, add the following:

SEC. 3 . SENSE OF THE SENATE CONCERNING IMMUNITY.

It is the sense of the Senate that the levels in this resolution assume that no immunity will be provided to any tobacco product manufacturer with respect to any health-related civil action commenced by a State or local governmental entity or an individual prior to or after the date of the adoption of this resolution.

Mr. GREGG. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. GREGG. Mr. President, what this amendment says is it is the sense of the Senate that we won't grant immunity. Really this is a very simple vote for people. You can either come down on the side of setting the worst precedent I can imagine, which would be that the first major product liability reform in this country would be immunity, total absolute immunity, for all intents and purposes, granted to tobacco companies in exchange for their paying us money which we could obtain, if we decided to go that route, through some other policy without having to grant immunity.

The same amount of revenue can be generated a number of other ways without their agreement for advertising restraints, which means little to us, because we can address the advertising in other forums. For those two reasons, we grant immunity and, in the process, give a product which, as I mentioned a number of times, is inherently harmful, addictive, and aimed at our children and kills you, protection from lawsuits. It makes no sense.

Thus, I think the Congress should speak on this. I know a number of committees in the Congress are addressing this issue right now. They are negotiating through the process. But I believe we should as a Congress, as a Senate, speak on it early so that we lay out the framework of this debate early. If Members feel there is some value from giving immunity, let them vote that way. From my point of view, there is no value in giving this type of immunity. I just don't think the pluses outweigh the minuses in any sense of the word.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. KENNEDY. I ask that that request be withheld.

Mr. GREGG. Reserving the right to object.

The PRESIDING OFFICER. We have a reservation of a right to object.

Mr. GREGG. Mr. President, I simply don't want to yield back the time on my amendment. I will be happy to have the Senator proceed——

Mr. KENNEDY. On the bill, on our time.

Mr. GREGG. Right.

Mr. President, I ask unanimous consent that the Senator from Massachusetts proceed under the bill and not under the time on my amendment which is pending.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. I thank the Senator.

Mr. President, over the next few days, we will cast important votes on the budget resolution, including some of the most important votes this year on education priorities. We will also address issues affecting children, health care, enforcement of our antidiscriminatory laws, and on the proposed tobacco legislation.

I look forward to those debates. We will be having virtually all of them within a relatively short period of time. We will be debating many public policy questions. I want to take a few moments this afternoon to address some of those issues that I believe deserve the attention and support of the Members of the Senate.

We will consider a very important amendment by the Senator from the State of Washington, Senator MURRAY, on reducing class size. The President proposed to help ensure high academic achievement by all students by reducing the ratio of the number of teachers per student. It would help increase effective communication between the

teacher and the students, and give students more individual attention. The President's proposal will help reduce class size by increasing the total number of teachers for students in K through 12. We are going to have to actually increase the number of teachers by 50,000 a year just to maintain the current ratio of teachers to students, and this doesn't take into consideration the fact that in many parts of the country, we have an aging teaching population, as well as current shortages of teachers.

There was a request by the President of the United States to recognize that need and to also commit resources to that effort, and that was turned down by the Republican Budget Committee. The Budget Committee did not address the need to modernize our schools, even though a General Accounting Office study showed that we need over $110 billion to ensure that students in our schools are safe and secure, free from environmental hazards, and in an atmosphere and climate where students can grow and learn. That effort, led by Senator CAROL MOSELEY-BRAUN, would provide $22 billion in bonding authority to States and communities—and they would get the bonds interest-free.

The President has also advanced a concept called education opportunity zones. We should help school districts and communities address the challenges that they are facing, whether it is academic failure or significant problems in school dropouts or other kinds of difficulties giving them needed resources to implement creative and innovative reforms that work for their communities.

Chicago, for example, seems to be having success with its reforms. This city is tackling school reform head on, and it's working. We should help more communities that are attempting to do that. But the Republican budget ignores those needs, and turned down the Education Opportunity Zones proposal as well.

The Republican Budget ignores the fact that 5 million children were going home to empty homes or empty apartments, unattended, unsupervised, after school. Their only friend was a television set—with all of the problems and challenges that exist out there for young students, creating temptations for misbehaving. After-school programs have been so successful in this country, and they have had a dramatic impact in reducing violent crimes, reducing teenage pregnancy, and increasing academic achievement. Some of the programs I have seen in Boston help students develop skills that might eventually develop into job skills in photography or in cooking.

Parents and students alike support after-school programs. Parents know their children are safe and engaging in productive activities, and when they get home, the children have done their homework and are able to spend quality time with their parents.

It is clear that the Republicans do not want to address these issues. Perhaps we will have a chance later on in the Congress to resurrect these measures. But the way that the procedures work here, they will need what we call a supermajority, not just a bare majority, to get approval—we will need more than 60 in order to be successful.

So these debates will be very, very important in these next few days. We also should support efforts to increase funding for the IDEA program, for children with disabilities. There was some increase in those funds, but not nearly to the degree that they should be. We ought to at least have an opportunity to debate those issues and make a judgment on them.

We are effectively cut into a short period of time as a result of the Budget Act. And then when we return after the Easter break, we are restricted further on debate on the Coverdell bill. So it is obviously frustrating, when we know that the American people put the question about education front and foremost, but we are not being able to give the kind of full attention and support that we think these issues require.

Nonetheless, I wanted to say why I support the proposal that Senator MURRAY will be advancing and we will have an opportunity to debate on tomorrow, on the question of reducing the class size in grades K through 3 across the country.

And I say, Mr. President, I hope that all of our Members will pay special attention to Senator MURRAY as a former schoolteacher, former member of a school board, someone who has been active in the local life of a community, in the school policy issues. She brings enormous, refreshing insight and awareness and understanding of what really works in local communities, and I congratulate her on her leadership on this particular issue. I think all of us who listen to her benefit immensely from her range of knowledge, her understanding, and her real insight into education issues, and particularly when she speaks to the importance of reducing class size in grades K through 3 across the country.

A necessary foundation for success in school is a qualified teacher in every classroom to make sure that young children receive individual attention. That is why it is so important we help bring the 100,000 new qualified teachers into the public schools and reduce class size in the elementary schools. Research has shown that students attending small classes in the early grades make more rapid progress than students in larger classes. The benefits are greatest for low-achieving, minority, and low-income children. Smaller classes also enable teachers to identify and work effectively with students who have learning disabilities and reduce the need for special education in later grades.

A national study of 10,000 fourth-graders in 203 school districts across the country and 10,000 eighth-graders in 182 school districts across the country found that students in small classes perform better than students in large classes for both grade levels. Gains were larger for fourth-graders than eighth-graders. Gains were largest of all for inner-city students in small classes. They were likely to advance 75 percent more quickly than students in large classes.

Another significant analysis, called Project STAR, studied 7,000 students in grades K through 3 in 80 schools in Tennessee. Again, students in small classes performed better than students in large classes in each grade from kindergarten through third grade. The gains were larger for minority students.

We also know that overcrowded classrooms undermine discipline and decrease student morale. Many States and communities are considering proposals to reduce class size, but you cannot reduce class size without the ability to hire additional qualified teachers to fill the additional classrooms. And the Federal Government should lend a helping hand.

This year, California Governor Wilson proposed to spend $1.5 billion to reduce fourth-grade classes to 20 students or less, after having reduced class sizes for students in grades K through 3 last year.

In Pennsylvania, a recent report by the bipartisan legislative commission on urban school restructuring recommended capping class sizes in kindergarten through grade 3 in urban districts at 20 students per teacher.

In Wisconsin, the Student Achievement Guarantee In Education Program is helping to reduce class size in grades K through 3 in low-income communities.

In Flint, MI, efforts over the last 3 years to reduce class size in grades K through 3 have led to a 44 percent increase in reading scores and an 18 percent increase in math scores.

Congress can do more to encourage all of these State and local efforts. We've tested the effects of reducing class sizes, and we are seeing positive results. But it is only taking place in a handful of places across the country. The Murray amendment will take the success of those particular impressive outcomes and make them available to other communities across the country so that when the demonstrated success is out there, it will be replicated and duplicated all across the Nation.

This is a concept whose time is overdue. We have an excellent opportunity to make a very, very important contribution to helping local communities. This is a partnership between the local, State, and the Federal Government. We have all acknowledged that our participation at the Federal level is extremely small, about 7 cents out of every dollar. This is a modest program but one that can demonstrate very, very significant. We can help lead the way in reducing class size. I certainly urge my colleagues to support Senator MURRAY's amendment and to

increase our investment in education. The Nation deserves our support.

TOBACCO LEGISLATION

Mr. President, on another subject, while I have great respect for the time and the effort which the chairman of the Commerce Committee has devoted to tobacco legislation in recent weeks, the proposal he announced over the weekend is inadequate to address the public health crisis of youth smoking.

The seriousness of the threat to our children requires a much stronger response. The chairman's mark does too little to protect children from smoking, and it does far too much to protect the tobacco industry from its victims. On each of the key issues, this proposal falls short of what comprehensive tobacco control legislation should be.

First, the significant price increase of $1.10 per pack over 5 years, which the Commerce bill proposes, is not substantial enough to produce the dramatic reduction in youth smoking which all of us desire. Public health experts have concluded that an increase of $1.50 per pack swiftly instituted and indexed for inflation is necessary to achieve our youth-smoking-reduction goals.

Dr. Koop and Dr. Kessler, the National Academy of Sciences, the ENACT Coalition, and the Save Lives, the Not Tobacco Coalition have all stressed the importance of a price increase of at least $1.50 per pack. Nearly half the Members of the Senate have already cosponsored bills proposing a $1.50 per pack increase within 3 years. The Budget Committee also endorsed a $1.50 increase on a bipartisan vote of 14–8.

According to Deputy Treasury Secretary Lawrence Summers, every 10 cents in price will reduce youth smoking by 270,000 children over 5 years. Thus, the difference between $1.10 and $1.50 will be more then one million additional kids smoking in the year 2003.

Only an increase of at least $1.50 a pack can reduce youth smoking to the targets outlined in the June 20 settlement, which is 60 percent in 10 years, and prevent these additional children from a lifetime of nicotine addiction and tobacco-induced diseases.

One million young people between the ages of 12 and 17 take up this deadly habit every year—3,000 smokers a day. In fact, the average smoker begins smoking at the age of 13 and becomes a daily smoker before the age of 15.

These facts are bad enough, but the problem is growing worse. According to a spring 1996 survey conducted by the University of Michigan Institute for Social Research, the prevalence of teenage smoking in America has been on the increase over the last 5 years. It rose by nearly one-half among 8th graders and 10th graders, and nearly a fifth among high school seniors between 1991 and 1996.

I point out on the floor that we have seen a dramatic difference in our own State of Massachusetts where we have reduced the consumption by a third of the national average. It is very interesting. We had a very modest increase in the cost of tobacco in my State, but we also had a counteradvertising campaign. And lo and behold, the tobacco industry reduced the prices to absorb all of the increase that had been required by the State. But with the tobacco education campaign, we saw a reduction of a third as measured to other kinds of nationwide figures.

So the point that we are making here is that with the additional $1.50 to $2, which virtually every one of the public health authorities have mentioned to be essential within the short period of time of 3 years, and the attendant kind of counteradvertising campaign and the cessation programs to help to assist kids to stop smoking and the support for antismoking campaign efforts by nonprofit and community-based organizations—all of those programs can have a dramatic impact.

Now we know that there will be those who say—$1.12 at least is where the President's request would have been in terms of his budget submission. But the fact is the President and the Vice President, the administration, have basically supported the $1.50 in the shorter period of time. I hope that we are not looking for what is the least we can do for the young people of this country. I hope what we would be saying as a test is that we are looking for what is in the best interest of the young people of this country. How are we going to set that standard? Rather than what is the least we can penalize the tobacco companies in order to please them, we ought to be looking for what is in the best interest of these young people in order to meet that particular responsibility.

Mr. President, I hope we will have an opportunity to vote on that during the course of the consideration of the budget. I know we have inclusion in the budget of $1.50 per pack, but I hope that we will, or I expect we will, have a chance to vote on $1.50 as well and put the Members on record on this particular issue, and I welcome the chance to support that if our leaders, Senator CONRAD and Senator DASCHLE, offer that.

We have a very simple way of doing this, making sure the FDA is going to have the kind of legislative authority to be able to deal with the problems of addiction. And it is very clear what words have to be added to the authority of the FDA to be able to do that. We know the FDA will have the authority and the power to do so. However, the Commerce Committee refused to accept this regulatory approach, and they have other language in there which I am very much concerned may create endless litigation opportunities for America's most litigious industry, big tobacco.

We will look forward to seeing the details of the language. Again, I wonder why we don't try and do it right, do what is in the public health's interest, but that is the standard rather than what is more acceptable to the tobacco industry.

I know our friend and colleague, Senator CONRAD from North Dakota, will go into considerable detail. The fact is that these look-back provisions in the Commerce Committee draft are fundamentally flawed, and I think all of us in this body understand if we don't have adequate penalties, then we really don't have adequate protections. Penalties have to be effective, at least have an effective action in discouraging youth from smoking. As designed in the Commerce Committee proposals, I believe they are woefully lacking.

Once children are hooked into cigarette smoking at a young age, it becomes increasingly hard for them to quit. Ninety percent of current adult smokers began to smoke before they reached the age of 18. Ninety-five percent of teenage smokers say they intend to quit in the near future—but only a quarter of them will actually do so within the first eight years of lighting up.

If nothing is done to reverse this trend in adolescent smoking, the Centers for Disease Control and Prevention estimate that five million of today's children will die prematurely from smoking-caused illnesses.

Increasing cigarette prices is one of the most effective ways to stem this tide. Study after study has shown that it is the most powerful weapon in reducing cigarette use among children, since they have less income to spend on tobacco and many are not already addicted.

An increase of $1.50 per pack in cigarette prices is also realistic. It will not bankrupt the industry, which will pass it on in the form of higher prices. If we increase the pack by $1.50, the total cost will be $3.45 a pack—still lower than the cost in many European countries —$3.47 in France, $4.94 in Ireland, and $5.27 in England.

Secondly, I am concerned about the FDA provision in the Commerce Committee draft. It will not allow FDA to regulate nicotine as a ''drug'' and cigarettes as ''drug delivery devices.'' Public health experts strongly believe that this is the most effective way to regulate tobacco products. When the Commerce Committee refused to accept this regulatory approach, compromise language was drafted to create a new FDA chapter for tobacco products. I am concerned that this approach will create endless litigation opportunities for America's most litigious industry—Big Tobacco. Why not provide the public health advocates with the legal tools which they believe will be the most effective in regulating tobacco products? Why place unnecessary hurdles in their path?

Third, the lookback provisions in the Commerce Committee draft are fundamentally flawed. The penalties for the tobacco industry's failure to meet the youth smoking reduction targets are arbitrarily capped at $3.5 billion, which is the equivalent of only 15 cents

a pack. An increase this small will hardly give tobacco companies a strong economic incentive to stop marketing its products to children. It will just become a cost of doing business. This proposed cap will destroy the effectiveness of the lookback penalties as a meaningful deterrent.

In addition, the penalties are imposed on an industry-wide basis, which removes the incentive for an individual company to stop marketing its products to children. In fact, the Commerce Committee draft will create a perverse incentive for a company to increase its marketing to children. Each company knows that if it captures a greater youth market share, its own costs will rise by no greater an amount than its competitors, while its future profits will be increased and its competitors will bear a portion of the cost associated with gaining that long-term competitive advantage. It is critically important that the penalties are assigned on a company-specific basis to give each individual company a strong economic incentive to discourage children from beginning to smoke.

The targets for the reduction in smokeless tobacco use among children are also not in parity with the targets for cigarette use reduction.

The use of oral snuff and chewing tobacco is a serious public health problem. It causes cancer, gum disease, tooth loss, as well as nicotine addiction and death.

The Committee should not let smokeless tobacco products become a cheaper substitute for children if the price of cigarettes increases due to the lookback penalties. In Massachusetts, once the price of oral snuff and chewing tobacco was brought into parity with cigarettes, its use among adolescents fell by over two-thirds between 1993 and 1996. Smokeless tobacco deserves equal attention, and we should expect similar reductions in use among children.

Fourth, the environmental tobacco smoke provisions are clearly unacceptable. States will be allowed to opt out of providing protections from exposure to secondhand smoke to workers and their families. This means there will be no national minimum standard to protect non-smokers, particularly children, from exposure. The Commerce Committee draft also exempts restaurants from smoke-free requirements, despite the fact that the Journal of the American Medical Association has reported that environmental tobacco smoke exposure for restaurant workers are estimated to be two times higher than for office workers, and at least 1.5 times higher than for persons who live with a smoker.

Fifth, the provisions on document disclosure in the Commerce mark are grossly inadequate. It would not require disclosure of many of the most significant documents. It would allow the industry to hide behind a ''trade secret'' privilege no matter how significant the information concealed was to advancing the public health.

Sixth, while the Chairman has not yet publicly disclosed the full extent of the litigation protection he intends to offer the industry, the proposals being promoted in private discussions are truly draconian. They would prohibit all class actions for past misconduct, prohibit punitive damages for past misconduct, prohibit all third party claims and impose other serious restrictions on aggregation of claims. Collectively, these restrictions would make it practically impossible for the victims of smoking induced illness to recover from the industry whose product is killing them. We must not bar the courthouse doors to the victims of the tobacco industry. I hope these extreme and grossly unfair proposals are never put before the Commerce Committee.

One litigation protection for the tobacco industry is already in the Commerce Chairman's mark. It is really the ultimate protection any industry could be given. On page 96 of the draft, tobacco companies are granted an 80 percent tax credit for money paid in judgments or settlements for lawsuits. In plain language, this means that the American taxpayers will pay 80 cents of every dollar the industry is ever required to pay to its victims. Instead of using the money raised by the $1.10 per pack cigarette price increase to deter youth smoking, to conduct anti-smoking education and counter-advertising campaigns, to assist smokers who want to quit, and to conduct medical research into smoking related diseases, this legislation proposes to give it back to the tobacco industry to cover its litigation losses. This outrageous idea should be rejected by all one hundred Senators. Congress was embarrassed last summer by the $50 billion tobacco industry tax credit snuck into the Balanced Budget Act. Enactment of the tobacco company tax credit in the Chairman's mark would be an even greater embarrassment.

The legislation which the Commerce Committee is scheduled to consider this week is seriously flawed. It should be sent back to the drawing board for a major redesign. Congress has an extraordinary opportunity this year to protect generations of children from a lifetime of addiction and premature death. To accomplish that great goal will require a much stronger bill than the one currently before the Commerce Committee.

I want to next address the child care challenges that we are facing in the budget. President Clinton is right in giving it a high priority. Cutting-edge research is giving us a greater understanding of the great significance of the early childhood years and development. Obviously, the best possible care should be available and affordable, and it should be quality. That is central to what this issue is really all about.

We know we need more child care and child development programs. We know we need money to pay for those programs. The Senate Democrats have proposed increasing our commitment to child care improvements by at least $14 billion in mandatory spending over the next 5 years. This was immediately attacked as ''big government spending'' on new programs. Why is it only when the investment is in our children that it is considered ''big government spending''?

The Republican budget would preclude the possibility of child care legislation beyond their proposed increase of $5 billion in discretionary authority for the Child Care and Development Block Grant and $9 billion in tax cuts. Both of these approaches are problematic. We know we will never see discretionary money for child care, given the discretionary spending squeeze.

Obviously, these child care dollars would only become available if offsets were made in other discretionary programs, and programs for low-income children and families are always most vulnerable. In addition, the proposed tax cuts are unlikely to help the very families who most need assistance in paying for child care—low-income working families. As long as the dependent child care tax credit remains nonrefundable, expanding it does nothing to assist low-income working families, who have no tax liability. In effect, the child care proposals in the Republican budget are empty promises that simply give Republicans a chance to say that they have done something for child care. Our children and families need guarantees. We must have real, mandatory money for children and their families.

On another issue, employment discrimination takes many forms, whether based on gender, age, race, or national origin. Bigotry in the workplace undermines the fabric of our country and society.

When the Civil Rights Act of 1964 was signed over 30 years ago, Congress intended that the Equal Employment Opportunity Commission serve as a national watchdog against workplace discrimination. The Agency's mission is laudable. It has been an important force in curbing real and widespread problems of work force bias.

For example, the EEOC was able to reach a settlement with Del Laboratories after 15 women brought charges alleging several decades of egregious sexual harassment. The Agency was also able to end 15 years of discrimination against African Americans and women at Estwing Manufacturing Company. Estwing had a policy of race-coding applications to prevent the hiring of African Americans and refusing to hire women to perform certain jobs.

Who can forget the outrageous incidents of gender discrimination taking place at Mitsubishi Motor Company. The EEOC is currently representing over 300 women in that Mitsubishi legislation.

In recent years, the Agency has ''reinvented'' itself, and, without additional resources, managed to decrease the number of cases waiting for investigation and resolution. There is a

limit, however, to what the EEOC can do without a budget that reflects its responsibilities.

I urge my colleagues to support the President's request for $279 million for the EEOC. The Senate must earmark these funds for the Agency. It is the right thing to do and this is the time to do it.

MEDICARE

Too many Americans nearing age 65 face a crisis in health care. They are too young for Medicare, but too old for affordable private coverage. Many of them face serious health problems that threaten to destroy the savings of a lifetime and prevent them from finding or keeping a job. Many are victims of corporate down-sizing or a company's decision to cancel the health insurance protection they relied on.

Three million Americans aged 55 to 64 are uninsured today, but no American nearing retirement can be confident that the health insurance they have today will protect them until they are 65 and are eligible for Medicare.

The consequences of being uninsured at this age are often tragic. As a group, they are in relatively poor health, and their condition is more likely to worsen the longer they remain uninsured. They have little or no savings to protect against the cost of serious illness. Often, they are unable to afford even the routine care that can prevent minor health problems from turning into serious disabilities or even life-threatening illness.

If we do not act to stem this trend, the problem will only get worse. Between 1991 and 1995, the number of workers whose employers promise them benefits if they retire early dropped twelve percent. Barely a third of all workers now have such a promise.

In recent years, many others who have counted on an employer's commitment found themselves with only a broken promise. Their coverage was canceled after they retired.

For these older Americans left out and left behind through no fault of their own after decades of hard work, it is time to provide a helping hand.

Democrats have already introduced legislation to address these issues—and the budget must provide for its enactment. The legislation allows uninsured Americans age 62–64 to buy in to Medicare coverage and spread part of the cost throughout their years of eligibility through the regular Medicare program. It allows displaced workers aged 55–62 to buy into Medicare to help them bridge the period until they can find a new job with health insurance or until they qualify for Medicare. It requires companies that drop retirement coverage to allow their retirees to extend their coverage through COBRA until they qualify for Medicare.

This legislation is a lifeline for millions of older Americans. It provides a bridge to help them through the years before they qualify for full Medicare eligibility. It is a constructive next step toward the day when every American will be guaranteed the fundamental right to health care. It will impose no additional burden on Medicare, because it is fully paid for by premiums from the beneficiaries themselves.

MANAGED CARE

A week ago, Helen Hunt received an Oscar for her role as the mother of a severely asthmatic child in the movie ''As Good As It Gets.'' In the movie, she delivers a line of unrepeatable insults aimed at her son's HMO. And audiences across the nation burst into applause and hoots of knowing laughter. In some cases, life imitates art. In this case, however, art imitates life.

We face a crisis of confidence in health care. A recent survey found that an astonishing 80 percent of Americans now believe that their quality of care is often compromised by their insurance plan to save money. Another survey found that 90 percent of Americans—men and women, across the political spectrum—say a Patients' Bill of Rights is needed to regulate health insurance plans. And they report that they are willing to pay for it, despite a campaign of disinformation from the business community and insurance industry.

One reason for this concern is the explosive growth in managed care. In 1987, only 13 percent of privately insured Americans were enrolled in HMOs. Today 75 percent are in some form of managed care.

At its best, managed care offers the opportunity to achieve both greater efficiency and higher quality in health care. In too many cases, however, the priority has become higher profits, not better health.

The list of those victimized by insurance company abuse grows every day.

These abuses are not typical of most insurance companies. But they are common enough that Congress needs to act to protect the American public. A recent report in California found that 17 percent of managed care enrollees developed permanent disabilities as a result of plan denials. The Clinton Administration is prepared to support legislation to address these issues. Members on both sides of the aisle in both chambers are prepared to act. And the time to act is now.

We need to ensure access to appropriate specialty care—care that people pay for through their premiums, deductibles and copayments. We need to ensure that patients have the rights to appeal plan denials, especially those that threaten the life, health or future potential of those in need of services. We need to take action to monitor and improve the quality of care for everyone. We need to make plans accountable for their decisions, and provide all patients, regardless of whether they receive their insurance in the individual market, from a public program or through an employer, with the right for redress when plan denials result in injury or death. We need to simply make sure that people are aware of their rights and able to compare their options—when they are fortunate enough to have a choice of plans.

Legislation must be carefully crafted, so that it curbs abuse without stifling innovation and appropriate measures to control costs, but action is essential. The American people know that the current system is out of control, and they want protection. This can be the Congress that finally enacts a health insurance bill of rights to assure that patients receive the protection their insurance company promises but too often fails to deliver. Our national bottom line must be patient needs, not industry profits.

CHILDREN'S HEALTH

Last year, we created a new children's health program designed to reach uninsured children in working families whose income is too high for Medicaid but too low to afford private health insurance. We made an unprecedented investment of 24 billion dollars over the next five years. More than 10 million children are uninsured, and approximately one-third of those children are already eligible for, but not participating in, Medicaid. We need to do more to enroll children in the programs for which they qualify. And we need to ensure that the proper resources and options are available to states to encourage enrollment in the new program.

The President included proposals in his budget to expand the outreach opportunities available to states. They were paid for by other administrative savings in Medicaid. But they have mysteriously disappeared in this Republican budget. Instead, it appears that the savings extracted from a program that serves primarily low-income women and children are being used to buy bridges and roads. Gone are the provisions, scored by CBO at only $400 million, that would help states fulfill our goal of enrolling every eligible child in the health insurance program for which they qualify. Why? They could have included the outreach provisions and still had a billion dollars to spend on other priorities.

Mr. President, these games have to stop. When the Congress acts to provide its citizens with opportunities, we should make every effort to follow-through with policies that address implementation concerns. If we really want children to receive the health insurance we extended to them last year, we need to fully fund outreach activities. This budget fails to deliver the funds necessary to ensure uninsured children receive the care to which they are entitled.

DISABLED PERSONS

Mr. President, I want to reinforce an issue of great importance to every American in this country that Senator JEFFORDS will be speaking about later today—the need for accessible and affordable health care for disabled persons, so they can work and live independently.

Disability does not pick its owner—it can happen to any of us here today, and we have seen many of our own colleagues and Members of this Congress struggle with the unexpected consequences of disability in their lives. Yet disability policies in this country continue to impoverish disabled persons and disregard their ability to be productive members of their community.

The lack of accessible and affordable health care is the reason that only one half of 1 percent of disabled persons ever go to, or return to work. There are 54 million disabled people in this country who may have the capacity to work but cannot because they are afraid of losing their health care.

This Congress needs to put in place health care options that support disabled persons to work, live independently, and be productive and contributing members of their community. I encourage your support in funding these options during this budget process.

Mr. CONRAD. Mr. President, I wish to recognize the leadership of Senator KENNEDY on the critical issue of protecting the public health and the tobacco legislation. He has been one of the most valued members of the task force on tobacco in the Democratic Caucus. No one has worked harder to make certain that we keep our eye on the ball of what are the important priorities. Over and over, he has reminded our colleagues that the priority is to protect the public health and to reduce teen smoking. Those are the things that I think all of us want to accomplish. I thank him publicly for the extraordinary leadership he has brought to the cause.

Mr. GREGG. Mr. President, I understand the Senator from North Dakota is willing to yield back the time remaining on my amendment.

Mr. CONRAD. We are prepared to yield back, and the Senator is prepared to yield back.

Mr. GREGG. I ask unanimous consent we both be allowed to yield back—I yield back my time.

The PRESIDING OFFICER. All time has been yielded back.

AMENDMENT NO. 2168 TO AMENDMENT NO. 2167

(Purpose: To express the sense of the Senate that this resolution assumes that no immunity from liability will be provided to any manufacturer of a tobacco product)

Mr. GREGG. I send to the desk an amendment in the nature of a second degree.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New Hampshire [Mr. GREGG], for himself and Mr. CONRAD, proposes an amendment numbered 2168 to amendment No. 2167.

Mr. GREGG. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike all after the first word and insert the following:

3 . SENSE OF THE SENATE CONCERNING IMMUNITY.

It is the sense of the Senate that the levels in this resolution assume that no immunity will be provided to any tobacco product manufacturer with respect to any health-related civil action commenced by a State or local governmental entity or an individual or class of individuals prior to or after the date of the adoption of this resolution.

Mr. CONRAD. I ask unanimous consent I be added as a cosponsor to the amendment that has been sent by the Senator to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. I understand Senator SESSIONS would like to get the yeas and nays on his amendment.

The PRESIDING OFFICER (Ms. COLLINS). The Senator from Alabama.

Mr. SESSIONS. Madam President, I ask for the yeas and nays on my amendment No. 2166 offered previously.

The PRESIDING OFFICER. Is there an objection to it being in order at this time for the yeas and nays?

Without objection, the Senator may request the yeas and nays.

Mr. SESSIONS. I request the yeas and nays of my amendment No. 2166.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays are ordered.

Mr. CONRAD. Now we go to the Senator from Arizona.

Mr. KYL. Madam President, I ask unanimous consent the pending amendment be laid aside for the purpose of offering an amendment.

The PRESIDING OFFICER. The amendment is laid aside.

AMENDMENT NO. 2169

(Purpose: To express the sense of Congress regarding freedom of health care choice for medicare seniors)

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 2169.

Mr. KYL. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of title III, add the following:

SEC. ___. SENSE OF CONGRESS REGARDING FREEDOM OF HEALTH CARE CHOICE FOR MEDICARE SENIORS.

(a) FINDINGS.—Congress finds the following:

(1) Medicare beneficiaries should have the same right to obtain health care from the physician or provider of their choice as do Members of Congress and virtually all other Americans.

(2) Most seniors are denied this right by current restrictions on their health care choices.

(3) Affording seniors this option would create greater health-care choices and result in fewer claims being paid out of the near-bankrupt medicare trust funds.

(4) Legislation to uphold this right of health care choice for seniors must protect beneficiaries and medicare from fraud and abuse. Such legislation must include provisions that—

(A) require that such contracts providing this right be in writing, be signed by the medicare beneficiary, and provide that no claim be submitted to the Health Care Financing Administration;

(B) preclude such contracts when the beneficiary is experiencing a medical emergency;

(C) allow for the medicare beneficiary to modify or terminate the contract prospectively at any time and to return to medicare; and

(D) are subject to stringent fraud and abuse law, including the medicare anti-fraud provisions in the Health Insurance Portability and Accountability Act of 1996.

(b) SENSE OF CONGRESS.—It is the sense of Congress that seniors have the right to see the physician or health care provider of their choice, and not be limited in such right by the imposition of unreasonable conditions on providers who are willing to treat seniors on a private basis, and that the assumptions underlying the functional totals in this resolution assume that legislation will be enacted to ensure this right.

Mr. KYL. Madam President, this amendment is a sense of the Senate entitled ''Freedom of Health Care Choice for Medicare Seniors.'' The purpose of this amendment is for Members of the Senate to go on record as supporting the eventual adoption of legislation that will ensure that all seniors have freedom of choice in obtaining health care services for themselves and members of their families.

As a result of the balanced budget amendment of last year, an amendment went into effect on January 1 that precludes most seniors from having this freedom to contract. While it establishes the principle that they may do so, it puts forth a condition that is virtually impossible for them to satisfy; namely, to find a physician who is willing to dump all of his Medicare patients for a period of 2 years prior to the time that their services are sought. As a result, it is impossible for most seniors to exercise a choice that is theoretically theirs in the law today.

This proposal to be amended into the Balanced Budget Act is to express our sense that we intend to adopt legislation later that will provide for this right. As a matter of fact, I have introduced legislation, as has Congressman BILL ARCHER from Texas in the House of Representatives, that would fulfill this commitment. Mine is Senate bill 1194, the Medicare Beneficiaries Freedom to Contract Act. We have 49 cosponsors for this at the moment, and I think number 50 is on the way. Clearly, it is a popular idea because of the expressions of concerns by our senior citizens that they would like to have the freedom to contract for the services they desire. In the House of Representatives, Representative ARCHER, chairman of the Ways and Means Committee, has over 190 cosponsors.

What is this sense of the Senate, and why do we need it? We believe the sense-of-the-Senate amendment here provides that Medicare beneficiaries should have the same right to obtain health care from the physician or provider of their choice as do Members of Congress and virtually all other Americans, and that there should be no unreasonable provisions or unreasonable

conditions that prevent them from obtaining this care. Moreover, we specifically provide that the assumptions underlying the budget resolutions assume that this legislation will be enacted.

So what is the problem here? Prior to January 1 of this year, and for all of the time that Medicare has been in effect, Americans have had the ability to go to the physician of their choice, and if that physician did not feel he could treat them under Medicare, or chose not to do so, or they chose not to be treated under Medicare, they would have the choice to contract outside of Medicare. Obviously, they had to pay the bill themselves.

For most Americans, Medicare is such a good deal that this was rarely taken advantage of. However, there are situations in which a senior citizen might want to take advantage of this requirement. It had always existed. For example, a constituent of mine wrote to me and pointed out that in her community there was only one specialist that she felt could take care of her particular kind of diabetic condition. She went to see that physician, and he said that since she was 65 years of age, she was a Medicare beneficiary, she was Medicare eligible, and since she was Medicare eligible, he would have to submit the bill to Medicare if he treated her, but that he could not take on any more new Medicare patients, that he had as many as he could afford to continue to provide care to. She said, ''No problem, I'll pay you. You bill me directly, and we will save Medicare the money.'' He pointed out—and verified this with the Health Care Financing Administration—that they would assume he had committed fraud if he took care of her, submitted the bill to her, and had her pay him directly.

Unless the bill is sent to Medicare, the care can't be provided. In effect, it is Medicare or no care. As of January 1 of this year, that is the law of the United States of America, believe it or not. Once you turn 65, you lose a right that all other Americans have, which is to go to the physician of your choice. It is Medicare or no care. You cannot contract outside of Medicare for Medicare-covered benefits. That is fundamentally un-American.

If you have saved all of your life to provide for health care for yourself, your spouse, and your family, you are going to do anything within your power to help your spouse, let's say, who is ill, and if she wants to go to someone who is not treating new Medicare patients, for example, or is a non-Medicare-treating physician, you are going to spare no expense to save her life. I had this happen to a friend of mine. I was able to get a compassionate release from FDA to get an experimental drug so she could use it in the last few months of her life. Unfortunately, she passed on anyway. Her husband was willing to do anything to preserve her life, go to any lengths.

Are we going to tell senior citizens in the United States they can't do that, they can't go to the doctor of their choice, that they have to go through Medicare or they can't be cared for at all? If they can't find somebody willing to treat their particular condition under Medicare, that is it, sorry, this is the United States of America, but they don't have that right anymore?

If you are 64 and a half, of course, you have that right. If you are a Member of Congress, you have that right. If you are in Great Britain, under a socialized medicine system, you have that right. Even in Great Britain, which has socialized medicine, you can either go to that program or contract privately, so long as you pay the bill yourself. That is all we are asking for the United States of America. Yet, under an amendment that the President insisted be part of the Balanced Budget Act of last year, that right has been taken away from seniors in this country.

All over the country, seniors are beginning to complain because they have figured out what has been taken away. This is one of the first things being brought up in town hall meetings. They ask me, ''Why are you taking away the Medicare rights?'' I have said, ''Look, I didn't do it. I didn't know that agreement had been struck in the middle of the night and snuck into the Balanced Budget Act. Everyone voted for it, and we knew nothing about it. A couple of days later, it was revealed that the President had insisted that this provision go into the law.''

So, Madam President, I think it is important for the Members of the Senate to go on record in the Budget Act here as supporting the principle of freedom to contract. The measure I have introduced has all kinds of safeguards to prevent fraud and abuse. We can have a good discussion about exactly what those should be. If you have a suggestion on how to make it better, fine with me, let's talk that out. At some point, we will actually bring that legislation to the floor and have that debate.

I think all of us can agree on the basic principle that, A, we should have the freedom of choice to contract with the physician of our choice in this country; B, there should be adequate provisions to prevent fraud and abuse; and, C, we need to get this done as soon as possible. That is what our sense of the Senate calls for, Madam President. I hope that those people who have expressed opposition to this legislation will come forward and debate the issue. Let's have an open public debate, because the people of America need to understand what the Congress and the President did to them last year when it took away this fundamental right. Those of us who believe in the principle of doing everything you can for your loved ones need to support this.

One final thought before I sit down. This law that is currently in effect is just like saying to seniors on Social Security that the only way you can provide for your retirement, your financial needs, is through the Government's Social Security system; you can't save any money, you can't have any stocks and bonds, you can't have any pension, you can't have any insurance annuities—none of that; it is either the Social Security system, the Government program, or no system. That is what we have said with regard to health care—you either take the Medicare health care program or nothing; you cannot contract outside of Medicare for covered benefits. As I said, it is ludicrous when you present it that way.

Opponents say that there might be some fraud and abuse here. I think that sells the physicians in this country and our senior citizens very short. I know of nobody more careful about their bills than seniors. I know my mom and dad are. They can tell you whether they were overcharged. We can put provisions in this to ensure that there is no fraud and abuse. I think it is fundamentally wrong for us to deny this right to citizens just because we feel there may be some physician out there who would abuse the system.

So I conclude by urging colleagues, when we have an opportunity to vote on this, to support this principle again in the Budget Act—and at this point it can only be a principle; it cannot be the effective legislation. We will propose that later. Surely we can support this principle through the sense of the Senate and, at a later time, actually support the legislation that would accomplish the principle.

Madam President, at this time I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. KYL. I thank my colleagues.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, earlier, Senator KENNEDY raised concerns about the tobacco legislation that is moving through Congress. Obviously, tobacco legislation is part of the budget resolution as well. The budget resolution provides a special reserve fund so that, in fact, if the tobacco legislation moves, it will be possible to use those funds for a number of purposes.

Senator KENNEDY had indicated that at the same time there is legislation moving through the Commerce Committee. He raised a number of concerns about the legislation as it has been described in the press. Madam President, just let me add my voice of concern to what we have heard about that legislation moving through the Commerce Committee. One of the major issues on comprehensive tobacco legislation is, Will this industry be given special, unprecedented protection—protection that has never been granted any other industry at any time? That is, special protection against suits by victims of the industry, whether they be individuals or third parties who have had

costs imposed on them by the use of tobacco products.

Madam President, the bill going through the Commerce Committee at this point is silent on the question of liability—liability for the tobacco industry. Being silent on liability in tobacco legislation is like having a discussion of the Titanic and failing to mention the iceberg. This is central to any discussion that anybody can have about tobacco legislation. How can you be silent on the question of liability?

Many of us believe that there should be no special protection granted this industry. Many of us believe it is inappropriate to give this industry, of all industries, the kind of unprecedented protection that they seek. It is troubling that we saw this industry come before Congress and swear under oath that their products caused no health problems, swore under oath that they had never targeted our kids for marketing and advertising, swore under oath they had never manipulated nicotine levels in order to make their products more addictive, and that their products were not addictive.

Now the documents have come out. The documents show that, without question, in fact, these products cause the health problems that they have sworn they do not cause. We know, based on the release of the documents, that they have targeted our kids for marketing and advertising. In fact, they have targeted kids as young as 12 years old in their marketing and advertising. The documents disclose it. The documents also disclose that they knew their products were addictive. The documents disclose that they knew they were engaged in these efforts, which they absolutely denied when they were before Congress. And now they come to us and they say, well, look, if we are going to be involved in this, you have to give us special protection.

The Senator from New Hampshire sent an amendment to the desk that says we ought not to give this industry immunity, we ought not to give them special protection, and we ought to deal with this industry the way we have dealt with every other industry; we ought to address head-on the problems that they create and do it without giving them some kind of special deal. I think the overwhelming majority of Americans would say that is exactly the right thing to do. We should not be giving them special protection. They don't deserve it. They don't need it. It is not necessary in order to accomplish the result.

So at some point very soon we are going to have a chance to debate and discuss the amendment of the Senator from New Hampshire. I just want to commend him this afternoon for offering that amendment. I look forward to the debate. I want to hear on the floor of the Senate the argument advanced that this industry should be given special protection. I want to hear people in public defend the position that this industry should be given special treatment. I want to hear on the floor of the Senate how somebody rationalizes and defends this industry. I don't think it is possible. I don't think it will stand the light of day.

Out here in the back room someplace when nobody is around and nobody is reporting, all of a sudden there is a lot of grave talk about, oh, we have to give this industry special protection. I want to hear those arguments made out here in the cold light of day. I want to see our colleagues have a chance to vote on the question of whether we are going to give special protection to this industry or not.

Madam President, I very much look forward to our debate and discussion on that question. I thank the Senator from New Hampshire for offering that amendment.

Mr. GREGG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Madam President, I certainly appreciate the support of the Senator from North Dakota on this amendment. I believe he has summarized the concern which I have as well. The fact is you can't defend immunity. It is just inconsistent with the policies of discovery to give immunity to a business which has basically targeted young people with an addictive product which was intended to kill them. The idea that we would start by giving immunity to that industry is not only ironic but totally wrong.

So I certainly appreciate the support of the Senator from North Dakota in this effort.

Madam President, I make a point of order that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ASHCROFT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ASHCROFT. Madam President, I seek the floor for purposes of speaking in regard to the budget resolution.

The PRESIDING OFFICER. The resolution is the pending business. The Senator is recognized.

Mr. ASHCROFT. Thank you very much.

Madam President, I rise today to express my opposition to the budget resolution.

More than just being an accountant's ledger, the Federal budget should embody our Nation's values. Yet, from looking through the budget, the values that are transmitted here seem to be nothing more than an inflated sense of Washington's self-arrogance. The budget represents Washington's arrogance, Washington's belief that the interests of the individual and individual taxpayers are second, if not third, fourth, or fifth, as compared to the bureaucrat and the bureaucratic appetite to consume resources at the Federal Government level.

I think it is a slap in the face of Americans who thought they sent individuals to Washington to curtail the size of Government, those who have worked to make sure that they sent individuals here to guard their freedoms. It is a challenge to them when they see the House and the Senate march steadily forward on bigger and bigger budgets consuming more and more of the resources of an average family. I believe that I was sent to Washington to cut taxes to make it possible for people to retain more of what they earn to spend on their own families rather than have Washington somehow come to the conclusion that Washington could spend the money more effectively on America's families than America's families could.

I oppose this budget based on the fact that it is designed to grow Government substantially and it is designed to take more and more of what people earn. I have prepared a series of proposals of $1 trillion in tax cuts and debt and tax limitation measures. I would like to see us put those in our public policy. But, frankly, there is really not a chance to do that because this budget and the budget rules that are proposed are designed to block such measures, ensuring that the priorities and judgments of the Budget Committee remain inviolable. I would like to explain in detail my opposition to this budget.

First, it increases the size of the Government. The budget resolution recommends that the Federal Government spend $9.15 trillion over the next 5 years. That represents a 17.3 percent increase over the previous 5 years. The past 5 years as compared to the next 5 years, a 17.3 percent increase. Five years from now the Federal Government would spend $276.5 billion more than it will spend this year. That is an increase of 16.5 percent.

So this massive growth of Government I don't believe is consistent with the mandate of the American people. Even President Clinton intoned in his State of the Union Message a little over a year ago that the era of big Government was over. He could hear the footsteps of the electorate in their steady march demanding that we have smaller Government—meaning greater capacity for our families. And, yet, here we go again. We have growth that amounts in the next 5 years to 16.5 percent.

Second, I oppose the budget because it takes far more tax revenue from the American people than ever before. The budget resolution recommends that the Federal Government collect $9.3 trillion in tax revenue over the next 5 years. That is a 27.5 percent increase over the previous 5 years. Five years from now the Federal Government would collect $327.9 billion more than it will collect this year. That is an increase of 19.5 percent.

Now that we know what the budget resolution does, we should address the one thing that the resolution does not do. This budget resolution does not cut taxes.

As a recent report by the Senate Republican Policy Committee reads, ''The fiscal year 1999 budget resolution provides for no reconciliation bill. It, therefore, contains no specific tax-cut instruction.''

Year by year, the amounts by which the aggregate levels of Federal revenues should be changed are as follows: Zero, zero, zero, zero, zero, zero.

The numbers in this resolution do not reflect that the report accompanying the resolution holds out the hope that Congress might pass a $30 billion tax cut over 5 years. $30 billion over 5 years is a number which might be hard for folks to anticipate. But here is what it amounts to. It amounts to $1.83 per person per month in terms of tax relief—$1.83 per person per month. Inflation may be tame. But even the most frugal consumer would be hard pressed to stretch $1.83 very far.

Looking at this another way, $30 billion in tax relief out of the $9.3 trillion in tax revenue represents a cut of three-tenths of 1 percent over 5 years. That is the equivalent of getting a 30-cent discount on a $100 order of groceries. And if that weren't bad enough, this budget resolution would consider offsetting those cuts with tax increases.

Page 70 of the committee report accompanying the budget resolution reads:

> This ''reserve fund'' would permit tax relief to be offset by reductions in mandatory spending or revenue increases.

This is no idle threat. The last page of the chairman's mark lists illustrative examples of taxes that could be raised, including taxes on vacation and severance pay, and adopting some of President Clinton's proposed tax increases.

I believe it is wrong for us to be considering tax increases, especially at a time when the average American is still working for the Government this year. I say ''still working for the Government this year'' because, according to authorities, we all work until May 9 now in order to pay for Government. It is only after we have worked all the way until the second week in May that we begin to pay ourselves instead of to pay our Government.

Compared to last year's resolution, this budget resolution recommends that the Federal Government collect $212 billion more in tax revenue than was recommended for the same period last year.

Whose interest does this resolution serve? As I mentioned earlier, this budget has its priorities upside down. They are inverted. They are skewed. My clear understanding of Government is that it exists to serve the people. But this budget has that backwards. This has people existing to serve the interests of Government.

Let me read a disturbing line from page 52 of the committee report accompanying the budget resolution:

> The tax writing committees will be required to balance the interests and desires of many parties while protecting the interests of taxpayers generally in drafting the tax cut.

Why did the Budget Committee feel a need to include a reminder in this report to keep the interests of the taxpayers in mind? Taxpayers should have been in the forefront of our mind. It read as if the interests of the taxpayers are secondary. That said, the American taxpayers deserve more consideration than this budget allows.

Relief for taxpayers cannot come a moment too soon, and we should have a budget which reflects our ability to constrict Government and to enlarge the capacity of individuals.

Allow me to place this budget package within the context of the overtaxed worker.

For the past 5 consecutive years, the growth in personal tax payments has outstripped that of wages and salaries. This is an important point. People have had their taxes going up faster than their salaries and wages have been going up. Not since 1980–1981 have there been more than 2 consecutive years in which tax growth had exceeded wage growth. Well, not until the past 5 years.

The average American now works until May 9, as I mentioned, a full week longer than the average American worked for the Government when Bill Clinton assumed the Presidency. The average American now is working to May 9 to pay Federal, State, and local taxes. Some individuals think that includes State and local taxes. What do we have to do with that? Frankly, a significant share of what State and local governments charge in terms of taxes is being charged because we have mandated programs on the State and local governments.

I can't help but think of President Reagan's definition of a taxpayer: ''Someone who works for the Federal Government but doesn't have to take a civil service exam.''

Frankly, all of us have been working for the Federal Government. We will all be working for the Federal Government until May 9 this year—for the government at least.

The last year that the Federal Government collected less tax revenue than it did the year before was 1983. That was 16 fiscal years ago. If you define a ''tax cut'' as when the Government collects less in taxes, we have not had a true tax cut since 1983.

Because of the tax increases of 1990 and 1993, taxpayers will give the Federal Government $600 billion more over the next 5 years than they would have otherwise.

Why are taxes so high? Taxes are high because Government is too big and because Government spends too much. Taxes are high because our budgets reflect that we believe that the bureaucracy is better at spending money on American families than American families are. I believe that is a mistaken belief.

This year the $1.7 trillion that Washington will spend is more, in inflation-adjusted dollars, than the Federal Government spent cumulatively from 1800 to 1940. Over the past 20 years, Congress has allowed Federal spending to increase 291.3 percent. Adjusted for inflation, that represents a real spending increase of nearly 60 percent. In the past 10 years nondefense Federal outlays adjusted for inflation have increased by one-third.

The last year that the Federal Government spent less than it did the year before was in 1965, 34 fiscal years ago.

When I entered the Senate in 1995, I hoped that the new Republican majority in Congress would pursue a general downsizing of the Federal Government, allocating to States and local governments, and, yes, to the best government of all, the family, which obviously finds the best department of social services and the best department of education, the best department of health when it spends its own resources fostering the needs, ambitions, aspirations, hopes, and achievements of the family, I had hoped that we would reduce the size of the Federal Government to make the resource allocation of this culture more effective and more efficient by placing it in the family and close to the family, where good decisions could best be made.

Despite our efforts, the Federal establishment is growing more costly and more intrusive than ever before. Federal spending has grown by $200 billion just since 1995. Nobel laureate Milton Friedman observed, ''Congress will spend whatever revenue it receives plus as much more as it collectively believes it can get away with.'' Another way folks say that, back in Missouri, is, ''We live by the 'they send it, we spend it' motto.''

Frankly, it is time to say to the American people ''You earned it, we returned it.'' We need to give to the American people some of their money back so they can make good judgments and good decisions of how to deploy their own resources on themselves and their families and in their own communities without sending it through the shrinking process of the bureaucracy in Washington, DC.

This budget resolution assumes a cumulative surplus of $149 billion before any tax cuts over the next 5 years. As each week passes, the call for new spending seems to grow. The Senate spent last week debating whether to pass emergency legislation that would breach the discretionary spending caps, including $4.48 million for maple syrup producers to replace taps and tubing damaged by ice storms in the Northeast.

Before closing, let me just reiterate my opposition to the resolution for these reasons:

No. 1, the budget increases the size of Government. It is time for us to increase the size of opportunity for American families.

No. 2, the budget resolution does not instruct Congress to cut taxes. We were

sent here to limit the size of Government, to cut the burden on the American people. The American people are paying more in taxes than ever before in history. It is time—we are not at war—to understand if we are at war, that we are at war with ourselves and we should stop taking so much of the resource of American families. We should make it available to them.

No. 3, when spoken about, the so-called predicted tax relief would be a proverbial slap in the face, or at least in the wallets, of the American people: $1.83 per person per month. You can't get a cup of gourmet coffee—I couldn't get it if I drank it—at that price.

No. 4, it would allow Congress to offset the tax cut with a tax increase rather than with spending cuts.

And, No. 5, it would have the Federal Government collect $212 billion more than the budget resolution agreed to just last year.

The Senate should reject this budget resolution and adopt a resolution that reflects the values of those who sent us here, one that curtails spending, one that provides tax relief, and one that further limits the Federal debt. I encourage my fellow Senators to vote no on this backwards budget, this budget that really believes and sets a value on the idea that Washington knows best.

It is pretty obvious to me that you let the person spend the money who you think can make the best investment. And it is pretty clear to me that Washington thinks it can make better investments and better judgments about our family and our culture than can people in their families and businesses in their institutions. I do not believe that Washington knows best. The genius of America is not that the values of Washington would be imposed on the people; the genius of America is that the values of people would be imposed on Washington. But this budget gathers to the bosom of the bureaucracy the capacity to confiscate the resources of the people and to spend them in an arrogant sense that we know better how to spend resources on America and her families than America's families do. Nobel laureate Milton Friedman observed Congress will spend whatever revenue it receives plus as much as they can get away with, and this is one of those settings where it looks to me like we are making that kind of commitment to expenditure.

I believe Members of this body should look carefully at this budget and should understand it does not reflect the values of the American people. It fails, for instance, to obliterate or to curtail or to remove the marriage penalty. If we want a system which would reflect the values of America, understanding that this country is most likely to succeed in the next century if we have strong families, then we would endow the family with strength and the finances to do what families ought to do. Instead, this budget resolution provides the basis for continuing the marriage penalty, which is really a way of fining people for being married and saying to individuals who are married in this culture: We will charge you $29 billion a year. That is the freight for being married in America.

It is time for us to abandon that and say what we want in this culture is lasting, durable marriages and families that will provide the basis for a culture in the next century which will allow America to continue to prosper and to lead. We cannot do that if we have a value system reflected in a budget which attacks America's principle of strong families rather than reinforces that principle.

I urge my colleagues in the Senate to reject this budget and to call for a budget which would reduce the impact and size and onerous burden of the Federal Government and to empower the people to make decisions that will foster families and institutions at the local level with the requisite strength to preserve and protect America's greatness.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JEFFORDS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JEFFORDS. Madam President, I am here today to discuss aspects of the budget. Today we continue the discussion on our 1999 budget, and I am generally pleased with the work that the committee has done. I am generally optimistic about our country as we progress, but today I wish to place an emphasis on education with a special emphasis on the congressional responsibility for the education of the children of the District of Columbia, the Nation's Capital.

In 1995, when the Republicans took over the leadership role in Congress, I became chairman of the subcommittee responsible for education on the Labor and Human Resources Committee. I also, as No. 13 in seniority on the Appropriations Committee, became the subcommittee chairman on the DC Appropriations Subcommittee.

Although I left the Appropriations Committee in 1997 to go to the Finance Committee, I vowed to continue my work for the schoolchildren of the District. I did so to follow through with the work I helped start in 1996, with the writing of the new education plan for the District.

Also, when I became chairman of the Labor and Human Resources Committee, I believed I had a special obligation for education in the District of Columbia. The Constitution, through the District clause, confirmed by the Supreme Court, endows in Congress the same powers over the District of Columbia that a State has—not only powers but responsibilities. Thus, Congress is responsible under the Constitution for the District's education. We must not forget that.

As Republicans, we believe strongly that State and local governments are the key players in establishing education policy. This conviction works beautifully for every State in the Nation except for the Nation's Capital. What an irony. We, as Republicans in leadership of this Congress, have not fully recognized that under the Constitution we must act as both the State entity for the District and the local governing entity for education.

In 1996, Congress did recognize that the District's educational system was indeed in trouble; in fact, the whole city was in deep trouble.

The control board was established to help the District's education crisis. The present DC education reform plan was written in the 1996 appropriations bill with assistance from Congressman Steve Gunderson, who had strong support from the Speaker, and also with the help of the then-Senate majority leader, Bob Dole. The implementation of this plan began in earnest under the leadership of General Becton and continues under Chief Academic Officer Arlene Ackerman. They recently gave a nationally known student achievement test to evaluate basic student performance in the District. It clearly established a severe problem. The Nation's Capital, for which we are constitutionally responsible, has the worst educational results in the country, including the worst student dropout rate of close to 40 percent.

In addition, through decades of neglect, the District of Columbia has one of the worst school infrastructure problems in the Nation. GSA found that $2 billion of repairs and improvements are needed.

When I took the chairmanship of the DC Appropriations Subcommittee in 1995, I immediately met with the superintendent, then-Superintendent Franklin Smith, who was a member of the DC school board.

They all had great intentions and great plans. And, in fact, they had great plans and great intentions for many years, but evaluation results got worse, not better. This was true even though teachers were teaching to the same tests they had been using since 1978. They told them what the tests were going to be. It was obvious that the superintendent of the school board had no control over the system.

The control board had been established realizing the dimension of the problem. This is back in 1996. They knew that the firm leadership with appropriate authority had to be established. In my mind, the board very wisely chose two generals to answer that challenge—General Williams as financial officer and General Becton as superintendent. In my opinion, the generals, with considerable personal sacrifice, performed admirably, and ably. We are indebted.

In particular, General Becton is a unique individual. He is 70-plus, but

looks 50, and has the energy of a 40-year-old. He is personable and tough. Although not primarily an educator, his accomplishments as president of Prairie View A&M University proved his ability in this field. He got the job done. They both got the job done. The generals had to kick a lot of butts. Friends are not made that way, wounded critics are. But they got results.

Per-pupil costs are down to within the average in the Washington metropolitan region, a constant source of irritation with many Members who claim they add all this money. They do not anymore. Personnel numbers had been reduced. Many inefficient managers were replaced. The congressionally enacted school reforms are being implemented. Tough decisions, such as ending social promotion, have been made; and that is a tough one. This, of course, has created a great need for remedial help for tens of thousands of kids who must improve to warrant graduation.

A most qualified chief academic officer, soon to be superintendent, Arlene Ackerman, has been hired. The challenges before her are daunting. The dimension of the remedial help required for ending social promotion, not only in Washington but nationwide, has not yet been fully appreciated. She will need our help. She must have our help.

As mentioned above, the education infrastructure is in a shameful condition after decades of neglect, requiring $2 billion worth of improvements. Fortunately, Parents United had been formed some time ago and has brought a lawsuit to enforce corrective action.

Unfortunately, after Generals Williams and Becton had initiated their plans for school repairs, and finally having funding available in a manner that would not have required any closing of the schools, the judge, in her frustration, ordered the schools closed anyway. This caused emergency actions in contracting to get the schools opened and raised the costs considerably. I was present with the control board education trustees the night this happened. They did what they had to do. In fairness to the judge, her frustration, expressed in her ruling, raised the public's awareness to the deplorable condition of the schools.

But where will the $2 billion needed for repairs come from? Congress is responsible for making it available. This may require money from the budget, it may not, but it has to be found. Bonding is obvious, but how is it to be paid for?

This January, I held hearings on the DC school situation. I have attached Professor Raskin's applicable testimony that the Constitution requires us to find the funds.

At the beginning of 1997, I left the Appropriations Committee and went to the Finance Committee. I vowed to continue to fight for funds for DC. During reconciliation, I nearly got an amendment for $1 billion passed in the committee. The Senate did provide $50 million for the repairs of the Washington, DC, schools—a small amount, relatively, to the $2 billion.

In conference with the House, at the House's insistence, the $50 million was cut. But OMB Director Frank Raines agreed to work with me to find the money. He asked me to put together a working group. This has been done. To help prepare material for the working group, I held three days of hearings in January. Material from these hearings has been forwarded to the members of the working group.

I have also outlined several options for the working group's consideration. Some require no Federal funds; others are completely Federally funded. Somewhere we have to find the answer. I hope we can furnish guidance soon. I have attached materials showing the need for congressional action, as the DC financial system under present circumstances cannot provide a sufficient revenue stream to pay for bonds.

Let us end on a positive note. Progress is being made to improve the DC school system. I recently traveled to Chicago with General Becton. I also traveled to Long Beach, CA, with Arlene Ackerman. These school systems are examples of sound reform where corrective action is being taken. We learned a great deal on these trips. And work is starting here.

First, we must make sure children can read and comprehend. Programs such as Everybody Wins!, a literacy-mentoring program I am deeply involved with, have been started, helping thousands of youngsters. Hundreds of our volunteers come from the Senate, and they have been doing a wonderful job in bringing the reading situation in that school under control, but thousands more are needed to help. The flow of nonreaders to upper grades must stop. Substantial growth here is expected by next year in these programs. There are two others called the President's Program for Reading and also another one called the Everybody Reads Program started by the District.

To help the students ''in the pipeline,'' summer schools will be held. The second thing: A group to find remedial solutions through information technology has been formed. Much needs to be done.

No. 3, legislation has been introduced, S. 1070—my bill—to form regional efforts in skill training, giving an opportunity for those young people to be able to get those $30,000 to $50,000 jobs, high-paying jobs, that are available and can be filled.

No. 4, I also met with the presidents of regional universities and colleges to work together with the business community to form a cohesive, seamless educational system, for which the comprehensive framework should be established by the end of May. And that is critical. We have the resources in this region, we have the people in this region, but we must work together to all do what we can for the school system.

No. 5, the critical needs for in-service training of teachers must be met. The Department of Education and the local teacher colleges are pledged to help. I just met with some from the Department of Education. The Higher Education Act soon will be out on the Senate floor, and that will help, also across the Nation, to assist us with respect to the serious problems we have with our schools not having the professional development necessary.

Let me close by emphasizing that our problems in education will end only when the classrooms provide the appropriate education. This is a primary responsibility of the States and local school districts. Just remember, as for DC, under the Constitution, DC is our ''State.'' And we are responsible for our local schools, those in the Nation's Capital. Right now, we have the worst schools in the Nation. They must and they should be the best.

Madam President, at this time I would like to turn to another education issue dealing with the budget also, and I just alert the Budget Committee as to what is being done.

(The remarks of Mr. JEFFORDS pertaining to the introduction of S. 1882 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. JEFFORDS. Finally, I will talk to another matter which will have an impact upon the budget also. Hopefully, CBO comes up with figures you like; these figures are so small in terms of what the good is we should find no cause for alarm here.

I rise to discuss an issue that is critically important to this Nation. Today there are millions of people with disabilities who want to work but just cannot. Why? Because the day they start work they lose access to affordable health insurance. These bright, intelligent, and very willing individuals are denied the right that every other citizen in this Nation has—the right to work. We have the responsibility to reverse this desperate situation and grant people with disabilities the right to become productive, taxpaying workers.

Last week, I introduced legislation with Senator KENNEDY and Senator HARKIN entitled the Work Incentives Improvement Act. This bill will reform Social Security's work incentive programs and remove employment barriers for people with a disability. This legislation was developed over many months with the help of the disability community, the Social Security Administration, the Health Care Financing Administration and other congressional offices. This bill will end the insurmountable health barriers to individuals who wish to work.

Our friends with disabilities do not need an incentive to work. They want to work. In fact, they are so desperate to obtain gainful employment that they are pushing this Congress to complete action on this legislation this year. And we must. These citizens are trapped by a system that penalizes their attempts to be productive. Social

Security's current work incentive system has had limited success. Out of 7.5 million people who are social security disability beneficiaries, less than one percent can take advantage of these work incentives and actually are employed. The benefits offered are too expensive, time limited, and offer too few health care services for the many persons with disabilities who wish to work.

For many years I have assessed why so few disabled social security beneficiaries return to work. The primary barriers relate to their inability to obtain or keep adequate and affordable health care coverage. For example, disabled social security beneficiaries who return to work are covered through Medicare, but after 39 months they must pay full fare for their health benefits—more than $370 every month. I seriously doubt that even a well-off person can afford to pay this rate every month over the course of their working life. In fact, out of more than 3.5 million beneficiaries, only 114 have chosen to take advantage of this Medicare coverage, preferring the alternative—staying at home and receiving it for free. I don't know whether they prefer it; that is probably not right.

Another barrier to work is the inability to get coverage for certain medical services. These services are usually unavailable in the private markets. If they are available, they are unaffordable. Necessities like personal assistance services and prescription drug coverage are offered through some state Medicaid plans, but disabled social security beneficiaries who need access to these Medicaid services must impoverish themselves to get them. Many are doing just that. These disabled social security individuals who have coverage for low-income Medicaid, called ''dual eligibles,'' are the fastest growing entitlement population in the government.

The Work Incentives Improvement Act will provide access to appropriate health insurance for those persons with disabilities who wish to return to work. Many of these beneficiaries will be eligible for affordable Medicare. Beneficiaries will have access to limited Medicaid services through State Work Options Programs. They will be able to access critical services like Personal Assistance and prescription drugs in states that chose to offer them. Such incentives will allow people to return to work, confident in the knowledge that they will both keep their health care and get coverage for other needed services.

No one in this body can disagree with the idea that work is a central part of the American dream. This budget resolution should provide funding for these and other initiatives designed to allow people with disabilities to work. Providing cost-effective assistance for people to work is both fiscally responsible and morally right. Those who work will become fully contributing members of society by paying for their own insurance coverage, and as taxpaying citizens of our nation, paying for these government programs as a whole.

Inaction by this body will ensure that our Government continues to deny a person's dream to get back to work to help himself, to help herself, to pay taxes, to be able to participate in our society in a meaningful way. I hope the Senate will move ahead to resolve this problem and help persons with disabilities realize their dream to work.

I wish everyone had a chance to be at the press conference we held with former leader Bob Dole and Justin Dart and other leaders in this field to see the expression on their faces and the joy that came when we announced what we would do to help those who were assembled to be able to participate in the workplace. I can assure Members that this bill—we have had CBO estimates much lower than previous estimates. It is hard to conceive why it costs money because all you are doing is allowing people benefits to work and to start paying taxes and to contribute to the cost.

It is very difficult for me to see how there is any cost whatever. I yield the floor.

EDUCATION SAVINGS ACT FOR PUBLIC AND PRIVATE SCHOOLS

Mr. COVERDELL. As everybody knows by now all too well, we have been in the midst of a filibuster going all the way back to last summer on education reform proposals. We have been battling the White House, the minority leadership and the status quo. I am pleased to announce—in fact, I am ecstatic—that the filibuster is over and that a unanimous consent has been entered into, I think a reasonable agreement, that does adhere to our view that all amendments should have been related to education and not extraneous and not broad new tax policy. We will go to our education reform on the day we return from the recess on April 20 of this year.

Now, the majority leader needs to be commended for the diligence and the attention he gave to try to end this filibuster. I also am complimentary of the minority leader and his attempt to bring this filibuster to an end. But I am especially grateful to the Members on the other side of the aisle, principally my key cosponsor, Senator TORRICELLI of New Jersey, for the attempts and effort they made—under very difficult circumstances I might add—for an extended period of time to recommend that a filibuster was not the way to handle education reform.

Because the filibuster has been ended, America's children are going to be the major beneficiaries—and their families. At the end of the day, millions of American families are going to be able to open education savings accounts to help children in public schools, private schools and home schools. Now with the suggestions from the other side of the aisle, we are going to have an opportunity for expanded school construction and financing that aids and abets school construction across our Nation.

After all is said and done, bringing this to a favorable conclusion will lead to a very healthy and wholesome debate about reforming education and moving away from the status quo. Madam President, the winners, those who are going to gain the most from the fact that we have set this filibuster aside, are America's children. They are going to be the beneficiaries of the fact that the Senate has now, on a bipartisan basis, agreed to go to an extended and meaningful debate about reforming education in America, principally grades kindergarten through high school.

I thank all who have been involved on both sides of the aisle. I think it will prove most beneficial to America and her children.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Madam President, I will take just a moment. I did want to respond ever so briefly to the remarks of Senator COVERDELL.

I did not object to the unanimous consent request by which we will consider the Coverdell proposal. Amendments have now been made in order and the proposal will be considered on the floor of the Senate in a way that limits the amendments and limits the time for each amendment.

I say the Senator from Georgia puts his own construct on exactly what has happened. There is another construct, and that is that this was not a filibuster but a lockout—circumstances where we were told that a bill was to come to the floor of the Senate, a bill dealing with tax credits for education, and the only circumstance under which it could come to the floor of the Senate is if those on the minority side would be willing to restrict their amendments both as to type of amendments and as to time.

It is a very unusual Senate procedure. It is not a procedure that has been followed by the majority side, I might say. As one Member of the Senate who will not want to see this habit-forming, I simply say to the Senator from Georgia that I am happy he will get his day on this piece of legislation. The amendments have indeed been limited. I think he would not want to be in a similar circumstance on the next issue on which someone on this side would, if in the majority, say we would like to bring our bill to the floor, and by the way, we will only do that in ways that restrict your opportunity to offer amendments, and only do that in ways that restrict the time of the amendments that you do offer.

For example, among the ideas that exist here are not just an idea to provide tax credits for people who send their children to nonpublic schools—all schools, but especially nonpublic schools; among the ideas that exist

here are, for example, a proposal to provide some assistance to repair some of the crumbling schools in this country, not so that the Federal Government will be involved in rebuilding local schools—that is the job of local school districts, State and local governments —but an incentive in a way that says we can at least pay some of the interest on the bonds that provide the right incentive to invest in our schools because so many of them are now 30, 50, 70 years old and more, and some of them are in desperate condition and need help.

On that amendment, for example, under this agreement there will be, I believe, 1 hour of debate. A significant amendment of significant importance, but the Senate will only devote 1 hour to that subject because to devote more would somehow abridge the interests of those who want to contain the debate on education here in the Senate.

I use that as an example. There are others. I say to the Senator from Georgia, I did not, since the first day of this discussion, feel the problem was a filibuster. I felt and still do feel very strongly the problem is that the majority leader said this is our bill, this is our agenda, it is what we feel is important, and we will bring it to the floor, but you must comply with what we expect of you. Don't you be offering amendments we don't want. Don't you be demanding time for your amendment to talk for 3 hours on school construction, for example—and that was what was happening to us over all of these weeks and what resulted in a number of cloture votes.

So I see it differently than does the Senator from Georgia. But as I indicated, he will have his day on his amendment, and I have indicated previously I have great respect for him, but this ought not be habit-forming. This is not the way the Senate works with respect to the current rules of the Senate. It is not the way your side of the aisle dealt with issues when you were in the minority, and I don't think you would expect us to deal with these issues in that manner on a routine basis.

As I said, I did not object to the unanimous consent request after this had been worked out by the majority leader and the minority leader. Education is critically important. In my judgment, there aren't many more important issues than education here in the U.S. Senate. This ought to be job one for the Senate to deal with the critical education issues. We have now a list of them, albeit limited in time and scope with respect to the amendments, but when we get to this issue we will have, I think, a good and thoughtful and constructive debate.

I stand today to say do not make it habit-forming to say it is our agenda and we will demand every other Senator in this place who is not part of the majority conform to our description of how we want to debate these amendments, because that is not the way the Senate should work.

I yield the floor.

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 1999, 2000, 2001, 2002, AND 2003

The Senate continued with the consideration of the bill.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, I ask unanimous consent that the pending amendments be laid aside so I may offer 4 amendments on behalf of Democratic Senators and that these amendments be sequenced between the Republican amendments when we vote.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Without objection, it is so ordered.

Mr. CONRAD. I thank the Chair. The first amendment is on behalf of Senator DODD of Connecticut. It is an amendment to establish a deficit-neutral reserve fund for child care improvements.

AMENDMENT NO. 2173

(Purpose: To establish a deficit-neutral reserve fund for child care improvements)

Mr. CONRAD. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. CONRAD], for Mr. DODD, proposes an amendment numbered 2173.

Mr. CONRAD. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, insert the following:

SEC. . DEFICIT-NEUTRAL RESERVE FUND FOR CHILD CARE IMPROVEMENTS.

(a) IN GENERAL.—In the Senate, revenue and spending aggregates and other appropriate budgetary levels and limits may be adjusted and allocations may be revised for legislation to improve the affordability, availability, and quality of child care and to support families' choices in caring for their children, provided that, to the extent that this concurrent resolution on the budget does not include the costs of that legislation, the enactment of that legislation will not increase (by virtue of either contemporaneous or previously-passed deficit reduction) the deficit in this resolution for—

(1) fiscal year 1999;

(2) the period of fiscal years 1999 through 2003; or

(3) the period of fiscal years 2004 through 2009.

(b) REVISED ALLOCATIONS.—

(1) ADJUSTMENTS FOR LEGISLATION.—Upon the consideration of legislation pursuant to subsection (a), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately-revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution.

(2) ADJUSTMENTS FOR AMENDMENTS.—If the Chairman of the Committee on the Budget of the Senate submits an adjustment under this section for legislation in furtherance of the purpose described in subsection (a), upon the offering of an amendment to that legislation that would necessitate such submission, the Chairman shall submit to the Senate appropriately-revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution.

(c) REPORTING REVISED ALLOCATIONS.—The appropriate committees shall report appropriately-revised allocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this section.

(d) APPLICATION OF SECTION 202 OF H. CON. RES. 67.—Section 202 of H. Con. Res. 67 (104th Congress) shall not apply for purposes of this section.

Mr. CONRAD. Madam President, the second amendment is on behalf of myself, Senator LAUTENBERG, Senator BINGAMAN and Senator REED. This is to ensure that the tobacco reserve fund in the resolution protects public health.

AMENDMENT NO. 2174

(Purpose: To ensure that the tobacco reserve fund in the resolution protects public health)

Mr. CONRAD. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. CONRAD], for himself, Mr. LAUTENBERG, Mr. BINGAMAN, and Mr. REED, proposes an amendment numbered 2174.

Mr. CONRAD. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 28, strike line 2 through line 17 and insert the following:

(a) IN GENERAL.—In the Senate, revenue and spending aggregates may be adjusted and allocations may be adjusted for legislation that reserves the Federal share of receipts from tobacco legislation for—

(1) (A) public health efforts to reduce the use of tobacco products by children, including youth tobacco control education and prevention programs, counter-advertising, research, and smoking cessation;

(B) transition assistance programs for tobacco farmers;

(C) increased funding for the Food and Drug Administration to protect children from the hazards of tobacco products; or

(D) increased funding for health research; and

(2) savings for the Medicare Hospital Insurance Trust Fund.

(b) FEVISED AGGREGATES AND ALLOCATIONS.—Upon the consideration of legislation pursuant to subsection (a), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately-revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional

Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution.

(c) APPLICATION OF SECTION 202 OF H. CON. RES. 67.—For the purposes of enforcement of Section 202 of H. Con. Res. 67 (104th Congress) with respect to this resolution, the increase in the Federal share of receipts resulting from tobacco legislation and used to fund subsection (a)(2) shall not be taken into account.

Mr. CONRAD. Madam President, the third amendment is on behalf of Senator CAROL MOSELEY-BRAUN.

AMENDMENT NO. 2175

(Purpose: To express the sense of the Senate regarding elementary and secondary school modernization and construction; improving the educational environment for the 14 million children who attend severely dilapidated schools, the millions of children in overcrowded classrooms, and the 19 million children who are denied access to modern computers because their schools lack basic electrical wiring; relieving overcrowding in our Nation's classrooms; and generally helping States and school districts bring their school buildings into the 21st century)

Mr. CONRAD. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. CONRAD], for Ms. MOSELEY-BRAUN, proposes an amendment numbered 2175.

Mr. CONRAD. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of title III, insert the following:

SEC. . SENSE OF THE SENATE REGARDING SCHOOL MODERNIZATION AND CONSTRUCTION.

(a) FINDINGS.—The Senate finds that—

(1) the General Accounting Office has performed a comprehensive survey of the Nation's public elementary and secondary school facilities and has found severe levels of disrepair in all areas of the United States;

(2) the General Accounting Office has concluded that more than 14,000,000 children attend schools in need of extensive repair or replacement, 7,000,000 children attend schools with life safety code violations, and 12,000,000 children attend schools with leaky roofs;

(3) the General Accounting Office has found the problem of crumbling schools transcends demographic and geographic boundaries. At 38 percent of urban schools, 30 percent of rural schools, and 29 percent of suburban schools, at least one building is in need of extensive repair or should be completely replaced;

(4) the condition of school facilities has a direct effect on the safety of students and teachers and on the ability of students to learn. Academic research has provided a direct correlation between the condition of school facilities and student achievement. At Georgetown University, researchers have found the test scores of students assigned to schools in poor condition can be expected to fall 10.9 percentage points below the test scores of students in buildings in excellent condition. Similar studies have demonstrated up to a 20 percent improvement in test scores when students were moved from a poor facility to a new facility;

(5) the General Accounting Office has found most schools are not prepared to incorporate modern technology in the classroom. Forty-six percent of schools lack adequate electrical wiring to support the full-scale use of technology. More than a third of schools lack the requisite electrical power. Fifty-six percent of schools have insufficient phone lines for modems;

(6) the Department of Education has reported that elementary and secondary school enrollment, already at a record high level, will continue to grow over the next 10 years, and that in order to accommodate this growth, the United States will need to build an additional 6,000 schools;

(7) the General Accounting Office has determined the cost of bringing schools up to good, overall condition to be $112,000,000,000, not including the cost of modernizing schools to accommodate technology, or the cost of building additional facilities needed to meet record enrollent levels;

(8) schools run by the Bureau of Indian Affairs (BIA) for Native American children are also in dire need of repair and renovation. The General Accounting Office has reported that the cost of total inventory repairs needed for BIA facilities is $754,000,000. The December 1997 report by the Comptroller General of the United States states that, ''Compared with other schools nationally, BIA schools are generally in poorer physical condition, have more unsatisfactory environmental factors, more often lack key facilities requirements for education reform, and are less able to support computer and communications technology;''

(9) State and local financing mechanisms have proven inadequate to meet the challenges facing today's aging school facilities. Large numbers of local educational agencies have difficulties securing financing for school facility improvement;

(10) the Federal Government has provided resources for school construction in the past. For example, between 1933 and 1939, the Federal Government assisted in 70 percent of all new school construction; and

(11) the Federal Government can support elementary and secondary school facilities without interfering in issues of local control, and should help communities leverage additional funds for the improvement of elementary and secondary school facilities.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying the functional totals in this budget resolution assume the enactment of legislation to allow States and school districts to issue $21.8 billion worth of zero-interest school modernization bonds to rebuild and modernize our Nation's schools, and to provide Federal income tax credits to the purchasers of those bonds in lieu of interest payments.

AMENDMENT NO. 2176

(Purpose: To increase Function 500 discretionary budget authority and outlays to accommodate an initiative promoting after-school education and safety)

Mr. CONRAD. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. CONRAD], for Mrs. BOXER, proposes an amendment numbered 2176.

Mr. CONRAD. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 16, line 9, increase the amount by $50,000,000.

On page 16, line 10, increase the amount by $6,000,000.

On page 16, line 13, increase the amount by $50,000,000.

On page 16, line 14, increase the amount by $40,000,000.

On page 16, line 17, increase the amount by $50,000,000.

On page 16, line 18, increase the amount by $49,000,000.

On page 16, line 21, increase the amount by $50,000,000.

On page 16, line 22, increase the amount by $50,000,000.

On page 16, line 25, increase the amount by $50,000,000.

On page 17, line 1, increase the amount by $50,000,000.

On page 25, line 8, decrease the amount by $50,000,000.

On page 25, line 9, decrease the amount by $6,000,000.

On page 25, line 12, decrease the amount by $50,000,000.

On page 25, line 13, decrease the amount by $40,000,000.

On page 25, line 16, decrease the amount by $50,000,000.

On page 25, line 17, decrease the amount by $49,000,000.

On page 25, line 20, decrease the amount by $50,000,000.

On page 25, line 21, decrease the amount by $50,000,000.

On page 25, line 24, decrease the amount by $50,000,000.

On page 25, line 25, decrease the amount by $50,000,000.

AMENDMENT NO. 2174

Mr. CONRAD. Madam President, I will say a word on the amendment offered on behalf of myself, Senator LAUTENBERG, and others. The purpose of that amendment is to make possible comprehensive tobacco legislation on the floor of the U.S. Senate.

As the occupant of the chair knows, in the Budget Committee a resolution came out that provides that the funding from any possible resolution of the tobacco issue can only go for Medicare. While Medicare is clearly a key priority, there are other priorities as well. Among those are the question of preventing kids from taking up a habit. The experts have all told us that we need to use some of the funds for the purpose of tobacco prevention programs, smoking cessation programs, counter-tobacco advertising programs, to increase health research, to provide some easing of the transition for tobacco farmers, and also to fund the expanded role of FDA and the question of regulating these products.

The experts have told us, unanimously, that there is simply no way to have comprehensive tobacco control legislation without those priorities being included. In fact, every single bill that has been introduced that is comprehensive in nature on the floor of the Senate, by Republicans and Democrats, provides for taking some of that money for those purposes. Unfortunately, under the budget resolution, every single comprehensive bill—those introduced on the Republican side and those introduced on the Democratic side—is out of order. Not a single one

of the bills would be in order under the budget resolution as it came out of the committee.

So the amendment offered by myself, Senator LAUTENBERG, Senator BINGAMAN, and Senator REED is to correct that deficiency, to allow the Senate to work its will on comprehensive tobacco legislation, so that we have a chance when we finally get to a discussion of the tobacco bills, that the budget resolution is not an impediment to passing national tobacco policy.

Mr. DORGAN. I wonder if the Senator will yield for a question.

Mr. CONRAD. I am happy to yield.

Mr. DORGAN. Madam President, the provision in the budget prohibits the use of any of the funds from the tobacco settlement for the range of programs, such as the program for smoking cessation, for education, to try to prevent teens from beginning smoking; is it the case that this budget provision prevents the use of any of the tobacco settlement money for any of those programs?

Mr. CONRAD. Yes, exactly. It seems startling, but that is what the budget resolution provides. The resolution says that not one dime of any tobacco settlement money can go for tobacco smoking cessation, smoking prevention, or any of the other programs that all of the experts have said are required. We could not have any of this money go for the National Institutes of Health and Research. We could not use any of the money for the expanded FDA role in regulating tobacco products. None of the money could be used for counter-tobacco advertising programs. Every single expert that has come to us has said those are essential to a comprehensive plan to actually reduce teen smoking. So the budget resolution is clearly deficient in that regard.

Mr. DORGAN. Will the Senator yield further for a question?

Mr. CONRAD. Yes.

Mr. DORGAN. I understand that those who put this prohibition in the budget agreement said, ''But there are areas in the budget and other areas that expend money for these programs, so these programs are not being shorted.''

Can the Senator describe whether in fact the money is available in other programs sufficient to address these issues?

Mr. CONRAD. Well, that is the convention of those who debated this issue in the Budget Committee. They said, ''Well, we have provided the funding elsewhere in the budget . . .''—not out of the tobacco revenues, which is a curious thing if you think about it. Since these are clearly tobacco-related expenses, you would think you would fund them out of the tobacco revenue. They said, ''Don't worry, we funded it somewhere else.''

Let me say to the Senator that there is not any assurance that there would be one thin dime anywhere else in the budget for that purpose because, as you know, the Budget Committee does not make those determinations. What has been set up by the Budget Committee is mounds of money that would be a jump ball. The appropriators would decide. You serve on the appropriation committee and you understand that the Budget Committee gives you an overall spending limit and you decide what the priorities are. If you decided that existing priorities were more important, there might not be any money for smoking cessation, smoking prevention, counter-tobacco advertising, and all the rest. So that is the problem with the budget resolution. They have an assumption in there. The assumption is that the appropriators will provide something over $100 million a year for these purposes, but every single major bill that is out here provides $2 billion a year for these purposes—smoking prevention, smoking cessation, counter-tobacco advertising, expanded health research, FDA authority—and so there is no way that this comes anywhere close to meeting the need.

Mr. DORGAN. Madam President, I have one additional question. The Senator indicated that the Budget Committee does not determine the level of expenditures—the actual expenditures. That is the Appropriations Committee's job. I agree with that. But it is true that the Budget Committee, with this provision, will determine what you cannot expend money for. They, apparently, by this provision, determined that any money coming from the tobacco settlement cannot and will not be used for these specific areas—smoking cessation, curbing teen smoking, a National Institutes of Health investment, and so on.

So is it not the case that, while they don't determine what the money is going to be spent for, they are with this provision trying to determine what you cannot spend the money for? I guess it would require at least a 60-vote provision on the floor to overturn what they are trying to prevent. Can the Senator tell me why on earth the Budget Committee—because the Senator serves on that committee—can bring a bill to the floor that says we are going to have a tobacco settlement, but, by the way, you can't use any money from the settlement to deal with teen smoking, or addiction, or smoking cessation? What on earth could have persuaded them to provide a provision like this in the budget bill?

Mr. CONRAD. I tell you, I have no idea. I will respond in this way. I find it the most curious thing that has happened all year—why you would provide a special reserve fund so that if there is tobacco legislation that passes, you can have the revenue flow to the Federal Treasury; but then you say, when we go to spend the money, none of it can be used for smoking cessation, smoking prevention, counter-tobacco advertising, expanded health research, funding the FDA so that they can attend to their added responsibilities under any of the bills that have been offered, by either Republicans or Democrats.

The curious thing is that every single bill that has been offered out here, whether it is the bill of Senator HATCH, who is chairman of the Judiciary Committee, the bill of Senator MCCAIN, who is chairman of the Commerce Committee, or Senator JEFFORDS' bill, all those bills would be out of order. So you have three Republican chairmen who have offered bills out here, and their bills would be out of order under what has been provided for under the budget resolution.

Mr. BROWNBACK addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Madam President, in listening to the debate brought forward through questions on the floor, I would like to put some factual statements into the RECORD. First, the budget resolution puts Social Security and Medicare first. I think people recall that the President was saying we should use any surplus to save Social Security, that this is an important program and we need to invest and protect Social Security and, therefore, we should take any surpluses and put it into Social Security.

We agree, but we also believe that we should go one step further and say that any extra funds and resources here should be used to preserve and protect Medicare as well. Medicare is an enormously important program to the American public. I don't know how many people remember last year when we debated how to save, preserve, and protect Medicare. What is being talked about in the budget agreement is using the resources to save Medicare. Now, you can go a couple of ways here. You can say, OK, I am going to use these resources to save Medicare, this enormous program that provides health care for over 35 million Americans that have had a very difficult financial time, or you can say we are going to start a whole bunch of other programs to do this—which, by the way, we are taking care of in other parts of the agreement. The Budget Committee decided to save and use these resources to preserve and protect Medicare. Let's take care of first things first, and Medicare is one of those programs. Instead of promising to spend billions of dollars on new programs, we propose to dedicate any tobacco receipts, if there are any, to Medicare solvency. Let's protect what we have first. I think that is an important point that needs to be brought into this debate.

Madam President, I have an amendment to offer, but before I do that I will yield to the Senator from Wyoming for a statement that he has. He has been on the floor waiting for a longer period of time than I.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. ENZI. Madam President, my original intent was to give some comments on amendment No. 2166. Before I

do that, since the topic is opened up on the tobacco settlement, I feel compelled to make a few statements based on what has been said on the floor.

I am on the Labor Committee and that has been a part of the tobacco settlement debate. I can tell you how far we have gotten on that committee. We have had a filibuster so far on the very issues the Senators from North Dakota have been saying they want to get into the budget. So the progress on this thing has been so disappointing to me. Last week, when I was flying back from Wyoming—I go back almost every weekend, and it's quite a trip to get from there back to Washington—I started working on my laptop computer and listing the reasons why a tobacco settlement might not happen this year. There were three single-spaced pages on why it won't happen this year. I changed it to why it won't happen this year.

What we are suggesting here is that we ought to go ahead and spend the money anyway. I can't tell how the negotiations have gone that you have been in, but I certainly never have liked to be in negotiations with anybody where I had already spent the money I might get out of the program. That is why we are taking some precaution with that. That is why we are saying let's put it in Medicare. That is the biggest program that we have to save that deals with health—particularly the health of people in the United States. It is something we have to be concerned about. We put that first. There can be changes made later. But after that, there is some agreement from these three pages, single spaced, and reasons why 100 Senators here may not be able to come to any agreement on why there ought to be a tobacco settlement, let alone how that tobacco settlement ought to take place.

Having said that, I ask unanimous consent that I be allowed to speak for up to 10 minutes on amendment 2166, the Sessions-Enzi amendment.

The PRESIDING OFFICER (Ms. SNOWE). Without objection, it is so ordered.

AMENDMENT NO. 2166

Mr. ENZI. Madam President, I rise today in support of amendment 2166 introduced by me and my colleague and good friend from Alabama, Senator SESSIONS. Our amendment is entitled the ''Antidiscrimination of At-Home Parents Amendment.''

I am proud to lend my support of this amendment that would give at-home parents, who forego a second income so that one parent can raise their children, the recognition by the federal government that they truly deserve.

There has been a lot of talk about beefing up the quality and availability of child care across our nation. I, too, have played a role in this debate and feel it's one to be taken seriously. Parents who choose to enroll their kids in day care face a difficult decision—one based on trust, reliability, the quality of care and, of course, the high costs. Moreover, that decision touches one of our nation's most important resources—our children.

Unfortunately, this debate has unfairly excluded married couples who face an even bigger decision—at-home care. There are more families that fit this mold than I think many of us are aware. In fact, only 37 percent of mothers with children under the age of 6 are employed on a full-time basis. The remaining percentage includes a constituency with little representation. That must change.

It is true that conditions can be difficult for two income families. I don't refute that. It is very hard for single, working moms to raise children. To be fair, however, we must not imply that families who choose to keep one parent home with their children are not making sacrifices. For years now, the debate on family policy has been centered on single working parents and day care. For years the sub-text of federal family policy has been that everyone should work and that the burden of accommodation should be on those parents who choose to stay at home to raise their children. However, if the debate revolves around the quality of care our children receive, we must modify existing federal policy and end this senseless discrimination.

It would seem at times as if all forces conspire against single income families. America's tax burden has grown so large that in many instances, a second parent has to work just to pay their families tax burden. A 1993 survey found that more than 50 percent of working women would ''stay at home if money weren't an issue.'' Most families in which both parents work would much prefer to have one parent stay at home with the children if expenses would allow.

The financial penalty inherent in having one parent stay at home to raise the children is large indeed. The few families who pursue such an arrangement don't do it because they can easily afford it. They do it because they believe that it is best for their kids. It should not be the work of this body to second guess their judgement of their values. Most importantly, these parents should not be discriminated against by its own federal government simply because they sacrifice greater financial gain for their children.

As you can see, there are a growing number of parents who give up one income so that the mother or father can stay at home and be with their children. Not long ago, this decision to utilize at-home care was commonplace. However, our nation's workplace has changed significantly as more parents move into the workforce—making parent's decision to sacrifice one income for their child all the more difficult. This is truly saddening, because the people who can best care for our nation's children are the parents.

I have listened during the last few months to members implying that parents who choose to forego a second income to stay home with their children do so at no financial sacrifice. It has even been implied that such parents lead a life of luxury and self-indulgence while working mothers make the real sacrifice for their children. This notion is as offensive as it is unfounded.

Parents who decide to forego a second income so that one parent might be at home during their children's formative years incur quite an expense, as several members of my own staff can attest. I have two fathers on my staff that have made this difficult decision. One of those parents on my staff spends four hours each work-day commuting to and from work—only because raising a family on a single, moderate income simply cannot be done here in Washington, DC. I am confident that parents all over the nation are in similar straits.

If the Senate is serious about issues facing our nation's children, then it must not exclude parents who choose at-home care for the benefit of their kids. If those parents are left out, then the message this body sends about the quality of care for American's children is short-sighted at best. This amendment is geared to provide that recognition and I encourage all members of the Senate to carefully read it, cosponsor it, and vote in favor of its passage.

Thank you, Madam President.

I yield the remainder of my time but reserve the time remaining for the amendment.

Mr. BROWNBACK addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

AMENDMENT NO. 2177

(Purpose: To express the sense of the Senate regarding economic growth, Social Security, and Government efficiency)

Mr. BROWNBACK. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Kansas (Mr. BROWNBACK) proposes an amendment numbered 2177.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of title III, add the following:

SEC. . SENSE OF THE SENATE ON ECONOMIC GROWTH, SOCIAL SECURITY, AND GOVERNMENT EFFICIENCY.

It is the sense of the Senate that the functional totals underlying this resolution assume that—

(1) the elimination of a discretionary spending program may be used for either tax cuts or to reform the Social Security system.

(2) the Congressional Budget Act of 1974, the Balanced Budget and Emergency Deficit Control Act of 1985, and other appropriate budget rules and laws should be amended to implement the policy stated in paragraph (1).

Mr. BROWNBACK. Madam President, this amendment to the budget resolution being considered before us today

would make it a priority for this Congress to cut taxes and to begin shoring up our teetering Social Security system.

Madam President, before I begin I wish to commend Chairman DOMENICI and other Members for their excellent work on the budget committee. While I would prefer a budget that cut government spending more as well as cut taxes more; I appreciate the enormity of the task before the chairman and would like to compliment him for his leadership in this area. As well, I look forward to working with the chairman to both ensure a more fiscally responsible government as well as lower taxes for all Americans.

Madam President, I would like to begin by making a few remarks on the size and scope of our federal government and the importance of keeping our promise with the American people by living up to the spending parameters outlined in the bipartisan budget deal reached last year between the Congress and the administration and with the American people; and also to speak on the importance of honestly addressing the need to begin reforming our Social Security system.

It is absolutely paramount and fundamental and something we must give our attention to.

Although many of us agree that the Federal government is too large, and too intrusive most of us seldom seem to be able to make the necessary cuts to the federal government that will actually curtail its size and curb its consumptive desires. In fact, the Administration which once declared that ''the era of big government is over,'' has now proposed an expansion of government programs that will have the effect of busting the bipartisan budget deal that was so difficult to get to in the first place. This is not only inconsistent but bad policy.

In contrast, I believe that it is imperative that we live within the constraints agreed to last year during negotiations with the administration. We had a deal. We had a deal with the administration that set the limits on the size and scope of the federal government. And, we had a deal with the American people.

Now is not the time to walk away from the principles that we outlined in our bipartisan agreement just a few months ago simply because the budget—thanks mostly to the entrepreneurial spirit of main street America—is now near balance.

The fact of the matter is that our books aren't really balanced at all because we are continuing to allow the federal government to raid the social security trust fund in order to finance its day to day operations. If a company in the private sector tried to do that they would be shut down—and rightfully so.

If the President is serious about saving social security then he would not continue raiding the Social Security trust fund to prop up his government programs and he would not be proposing $140 billion in new spending (which is coincidentally just a little more than expected surplus receipts to the OASDI trust fund this year), rather he would be cutting government spending and paying down the debt in anticipation of unfunded future social security obligations. But he is doing just the opposite.

Because this administration doesn't want to lead, the Congress must. And my amendment takes the lead by prioritizing Social Security solvency and tax cuts over more government spending and budget games.

Let's stop the nonsense.

Americans don't want more glib talk about big government programs solving all of their problems. They don't want more empty promises. They want a less intrusive government, they want lower taxes and they deserve retirement security.

In order to help in our efforts to cut the size of the government I am offering an amendment expressing the sense of the Senate that we should destroy the firewall between spending reductions and tax cuts; by allowing for government spending reductions to be used for either tax cuts or Social Security solvency.

Heretofore we have had a firewall between cutting domestic discretionary programs and paying for tax cuts, saying we can't cut this to pay for tax cuts. I am saying let's have a provision such that you can eliminate discretionary spending in certain categories and that money to be used to pay for tax cuts or Social Security solvency.

Currently, according to budget law Congress cannot make cuts in discretionary spending programs in order to finance tax cuts. Rather, Congress has to make cuts in mandatory spending programs like Social Security and Medicare in order to pay for its tax cuts. It is wrong to pit Social Security against tax cuts.

My amendment flips the table on this false tradeoff by pitting Social Security and tax cuts against big Government spending on the other side. Let's use the cuts in big Government spending to support Social Security and tax cuts.

According to the current budget law every time someone wants to cut taxes they are essentially forced to propose cuts in either social security or Medicare. That just isn't right.

Our federal government is too large, and this arcane law is part of the reason. We need to focus our efforts on cutting government spending—not increasing it. And I believe one way to help accelerate the downsizing of our massive federal bureaucracy is by allowing cuts in discretionary spending to be used for tax cuts and Social Security accounts.

My amendment would call for a change in budget law that would allow for tax cuts to be implemented in the amount of program eliminations and for saving Social Security. So, when we eliminate a program during consideration of an appropriations measure that money would be credited to the PAYGO scorecard and reserved for tax cuts and Social Security.

Therefore, should my amendment pass and budget law be changed, we can eliminate programs like the Advanced Technology Program, the National Endowment for the Arts, the Department of Commerce, and a whole host of other government programs while at the same time giving the taxpayers the tax relief they deserve and the retirement security they need—and we can do it without making draconian cuts to mandatory spending programs that ultimately do little to save the programs and much to simply prolong the crisis.

With my amendment we can eliminate wasteful programs and at the same time provide the American taxpayers with a solvent Social Security System along with the tax relief that they deserve.

That is why I am offering this amendment. We can begin to cut taxes and to reform our Social Security system by transforming the debate about Social Security from rhetoric into reality.

We have a unique opportunity to substantively begin to reform our social security system in order to ensure long-run solvency.

We have this opportunity in large part because for the first time in over a generation we will have a balanced budget this fiscal year.

This presents Congress with a chance to begin making changes to the Social Security system that will both protect current benefits for retirees, and those about to retire, as well as to help preserve benefits for future generations.

We must make use of this historic opportunity to cut more government spending and to use those cuts along with the unified budget surplus to help shore up the Social Security trust fund.

My amendment begins the process of reforming our government by making it a priority for this Congress to cut taxes and to begin shoring up our teetering Social Security system.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. BROWNBACK. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BURNS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2178

(Purpose: To express the sense of the Senate regarding the use of agricultural trade programs to promote the export of United States agricultural commodities and products)

Mr. BURNS. Madam President, I send the desk an amendment to the budget.

It is a sense-of-the-Senate amendment. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana [Mr. BURNS] proposes an amendment numbered 2178.

Mr. BURNS. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF SENATE REGARDING AGRICULTURAL TRADE PROGRAMS.

It is the sense of the Senate that the functional totals in this concurrent resolution assume the Secretary of Agriculture will use agricultural trade programs established by law to promote, to the maximum extent practicable, the export of United States agricultural commodities and products.

Mr. BURNS. Madam President, this is a sense-of-the-Senate amendment. Every year, we have authorized and we have appropriated moneys for programs sponsored by the U.S. Department of Agriculture to help market grain abroad; in other words, to beef up our exports and to be able to compete in the international market.

We are going through times now where prices are very, very stressed and depressed, I would say. We need all the help we can get to move the supply that we have into foreign hands after the collapse of the financial markets in the Pacific rim that have been major buyers of our agricultural commodities. Of course, the actions of the IMF and what this country has undertaken to help those countries out of that financial condition will help those of us who depend heavily on agricultural exports.

This is just a sense of the Senate to tell the USDA and the International Trade Representative that we need help. It does no good to put the loaded pistol in the holster if the USDA doesn't pull it in times when we really need it. The time is now. This is just a sense of the Senate to say that we have authorized it, we have funded it, and we hope the USDA will use it.

Mr. LAUTENBERG. I ask unanimous consent that Senator KENNEDY's name be added as a cosponsor to the Conrad amendment No. 2174.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. And I ask unanimous consent that I be added as a cosponsor to the Gregg amendment No. 2168.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COCHRAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. Madam President, I also ask unanimous consent that I may proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMERICAN MISSILE PROTECTION ACT OF 1998

Mr. COCHRAN. Madam President, I ask unanimous consent that Senator ENZI be added as a cosponsor to S. 1873, the American Missile Protection Act of 1998.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. Madam President, this bill was introduced by Senator INOUYE and me on March 19. After we sent a letter to all Senators inviting cosponsors, we received a very positive response. I am pleased to advise the Senate that with the addition of Senator ENZI, there are now 40 cosponsors of S. 1873.

This bill would make it the policy of the United States to deploy as soon as technologically possible an effective national missile defense system capable of defending the territory of the United States against limited ballistic missile attack, whether accidental, unauthorized or deliberate.

We believe this policy is necessary because of the growing proliferation threat. The proliferation threat includes both weapons of mass destruction and long-range ballistic missile delivery systems.

The fact is that determining how quickly the United States will be facing an ICBM threat from a rogue nation is difficult to estimate. The Director of Central Intelligence recognized this point last year when he said to the Senate, ''Gaps and uncertainties preclude a good projection of exactly when 'rest of the world' countries will deploy ICBMs.''

That ''gaps and uncertainties'' exist is not an indictment of our intelligence agencies. We have many fine and dedicated people in the intelligence community who have devoted their professional careers to obtaining information about and analyzing proliferation. But it is extremely difficult to predict accurately just how quickly technology will move forward and will be made in certain countries.

Predicting the rate of technological advance would be difficult even if rogue states were to accept no outside assistance in their pursuit of mass destruction weapons and missile delivery platforms of ever-increasing range. But adding the knowledge now available in the information age to anyone with a computer and a telephone line to the fact that some nations are actively assisting pursuit of these capabilities makes for a situation in which predictions can be outdated soon after they are made.

Take, for example, the case of the Shahab-3 and Shahab-4, two intermediate-range ballistic missiles Iran is pursuing with substantial help from Russian organizations. Last Friday's Washington Times carried an article entitled ''Pentagon Confirms Details on Iranian Missiles.'' It describes this situation, and I think it is very alarming.

It is no secret that Iran is pursuing these missiles. The Shahab-3, with a range of 1,300 kilometers, will be capable of striking U.S. forces throughout the Middle East and our close allies in the region as well. The Shahab-4, with a range of 2,000 kilometers, will be able to reach into Central Europe.

We all understand that neither of these missiles will have the range to strike the United States unless they are launched from some kind of a mobile platform, like a ship. But the important point is that these missiles are proceeding at a much more rapid pace than anticipated just last year, and the reason these missiles can be ready sooner than we expected is because of Russian expertise provided to Iran.

In February the Director of Central Intelligence testified to the Senate:

. . . since I testified, Iran's success in getting technology and materials from Russian companies, combined with recent indigenous Iranian advances, means that it could have a medium-range missile much sooner than I assessed last year.

Madam President, the very kind of outside assistance that is speeding this Shahab-3 along so rapidly could also contribute in a similar way to the acquisition of long-range ballistic missiles by rogue nations. These kinds of nations are interested in ICBMs because they make the United States vulnerable to coercion or intimidation in time of crisis. It is a vulnerability that disappears when an effective national missile defense is deployed.

That is why we have introduced the American Missile Protection Act of 1998. America should end its ICBM vulnerability as soon as the technology is available.

Madam President, given the uncertainties about just when other nations will possess ICBMs, it only makes sense to be clear now in our commitment to deploy defenses against these systems as soon as the technology is ready. If the choice is to deploy a national missile defense capable against a limited threat 1 year too soon or 1 year too late, let it be 1 year too soon. The lesson of the Shahab-3 is that even the best intentioned estimates can be wrong.

I ask unanimous consent, Madam President, that the article I referred to from the Washington Times be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Times, Mar. 27, 1998]

PENTAGON CONFIRMS DETAILS ON IRANIAN MISSILES

(By Bill Gertz)

The Pentagon identified Iran's two medium-range ballistic missiles for the first

time publicly this week, giving their ranges and also providing details on an older Chinese nuclear-tipped missile.

Iran's Shahab-3 missile will have a range of about 800 miles and a second version, the Shahab-4, will be able to hit targets as far as 1,240 miles away, according to Senate testimony by Air Force Lt. Gen. Lester Lyles, director of the Ballistic Missile Defense Organization.

It was the first time the Pentagon has confirmed the existence of the Shahab missiles, which were disclosed last year by The Washington Times.

U.S. intelligence officials have said the missiles could be deployed within two years and that both Russia and China provided materials and technology.

''The development of long-range ballistic missiles is part of Iran's effort to become a major regional military power and Iran could field a [medium-range ballistic missile] system in the first half of the next decade,'' a Pentagon official said.

The chart made public Tuesday identified the Iranian and Chinese missiles as potential targets for U.S. regional missile defense systems under development. It was part of Gen. Lyles' testimony before the Senate Armed Services Committee.

The chart also listed the range of China's CSS–2 nuclear missile, which has a range of about 1,860 miles and is the only intermediate-range missile ever exported. Saudi Arabia purchased about 40 of the missiles. China has deployed about 40 CSS–2s for more than 25 years.

According to an Air Force intelligence report obtained by The Times last year, the CSS–2 is being replaced by China's new and more capable CSS–5. About 40 CSS–5s, with a ranges of about 1,333 miles, have been deployed, and a more accurate version, is awaiting deployment.

The chart showed two Scud missiles with ranges of between 62 and 186 miles, China's M–9 missile with a 372-mile range, and the North Korean Nodong, with a 620-mile range.

Meanwhile, Pentagon officials yesterday disclosed new details of global missile deployments and developments that will be made public in a report due out next week.

The officials, who declined to be named, revealed that Russia and China are developing new short-range missiles called the SSX–26 and CSSX–7, respectively. Both will have ranges greater than 185 miles. Egypt also has a new 425-mile-range missile called Vector, they said.

Pakistan and India also have new missiles and are in the process of building longer-range systems, the officials said. Pakistan's will have a 700-mile range and India is working on a longer-range version of the Agni missile with a 1,250-mile range.

The new missiles could be used in regional conflicts, armed with nuclear, chemical or biological warheads, or against U.S. troops abroad. There is also the danger that they might be transferred to rogue nations.

According to the Pentagon, more than 19 developing nations currently possess short-range ballistic missiles and six others have acquired or are building longer-range missiles with ranges greater than 600 miles.

North Korea has three longer-range missiles dubbed Nodong and Taepodong 1 and 2. They have ranges of between 600 miles and 3,700 miles—enough to hit Alaska.

The longer-range missiles of China, Saudi Arabia, North Korea, India, Pakistan and Iran ''are strategic systems and most will be armed with nonconventional warheads,'' one official said.

Missile states of concern include Afghanistan, Belarus, Bulgaria, China, Egypt, India, Iran, Iraq, Kazakhstan, Libya, North Korea, Pakistan, Russia, Slovakia, Syria, Turkmenistan, Ukraine, Vietnam and Yemen.

TRIBUTE TO JOHN PERKINS

Mr. COCHRAN. Madam President, at the end of this month, my long-time good friend, John Perkins, will retire from service as a member of my personal staff. He has served as press secretary in my office since August 1979.

Our friendship dates from the 1940s when we were students in elementary school at Byram Consolidated School near Jackson, MS. We also were members of the same Boy Scout troop.

John got his first newspaper job when we were in high school. My father was our principal, and he and our football coach were asked to recommend a stringer for the Jackson, MS, papers to report scores and highlights of our football games. The person they recommended was John Perkins. The year was 1953, and John was in the ninth grade.

From that beginning, he went on to serve on the student newspaper staff at Millsaps College where he graduated with a major in history in 1961. After college, he served in the U.S. Army Reserves, and then became a docket and reading clerk in the Mississippi State Senate.

He attended graduate school in journalism at the University of Mississippi and worked in press relations for the Charles Sullivan campaign for Governor, in our State, in 1963.

He then held a series of newspaper jobs covering a range of subjects from sports to local governments at the Jackson Daily News and the Meridian Star before being named managing editor of the Daily Corinthian in 1965. The next year John returned to the Meridian Star as managing editor and political writer.

He was elected to the Mississippi House of Representatives for a 4-year term in 1967 and was an active member of the coalition that successfully worked for passage of Governor John Bell Williams' highway program in the House.

When David Bowen was elected to Congress in 1972, he recruited John Perkins to come to Washington as his press secretary. As a member of our State's delegation in the House, I had the opportunity to observe the work of all the press secretaries from Mississippi. And soon after I became a Member of the Senate, I invited John to join my staff.

I have enjoyed very much working with him for these 18½ years. Our State and Nation have been well-served by the diligence, dedication and commitment to excellence of John Perkins. He has put forth his best efforts to reflect credit on me, our State, and the U.S. Senate, and he has succeeded.

He will be missed by us all, but we intend to stay in close touch and continue the close friendship that began 50 years ago.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DEWINE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DEWINE. Madam President, I ask unanimous consent to proceed for the next 8 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ALCOHOL-IMPAIRED DRIVERS ON OUR ROADS

Mr. DEWINE. Madam President, I rise today to discuss a major threat to the life and health of countless Americans. I am referring to the alcohol-impaired drivers on our roads.

Madam President, as part of the Senate's action on the highway bill, we passed an extremely valuable measure that would save many of these precious lives. Through the amendment offered by myself and my colleague from New Jersey, who is on the floor now, we said that if a person's blood contains .08 percent alcohol or higher, that person is not fit to drive.

This Lautenberg-DeWine amendment, passed this body by a very wide margin. I rise this afternoon because there is a rising tide of disinformation being spread about this .08 legislation. This misinformation campaign is funded in large part by the alcoholic beverage industry.

I strongly believe that as we move this measure forward through the legislative process, we all must be guided by the facts. The facts are simple: All widely accepted studies indicate that the blood alcohol standard should be set at .08 BAC. ''BAC,'' of course, stands for ''blood alcohol content.'' At .08 BAC, individuals simply should not be driving a car.

The risk of being in a crash rises gradually with each increase in the blood alcohol content level of an individual. But when a driver reaches or exceeds the .08 blood alcohol content level, the risk rises very rapidly.

At .08 a driver's vision, balance, reaction time, hearing, judgment, and self-control are seriously impaired. Moreover, at .08, critical driving tasks—concentrated attention, speed control, braking, steering, gear changing and lane tracking—are also all negatively affected.

The alcohol industry, in arguing against the .08 standard, claims that ''only'' 7 percent of fatal crashes involve drivers with blood alcohol content levels between .08 and .09. Well, let us look at what that really means. If we take their own statistics, if we use the 1995 figures, that means that approximately 1,200 Americans died because of alcohol, drivers impaired at the levels of .08 and .09—1,200 lives were lost.

Madam President, that obviously is too many. Changing the blood alcohol

standard to .08 could have saved these lives.

Let me talk now about the tragic consequences of .08 alcohol driving for some real Americans.

State trooper Steven Blue of Toledo, OH, arrested a young woman who was driving at a blood alcohol level of .15. She was convicted and spent the mandatory 3 days under Ohio law in jail. Madam President, 8 months later the same officer arrested the same person again. This time she was driving with a blood alcohol content level of .085. The officer wanted to charge her with impaired driving, driving under the influence, but her defense attorney argued that because the per se standard in Ohio is .10, the charge should be knocked down to reckless operation.

Now, of course, Madam President, in Ohio, as in most States, if you are below .10 but still seriously impaired, you can be charged with driving under the influence. In fact, the Ohio law reads, as most States do, ''appreciably impaired.'' So even if you test at .10, technically you can be charged with this offense, but as a practical matter, the standard is .10, pure and simple.

In this case, regrettably, the prosecutor felt compelled to reduce the charges. If these charges had not been reduced, if they had gone ahead with the original charge of driving under the influence, the young woman would have spent 10 days in jail, and maybe, just maybe, that would have turned her life around and at least warned her off from further alcohol-impaired driving.

But that did not happen. She then moved to San Diego, and 2 years later Trooper Blue got a call from a law firm asking him for his testimony about his earlier arrests of the same young woman. You see, she had taken up drunk driving again. Driving the wrong way down a one-way street, she killed two people.

Madam President, the State trooper, Steven Blue, has to deal with the real-life consequences of .08 alcohol driving. So did I when I was a local county prosecutor in Greene County, OH, dealing with mangled bodies and devastated relatives of people who died much too soon.

But you don't have to be a State trooper or county prosecutor to understand a simple fact: .08 drivers kill people. No amount of propaganda can obscure that fact. That is why in this morning's Washington Post an editorial calls our .08 measure ''a most reasonable and effective measure to curb deadly drunk driving.'' The Washington Post is not alone in praising this bill. The Austin American-Statesmen from Austin, TX, the Baltimore Sun, Omaha World Herald, Toledo Blade, New York Newsday, and many, many other papers have all endorsed this legislation.

Madam President, this measure will save lives. That is why I will continue to fight for its enactment all the way through this legislative process.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ALLARD). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent we continue in morning business, as has just been requested by the Senator from Ohio.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. I want to say a couple of words about the dialog that Senator DEWINE and I have had, working together, about the reduction of the blood alcohol content to .08. I listened very carefully to the information he just gave regarding repetitive assaults on excessive alcohol in this one case even, at the fairly reduced level of .085. It kind of forecast a tale that would have an unfortunate outcome.

I think it is important, as we consider legislation on ISTEA that carries this prohibition of driving over .08 blood alcohol content, we ought to review the case and see what it is we are discussing because I, too, in the State of New Jersey and around the country, have been subjected to criticism from the restaurant associations, the Alcoholic Beverage Association, and others who say, ''What do you want to do, take away social drinking and friendliness?''

We have only one mission, and I share this with the distinguished Senator from Ohio on this particular issue. That is to protect the lives of between 500 to 700 people a year, it is predicted, and also to send out notice that drinking and driving is an unacceptable condition in America. Mr. President, .08 certainly is a level which, I think it is fair to say, has conclusively been established as the beginning of significant impairment behind the wheel, including slowness in adjusting to different speeds, braking, turning.

It happens enough. We lose 17,000 people a year, Mr. President, to traffic accidents that involve alcohol. Over 40,000 to 41,000 people are killed each and every year. I use a reference fairly frequently that, in the worst year of Vietnam—when this country was, if not in virtual mourning, certainly in virtual internal turmoil about what was happening there—in its worst year, we lost about 17,000-plus people in Vietnam, and every year we lose 17,000-plus people on our highways and it doesn't get the same kind of public reaction as it did when we were engaged in combat in a cause that our people served but one that had us challenging the policy decision that got us there in the first place. There can't be any challenge here. It is such an easy thing.

I was the author of the uniform drinking age bill that raised the age to 21 across the country. We had had modest alcohol requirements in legislation offering incentives for States to get this thing done—reduce, make sure you had your road checks, and make sure you were cautioning people about driving while under the influence of alcohol, driving while intoxicated. It never quite did the trick.

But we found out when we raised the drinking age to 21, and we said those States that don't do it will be subjected to penalties by virtue of a loss of the highway or infrastructure funding that they may get, we had a devil of a time. It took a long time to persuade some places, like Washington, DC, which was making the callous calculation about whether or not revenues derived from tavern receipts, restaurant receipts, would be more than that which they would lose if they failed to raise the drinking age to 21. They finally agreed, and we had the unanimous support of all 50 States and the District of Columbia.

I am pleased to report that it is estimated that over 15,000 lives are saved as a result of a minimum drinking age of 21. Imagine, 15,000 families that don't have to mourn, 15,000 families that don't even want to contemplate what it might be like to have an empty place at the table.

We both have heard from the Frazier family in Maryland that lost a 9-year-old daughter. Her name was Ashley Frazier. When you see her parents and her sister talk about the emptiness that surrounds that household, about the place at the table where the mother sits occasionally because they want to be reminded that Ashley was a significant part of their everyday lives—they set the table for four, and only three of them are there for dinner. I have watched Mrs. Frazier compelled to tell her story through tears because she doesn't want another family to have to go through that experience. Her daughter was killed at 8 o'clock in the morning by a woman who was just over .08, who drove up on the sidewalk as Ashley and her mother were waiting for the schoolbus to pick her up. She describes in the most horrifying language how she felt when she heard the impact and realized what happened to her daughter.

So, Mr. President, this is a pursuit that we are going to continue to engage in, the Senator from Ohio and I and many others who supported us when we had the vote on the issue here, because it is the right thing to do.

The one thing that I can't believe is that the Licensed Beverage Association wants to stand up and challenge whether or not .08 is really an impairment. Mind you, it takes, according to the National Highway Traffic Safety Education, over four beers, four drinks, four highballs—over four—4½, to be precise—for a 170-pound person on an empty stomach to reach the .08 level. Now, that sounds like fairly heavy drinking. A woman of roughly 135 pounds would have to take 3½ drinks for her to get to .08 in 1 hour on an empty stomach.

That is pretty significant drinking. And so we say to the Restaurant Association, Why? ''Well, it could ruin our business and throw all of these people out of work.'' Well, Mr. President, I can tell you this—we heard the same appeal or the same challenge in 1984 when the drinking age was raised to 21, and the Restaurant and the Licensed Beverage Association said, ''You are going to ruin business in this country.''

I don't know whether anybody has noticed an absence of restaurants or hospitality spots in our society since 1984, but I can tell you that I haven't. I don't think anyone else has. Just read the list of the better restaurants and of the new beverages that come out, the new concoctions, mixed drinks. They are not going to lose any business with this either. And if they do, so what? If they save somebody's child from dying because someone was too drunk to drive, then that is a price that ought to be paid. I, frankly, think that if they are serious about this and they remind their bartenders and servers and people are reminded through campaigns that when you get to .08, you can't go behind that wheel—not without risking serious punishment, perhaps loss of a license and something even worse if it is repeated.

And so, Mr. President, so many times we go through the legislative process here and we forget, at times, the impact that it has on a family or on an individual. It becomes too much a calculation of other things than the right thing. We ought to do this. I am hoping that as ISTEA moves along, we will not only have .08 in there but we will have it with the measures that we have introduced and said, at the end of 3 years, if you haven't reduced your blood alcohol level acceptance to .08, you lose 5 percent, and if it goes for another year, you lose 10 percent. But at the end of 6 years, you still state A, B, or C, and you still have the opportunity to reclaim those funds that you would have lost, because we are giving it that much latitude. The program begins 3 years out and goes until 6 years without permanent loss of funding.

So I commend the Senator from Ohio for his interest and his attention to the details. As a prosecutor, we heard him say, he saw too much of the mayhem that is produced from someone getting behind the wheel who is unfit to drive. I look forward to working with him on this issue and other issues in which we share a common interest.

I yield the floor.

Mr. DEWINE addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. DEWINE. I ask unanimous consent to proceed as in morning business for the next 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DEWINE. Mr. President, I congratulate my colleague from New Jersey for an excellent statement and for his long-time dedication to this very important issue. The point he makes he makes very well. We are dealing with real people here. Sometimes when we come to the Senate floor, we don't know the consequences of our actions. But this is a case when we came here and the Senate passed, by a very, very substantial margin, this amendment and put it into the ISTEA bill. We knew what the consequences were. As I said at the time, before the vote, this is one of the few times when you can come to the Senate floor and know that if you cast a yes vote as a Member of the U.S. Senate, that yes vote is going to save lives. You will never know whose life will be saved, but you can be assured that hundreds and hundreds of people will live because of that law that is getting ready to be passed that you were voting on. The majority of the Members of the Senate, by a big margin, did in fact agree with that.

I would like to, as I did a moment ago, focus on individuals and on real stories. I did that a moment ago when I talked about the woman who had been convicted of DUI in the State of Ohio and tested at a high level. The same highway patrol officer arrested her again a few months later. This time, she tested ''only'' .08. Under Ohio law, the prosecutor did not feel they could go forward with the DUI, so she was ultimately charged with reckless operation. Then, of course, the tragic end to that story, as I related a moment ago, is that it wasn't too long after that when she showed up in San Diego, and this time deaths occurred as a result of her drinking and driving, and the family had to suffer that horrible, horrible tragedy.

Let me tell another story, and this is true. This happened a couple of weeks ago. Just a couple of weeks ago in Ohio, on March 1, in Montgomery County, OH, a Dodge Ram pickup truck collided with the rear of a stopped Honda Prelude. The Dodge Ram rode up right on top of the Honda and turned over on its side. The Honda was pushed forward into traffic, where it hit a sheriff's cruiser that was stopped in traffic. The sheriff's cruiser was pushed forward, and it hit a Chevrolet C10 van.

How can one car hit another car—a stopped car—so fast that it rides up on top of it and tips over? The answer is simple: The driver of the Dodge Ram was impaired, in this case, with a blood alcohol level of .76.

Mr. President, the risk of being in a crash rises gradually with each increase in the blood alcohol level. When a driver reaches or exceeds a .08 blood alcohol level, the risks rise very, very rapidly. They take off at about that point. At .08 a driver's vision, his or her balance, reaction time, hearing, judgment, self-control, are all seriously impaired; critical driving tasks, like concentrated attention, speed control, braking, steering, gear changing, and lane tracking, are also negatively affected.

That is why the driver of this Dodge Ram piled on top of a stopped car and caused a four-car pileup that led to the summoning of emergency medics. Just another example, another unnecessary casualty, of a blood alcohol limit that is simply too high.

Let me relate to the Members of the Senate several other true stories. We talked in the last several days to another highway patrolman in Ohio, Barry Call of Gallipolis, OH. He has been a highway patrolman for 6 years and has seen about a dozen cases where the driver was clearly impaired but could not be charged because they tested ''only'' between .07 and .09 on the breathalyzer.

Trooper Barry Call, in one case, saw a car pulling left of center a couple of times and pulled over the driver. The driver was clearly impaired, and she should not have been behind the wheel of a car. Her breathalyzer test showed a blood alcohol level of .084.

Another example: Trooper Richard Donley of Wilmington, OH, has seen fatalities in cases where drunk driving was a factor and the blood alcohol level was .06, .07, or .08. Sadly, says Trooper Donley, the courts, as a matter of practice, generally will throw out any DUI charge under .10, because the reality is that when you set your level, whether it be .08 or 10, or, as it was many years ago, .15, while the law says that if you hit that level and you test that, under most State laws it is a per se violation in and of itself. That level, at the same time, also really sets the standard. So anything below that, even if the officer observes very erratic driving, even if the person fails the sobriety test—what they call ''field test'' out on the road—the reality is that those cases are very difficult to win if the driver does not test over that limit. And so that limit really becomes the standard of the State.

As my colleague from New Jersey pointed out so very well, when we say .08, what we have to understand is that an average male, a male of 165 pounds, would have to consume over four beers in an hour on an empty stomach. I think most of us know from our own experience that if we have four beers in an hour on an empty stomach, we absolutely have no business being behind the wheel of an automobile. We know that—absolutely.

Another way of looking at it is to ask a question: If you were at a party—maybe some people were at your house—and you observed a friend of yours have four beers in an hour on an empty stomach, and didn't eat anything, would you put your 5-year-old daughter in the car and let him take her out to get an ice cream cone or something? We all know what the answer to that would be. It would be a very foolish and reckless person that would do that. No one would do that. No one in their right mind would do that.

So we know from our own experience that that person who tested .08 simply should not be behind the wheel of a car. What the Senate did, and what I hope

the Congress will do, is set this very minimum national standard so that wherever you drive—if you live in Cincinnati, for example, you might be in Kentucky one minute and in Indiana the next minute. We all move around from State to State. If you live in this area, you might be in Washington, DC, and then Virginia, and then Maryland. We move around. There will be some minimum standard so a driver and passengers can be assured that it will be illegal for a driver who is coming at them or who is on the other side of the road to test over .08, no matter where they are, on what road, anyplace in these great 50 States.

Let me give some more personal testimonies or examples. We have talked to Ken Betz, whom I have known for a number of years in many capacities. He is now the director of the Coroner's Office in Montgomery County, OH. Of the 36 alcohol-related driving fatalities his office has seen in just the past year, seven of these involved drivers who had a blood alcohol content of .08 or less. I will repeat that. In Montgomery County, OH, there were 36 alcohol-related driving fatalities in the last year. Of those 36, seven of them involved drivers who had a blood alcohol content of .08 or less.

One driver lost control of his car late at night and was killed. His blood alcohol level was .06. Another driver was killed when he ran into the back end of a stopped construction truck. His blood alcohol level was under .06. Another person was driving a motorcycle and turned left into an oncoming Ford Mustang. He wasn't wearing a helmet. He was killed. His blood alcohol content was .07. Another driver went off the right side of the road, down into a culvert. He and a passenger were both killed. His blood alcohol level was .07.

These are actual cases from Montgomery OH, in the last year.

Another driver lost control and struck several steel poles before plowing into a stopped car. He was killed. His blood alcohol level was .08.

Mr. President, people who drive at a .08 blood alcohol level are clearly impaired. There is absolutely no doubt about it. The risk of being in a crash rises gradually with each increase in the blood alcohol level, beginning at .01. But when a driver reaches or exceeds the .08 blood alcohol level, the risk rises very, very rapidly. At .08, a driver's vision, balance, reaction time, hearing, judgment, and self-control are all seriously impaired.

It is interesting, Mr. President, as this debate continues, and as we read some of the information that is put out by the alcohol industry. They can't really seriously cite or argue that anyone who tests .08 is not appreciably impaired in their reaction time, in their concentration, in their judgment. No one can say that. We all know that for a fact. Moreover, at .08, critical driving tasks like concentrated attention, speed control, braking, steering, gear changing, and lane tracking are all affected.

The Senate overwhelmingly passed our legislation. I hope the whole Congress will pass it. It would help America crack down on these impaired drivers and make our roads safer for our children and for our families. That is why I will continue to fight for this lifesaving measure throughout the legislative process.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business Friday, March 27, 1998, the federal debt stood at $5,547,110,706,640.96 (Five trillion, five hundred forty-seven billion, one hundred ten million, seven hundred six thousand, six hundred forty dollars and ninety-six cents).

One year ago, March 27, 1997, the federal debt stood at $5,378,489,000,000 (Five trillion, three hundred seventy-eight billion, four hundred eighty-nine million).

Twenty-five years ago, March 27, 1973, the federal debt stood at $458,073,000,000 (Four hundred fifty-eight billion, seventy-three million) which reflects a debt increase of more than $5 trillion—$5,089,037,706,640.96 (Five trillion, eighty-nine billion, thirty-seven million, seven hundred six thousand, six hundred forty dollars and ninety-six cents) during the past 25 years.

MISSOURI HOME SCHOOLERS

Mr. ASHCROFT. Mr. President, I rise today to congratulate Missouri home schoolers who will observe Missouri Home Education Week, May 3–May 9, 1998. As a parent and former educator, it is a privilege for me to participate in celebrating this event.

As a nation we promote education as a key to success. A good education is associated with responsible, intelligent, and productive citizenship. To maintain greatness as a nation, we must strive for excellence as individuals. And the standard of excellence is largely set by our nation's leaders—especially those in the home. Training in the home that guides children in setting the highest standards for their lives is essential to the continuity of morality in our culture. I am encouraged by all parents and students who take on the task of education in the home.

There is no bigger responsibility than being a parent. It is my desire that parents be role models to their children. Teachers have always had a place as role models in our society. Each of us can probably remember a teacher who pushed us to achieve more and to reach higher. We are thankful for the leadership of those who promote education and serve as role models. So for home schooling parents, may you find inspiration in performing the dual role of parent and teacher, and may you be doubly rewarded for your efforts.

In Missouri, home schooling has had great success. I look forward to the continued contributions that Missouri home schoolers will have in education and to the positive impact home schooled children will have in Missouri's communities and across the United States.

HONORING DR. DAVID B. HENSON, THE SEVENTEENTH PRESIDENT OF LINCOLN UNIVERSITY

Mr. ASHCROFT. Mr. President, I rise today to honor the new Lincoln University President, Dr. David B. Henson. On April 4, 1998, Dr. Henson will gather with friends, family, colleagues, faculty, and students to be inaugurated as the seventeenth President of Lincoln University which opened its doors on September 17, 1866, in Jefferson City, Missouri as the Lincoln Institute.

Dr. Henson has a twenty-five year history of service to higher education. The list of educational institutions he has served is a prestigious one. At Howard University College of Medicine, Dr. Henson served as the Acting Chairperson in the Department of Biochemistry, the Assistant Dean of Student Affairs, and an Associate Professor of Biochemistry. At Yale College, he was the Dean of Student Affairs and the Associate Dean. Dr. Henson's work in the fields of science is commendable. He was a Lecturer in Molecular Biophysics and Biochemistry and a Fellow in Timothy Dwight College at Yale University, a Professor of Chemistry at Alabama A&M, and a Provost and Professor of Chemistry at the Broward Campus of Florida Atlantic University. Furthermore, at the University of Colorado at Boulder, Dr. Henson held the position of Associate Vice Chancellor of Academic Services and Student Support Services. Dr. Henson also served as Vice President of Student Services at Purdue University.

President Henson is actively involved in state and local community services. He is an honorary member of Purdue Iron Key Society; a member of the Executive 21 Continuous Quality Improvement Steering Committee; a steward at St. John's AME Church in Huntsville; on the National Committee on International Science and Education; on the Education Committee, U.S. Space & Rocket Center; and on the Board of Huntsville Boy's and Girl's Clubs of America.

Dr. Henson contributes his services to Missouri organizations as well. He currently is the Treasurer of the Council on Public Higher Education of Missouri; on the Board of Directors with the Jefferson Chamber of Commerce; on the Board of Governors at Capital Region Medical Canter; a member of the Steering Committee for the River Rendezvous; an active member of the Rotary Club of Jefferson City; and a member of the Dr. Martin Luther King, Jr. Central Missouri Celebration Planning Committee.

To his credit, Dr. Henson has received the African Americans Who Make a Difference Award, the Howard

University College of Medicine Student Council's Award for Excellence in Teaching, the George Washington Carver Research Foundation Student Award, and an American Council on Education Fellowship.

For this lifetime of service to education and commitment to community involvement, I rise today to recognize and salute Dr. David B. Henson as he becomes the seventeenth President of Lincoln University. I think I speak for all Missourians when I say that we are grateful that he has chosen a Missouri university to continue his service to higher education.

MESSAGES FROM THE HOUSE

At 12:07 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3246. An act to assist small businesses and labor organizations in defending themselves against Government bureaucracy; to ensure that employees entitled to reinstatement get their jobs back quickly; to protect the right of employers to have a hearing to present their case in certain representation cases; and to prevent the use of the National Labor Relations Act for the purpose of disrupting or inflicting economics harm on employers.

H.R. 3310. An act to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements, to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BURNS:

S. 1879. A bill to provide for the permanent extension of income averaging for farmers; to the Committee on Finance.

By Mr. CLELAND:

S. 1880. A bill to provide States with the authority to permit certain employers of domestic workers to make annual wage reports; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 1881. A bill to amend title 49, United States Code, relating to the installation of emergency locator transmitters on aircraft; to the Committee on Commerce, Science, and Transportation.

By Mr. JEFFORDS (for himself, Mr. KENNEDY, Mr. COATS, and Mr. DODD):

S. 1882. A bill to reauthorize the Higher Education Act of 1965, and for other purposes; to the Committee on Labor and Human Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KEMPTHORNE (for himself, Mr. ABRAHAM, Mr. AKAKA, Mr. BINGAMAN, Mrs. BOXER, Mr. BROWNBACK, Mr. BRYAN, Mr. BURNS, Mr. CAMPBELL, Mr. CHAFEE, Mr. COCHRAN, Ms. COLLINS, Mr. COVERDELL, Mr. CRAIG, Mr. D'AMATO, Mr. DEWINE, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENZI, Mr. FAIRCLOTH, Mrs. FEINSTEIN, Mr. GLENN, Mr. GORTON, Mr. GRAMM, Mr. GREGG, Mr. HAGEL, Mr. HELMS, Mr. HOLLINGS, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Mr. LOTT, Mr. LUGAR, Mr. MCCAIN, Ms. MOSELEY-BRAUN, Mr. MOYNIHAN, Mrs. MURRAY, Mr. NICKLES, Mr. REID, Mr. ROBB, Mr. ROCKEFELLER, Mr. ROTH, Mr. SARBANES, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH of Oregon, Mr. SMITH of New Hampshire, Mr. THURMOND, Mr. TORRICELLI, Mr. WARNER, and Mr. WELLSTONE):

S. Res. 201. A resolution to commemorate and acknowledge the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers; to the Committee on the Judiciary.

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 202. A resolution to authorize representation by the Senate Legal Counsel; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINTS RESOLUTIONS

By Mr. BURNS:

S. 1879. A bill to provide for the permanent extension of income averaging for farmers; to the Committee on Finance.

FARMERS' LEGISLATION

Mr. BURNS. Mr. President, I introduced an amendment to the Revenue Reconciliation Act of 1997 back in 1997. It extended to our agriculture producers—farmers and ranchers—the ability to average their income over a 3-year period. The amendment was included and made part of the U.S. Tax Code, but only after further negotiations, sunset the provision after 3 year which would make it run out in 2001.

Today, I would like to introduce a bill that would make income averaging for our agriculture producers permanent in the U.S. Tax Code. This bill will give our agriculture producers—farmers and ranchers—a fair tool to offset the unpredictable nature of their business.

Our man in the chair this morning from the great agricultural State of Nebraska, and the rest of us in the breadbasket of this country understand what farmers and ranchers go through. It has always been a good business and at times it is a great business. But we are going through some times now that are very stressful. As a friend of mine said the other day, there is nothing wrong down on the farm except the price. That is what we have now.

There are not very many segments of the American economy that are taking in the same amount of money for their commodity today as they were taking when World War II ended, some 50 years ago. However, they are expected to keep producing food not only in generous proportions but also the safest, the best quality and nutritious food in the world.

What makes this Nation unique is, we not only produce it, but we have the infrastructure that allows distribution—our processors, purveyors, transportation, grocery stores, everything from the breakfast table of America all the way back to the first seed that goes into the ground is unmatched anywhere in the world. It is something of a great marvel in this country. And it is also true that every one of us alive today in this country goes about our daily business of feeding the Nation. Somewhere along the line, we are participants in this great infrastructure to deal with our own subsistence.

But basically, I want to talk about—the production level, I don't think there is a commodity today that is not hurting when it comes to the marketplace and to the whims of Mother Nature's elements that she rains down on agriculture. Agriculture production is a 7-day-a-week job as anybody that has ever worked on a dairy farm knows. I assumed that most Americans knew that, but I am finding out that I was wrong. They think milk cows take off the weekend, too, but they don't. Farming is an ongoing situation—7 days a week, 52 weeks a year. Farmers and ranchers take pride in their work. They produce as economically as they possibly can, knowing that they fall under the old philosophy that they although they sell wholesale, they have to buy retail, and they pay the freight both ways, knowing that agriculture has always been in that kind of a predicament.

Not only do they take great pride in what they produce, but probably no other segment of the American public has a greater understanding of land stewardship and the environmental problems that face our country today. Yet, very few of them are ever asked their advice on how to deal with an environmental problem. Several colleagues that serve in this body, who grew up on a farm or a ranch, certainly understand the frustration of the business. They only get paid about two, maybe three times a year. So it is a crucial time for the farm families across this country when we take a look at the situation we find ourselves in now. With the financial collapse of many Asian markets in the Pacific rim, we see wheat at an all-time low. Our corn and soybeans will suffer. As far as export trade is concerned, we export a lot more than we receive. We also see a time when we fall whim to the psychology of the market more than the market itself.

With the recent passage of the freedom to farm bill, we told farmers that subsidies were going to go away, that they were going to have to stand on their own. We also said that we would give them the tools with which to operate their farms.

Market forces are unique. We still fall victim to flood and drought, disease, new infestations which are far,

far beyond the control of the producer himself. Farmers make money one year, but may break even the next year, and then lose money the next two years. If you take market elements and Mother Nature into consideration, farmers fall outside of the business of control. So, at best, they are lucky to break even 2 years in a row, and if they have done that, they think they are really ahead.

The business is capital intensive, and labor intensive. To give you an idea just why this is an important thing, many young people right now due to death taxes—in other words, estate taxes—agriculture producers usually find themselves in the situation where they are land rich but they are cash poor. Passing the farm and ranch on to the next generation is hard when the tax situation is where they cannot do it. They may have exceeded the limit and heavy estate taxes prevent that. With increases in the top marginal tax and with a record of high commodity taxes, it is time to allow some of that income that goes back to the farm to be retained and to allow them to average their income over 3 years at those marginal tax rates.

We made a deal with agriculture when we passed the Freedom to Farm Act. We made a deal with them that there would be no more subsidies, but we would give them income averaging and all the tools that it would take to hang on to their money so that they could invest in next year's crop. If you want to really measure a man's faith, have him take his money, his time, his efforts, and his investment and have him put a seed in the ground in hopes that it will just sprout, let alone harvesting a crop.

That is faith, we have always had it in agriculture, and it has always been the backbone of every State economy and it still is. When things are good in agriculture, they are usually good for the rest of the country. But I would say this economy right now, the one we are experiencing that everybody raves about is still riding the backs of those who are in the business of producing a raw commodity.

So, Mr. President, I offer this bill to put in a permanent place for income averaging for agriculture producers.

Mr. President, there will be letters coming out to my colleagues explaining what we have done here. I think it is very important. It is important to my State. It is important to all of us. It is important to the smaller communities of America, because if agriculture is not healthy, those communities suffer also. That is why we work very hard on communications infrastructure, and that is why we work awfully hard on power infrastructure. Smaller communities that rely so heavily on agricultural income must find ways to attract other economic opportunities and those two other parts are very important to their infrastructure in the future.

I appreciate the time from my friend from Wyoming. I yield the floor.

Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. THOMAS. Mr. President, thank you very much. I thank the Senator from Montana for his comments with respect to income averaging and agricultural activity. I certainly support that. I think, as evidenced by its passage last year, it is generally supported.

Mr. BURNS. Mr. President, I ask unanimous consent that additional material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON TAXATION,
Washington, DC, March 19, 1998.

Hon. CONRAD BURNS,
U.S. Senate, Washington, DC.

DEAR SENATOR BURNS: This is in response to your letter of March 16, 1998, requesting a revenue estimate for a permanent extension of income averaging for farmers.

Under present law, an individual taxpayer generally is allowed to elect to compute current year tax liability by averaging, over the prior three-year period, all or a portion of the individual's taxable income from the trade or business of farming. The election applies to taxable years beginning after December 31, 1997, and before January 1, 2001.

Under your proposal, the election to average farm income over a three-year period would be extended permanently. The proposal would become effective on the date of enactment.

For the purpose of preparing a revenue estimate for your proposal, we have assumed that enactment will occur during calendar year 1998. Estimated changes in Federal fiscal year budget receipts are as follows:

[In millions of dollars]

Item	Fiscal years—						
	1998	1999	2000	2001	2002	1998–2002	1998–2007
Permanent extension of income averaging for farmers				−2	−21	−23	−138

I hope this information is helpful to you. If we can be of further assistance, please let me know.

Sincerely,

LINDY L. PAULL.

By Mr. CLELAND:

S. 1880. A bill to provide States with the authority to permit certain employers of domestic workers to make annual wage reports; to the Committee on Finance.

DOMESTIC WORKERS LEGISLATION

Mr. CLELAND. Mr. President, I rise today to introduce important legislation which will remove a significant tax filing burden currently imposed on employers of domestic workers.

In 1994, Congress adopted legislation reforming the imposition of Social Security and Medicare taxes on domestic employees. These new rules introduced more rationality into the tax system, and relieved reporting requirements of domestic employers.

Unfortunately, the legislation did not go as far as needed. By not fully reforming the federal unemployment tax (FUTA), Congress left in place a significant burden on domestic employers which previously existed. Today I urge you to consider my legislation which would amend FUTA as well by removing the burden of filing quarterly state employment tax returns for employers of domestic workers.

The Social Security Domestic Employment Reform Act of 1994, Public Law 103–387, changed the Social Security and Medicare tax rules. The new law provides that domestic employers (employing maids, gardeners, babysitters, and the like) no longer owe these taxes for any domestic employee who earned less than $1,000 per year from the employer.

In addition, the Act aimed to ease reporting requirements. Under the act, domestic employers need no longer file quarterly returns regarding Social Security and Medicare taxes nor the annual FUTA return. Rather, all federal reporting is now consolidated on an annual Schedule H filed at the same time as the employer's personal income tax return.

Nevertheless, the goal of the 1994 act—to substantially reduce reporting requirements for domestic employers—has not been fully accomplished for employers who endeavor to comply with all aspects of the law. Under FUTA, employers must make quarterly reports and payments to state unemployment agencies, then pay an additional sum of federal tax (now once a year, as part of schedule H). In addition, The Social Security Act continues to require that employers report wages quarterly to the states regarding all employees. In other words, despite the 1994 act, a domestic employer who abides by the law must still keep track of all domestic employees, and must still fill out forms and send tax payments on a quarterly basis to his or her state employment agency.

Congress was not unaware of the relationship of FUTA to Social Security taxes at the time it passed the 1994 act. Besides eliminating the separate FUTA return for domestic employers, the act also added a provision which permits the Secretary of the Treasury to enter agreements with States to permit the federal government to collect unemployment taxes on behalf of the States, along with all other domestic employee taxes, once a year. That statute, if used, would eliminate the need for domestic employers to report to state unemployment agencies. However, to

date no state has entered such an agreement. Undoubtedly, that is because the Social Security Act continues to require quarterly reports anyway.

The primary justification cited for the quarterly reporting requirement is that it makes information more accessible to state agencies that investigate unemployment claims. However the burden of this provision far outweighs its benefit. The number of household employer tax filings is relatively small. Representatives from the Georgia Department of Labor and their counterparts in other states are confident that the investigation of unemployment claims will not be hindered by annual rather than quarterly reporting requirements.

I suppose one could argue that the change this legislation proposes is unnecessary, since few people even bother to comply with the FUTA requirements for domestic employees. I believe that avoiding a change for that reason is an insult to citizens who endeavor to comply with all tax laws. For example, one Pennsylvania resident paid a 12 year old girl $4 per hour during one quarter for her babysitting services. This resident was then required by law to record, then pay eight cents in tax on her behalf. Needless to say, this is ridiculous. The young babysitter would never claim unemployment compensation.

In short, the federal requirement of quarterly state employment tax reports for purely domestic employers should be eliminated. To ease the reporting burden on domestic employers, my legislation proposes that states be allowed to provide for annual filing of household employment taxes. Under my bill, any state which so chooses could retain quarterly reporting, but I believe few states would opt for such an unnecessary burden on its taxpayers. I urge my colleagues to join me in the effort to finish the job of rationalizing the taxpayer obligations for domestic employment taxes by supporting this bill. I ask unanimous consent that the text of my bill be inserted in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1880

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

SECTION 1. AUTHORIZATION FOR STATE TO PERMIT ANNUAL WAGE REPORTS.

(a) IN GENERAL.—Section 1137(a)(3) of the Social Security Act (42 U.S.C. 1320b–7(a)(3)) is amended by inserting before the semicolon the following: ", and except that in the case of wage reports with respect to domestic service employment, a State may permit employers (as so defined) that make returns with respect to such service on a calendar year basis pursuant to section 3510 of the Internal Revenue Code of 1986 to make such reports on an annual basis."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to wage reports required to be submitted on and after the date of enactment of this Act.

By Mr. LIEBERMAN:

S. 1881. A bill to amend title 49, United States Code, relating to the installation of emergency locator transmitters on aircraft; to the Committee on Commerce, Science, and Transportation.

THE AIRPLANE EMERGENCY LOCATOR ACT

Mr. LIEBERMAN. Mr. President, I am pleased to rise today to introduce the Airplane Emergency Locator Act. This important legislation would require most small aircraft to have emergency locator transmitters. A similar bill was introduced in the House by Representative CHRISTOPHER SHAYS.

On Tuesday December 24, 1996 a Learjet with Pilot Johan Schwartz, 31, of Westport, Connecticut and Patrick Hayes, 30, of Clinton, Connecticut lost contact with the control tower at the Lebanon, New Hampshire airport. The crash occurred in poor weather and after an aborted landing. Despite efforts by the federal government, New Hampshire state and local authorities, and Connecticut authorities, extremely well organized ground searches failed to locate the two gentlemen or the airplane. The thick pines of the NH countryside have hampered the effort. This plane did not have an emergency locator transmitter, a device which could have made a difference in saving the lives of these two men.

The legislation I am introducing today is straightforward—the only aircraft that would be exempt from having emergency locator transmitter's would be planes used by manufacturers in development exercises and agricultural planes used to spread chemicals over crops. It is my strong belief that these devices will play a vital role in search efforts, where timing is so critical in any rescue mission.

I applaud my colleague CHRISTOPHER SHAYS for introducing similar legislation in the House and I urge my colleagues to join us in support of the Airplane Emergency Locator Act. Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1881

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 "Airplane Emergency Locator Act".

SEC. 2. FINDINGS.

Congress finds that—

(1) on December 24, 1996, a plane piloted by Johan Schwartz and Patrick Hayes disappeared near Lebanon, New Hampshire;

(2) an extensive search was conducted by the States of New Hampshire, Connecticut, Vermont, New York, Maine, and Massachusetts, in cooperation with the Federal Government, in an unsuccessful effort to locate the plane and any survivors;

(3) the plane described in paragraph (1) was not required under law to carry an emergency locator transmitter; and

(4) emergency locator transmitters have been found to be very helpful in locating downed aircraft and saving lives.

SEC. 3. APPLICABILITY OF REQUIREMENT.

Section 44712(b) of title 49, United States Code, is amended to read as follows:

"(b) NONAPPLICATION.—Subsection (a) does not apply to aircraft when used in—

"(1) flight operations related to the design and testing, manufacture, preparation, and delivery of aircraft; or

"(2) the aerial application of a substance for an agricultural purpose.".

By Mr. JEFFORDS (for himself, Mr. KENNEDY, Mr. COATS, and Mr. DODD):

S. 1882. A bill to reauthorize the Higher Education Act of 1965, and for other purposes; to the Committee on Labor and Human Resources.

THE HIGHER EDUCATION AMENDMENTS OF 1998

Mr. JEFFORDS. Mr. President, I will be introducing a bill today in relation to the changes that we have worked on with members, of course, of both parties in our committee with respect to the higher educational programs.

There is nothing more important to this Nation than maintaining our international superiority as the country with the best higher education. That is the reason this Nation is where it is today. And if we allow that to sink, as we have allowed our k-12 to sink, then, Mr. President, we will be sliding down, in the next century, to a position of lesser importance.

I am introducing the bill today—with Senators KENNEDY, COATS, and DODD—the Higher Education Amendments of 1998. This legislation is a product of work begun by the Committee on Labor and Human Resources over a year ago.

The Higher Education Act is among the most significant statutes under the jurisdiction of the committee. Since its inception in 1965, the act has been focused on enhancing the opportunities of students to pursue postsecondary education. The grant, loan, and work-study assistance made available by this act has made the difference for the countless millions in pursuing their dreams for a better life.

At the start of the reauthorization process, we set out to achieve a number of important goals designed to strengthen these programs. I am pleased to say that this legislation achieves the five major objectives identified at the beginning of our efforts.

First, the bill preserves the focus on students, who are the prime reason we have a Higher Education Act in the first place. Students now in school will be assured of receiving a lower interest rate on their loans and will see less of their own earnings penalized with respect to the Pell grant awards they receive. Students now in high school who aspire to a college education will continue to benefit from early intervention programs, including the National Early Intervention Scholarship Program—NEISP—and TRIO. Students who have graduated and are faced with exceptionally high loan burdens will be able to take advantage of extended repayment options under the Guaranteed Student Loan Program.

Second, the bill takes a two-pronged approach to helping our Nation's elementary and secondary school teachers. They will be thoroughly prepared to offer the quality of instruction needed to assure that students achieve the standards we need and expect. Working at both the State level to promote system-wide reforms and at the local level to develop partnerships to enhance the quality of teacher training, the bill offers a comprehensive and systematic approach to this pressing national need. No longer will the Higher Education Act contain a collection of small, unfunded teacher training programs. Rather, the good ideas represented in these proposals—along with the many useful suggestions made by members of the committee—have been shaped into a broad approach. It is an approach which I hope will command the attention and support of Congress when we turn to the appropriations bill.

Third, the bill reflects a strong commitment to the maintenance of two viable loan programs—the guaranteed or Federal Family Education Loan Program, known as FFELP, and the Direct Loan Program. To the extent possible within budgetary constraints, the bill levels the playing field to assure the continuation of fair and healthy competition between the two programs.

Fourth, the bill takes important steps to improve the delivery of student assistance programs. In cooperation with the administration, we have developed a performance-based organization—a PBO—designed to strengthen the management of key systems with the Department of Education. A number of provisions in the legislation also pave the way toward taking advantage of efficiencies made possible through electronic processing and other technological advances.

Finally, we have made every attempt to streamline programs, including the streamlining of the act itself. This bill takes nearly 50 programs off the books—off the books—and cuts in half the number of titles in the act. We have also attempted to relieve the regulatory burden on program participants while protecting the strong and effective integrity provisions included in the 1992 reauthorization.

Perhaps one of the most difficult issues to resolve has been the change in the student loan interest rate scheduled to take effect on July 1 of this year. This has, of course, been a strong concern of the Budget Committee. This legislation adopts the proposal approved a few weeks ago by the House Committee on Education and the Workforce. For several months, Members of the House and the Senate have grappled with the issue. The dilemma has been to balance the desire to offer students the lowest possible interest rate while assuring an uninterrupted flow of loan capital so that borrowing will be possible.

All analysts have concluded that allowing the scheduled rate to go into effect will mean the demise of the FFEL program. That outcome is unacceptable, given the substantial likelihood of program disruption.

The Direct Loan Program, which now handles only 30 percent of total loan volume, simply is not in a position to pick up the slack. To do anything to interrupt the ability of our young people to participate in the FFEL program would be a disaster at this time. The solution offered by the House committee included in the bill is by no means perfect. Like Winston Churchill's comments about democracy, however, I say: This proposal is the worst possible option, except for all others.

I am extremely appreciative of the hard work which my colleagues on the committee put into the development of this bipartisan bill. The committee will be considering this measure on Wednesday, and I hope that the full Senate will have the opportunity to debate it in the near future.

Mr. President, I ask unanimous consent that a summary of the bill be printed in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

HIGHER EDUCATION ACT AMENDMENTS OF 1998—SUMMARY

TITLE I: GENERAL PROVISIONS

Current Title 1—Partnerships for Educational Excellence—is repealed, as programs authorized under the title have not been funded.

General Provisions, now included in Title XII, will be transferred to Title I.

Obsolete/unfunded sections of Title XII are repealed.

Language is added to require the Secretary to publish the expiration dates of terms of members of the National Advisory Committee on Institutional Quality and Integrity and to solicit nominations for vacancies on the Committee.

TITLE II: IMPROVING TEACHER QUALITY

The teacher education provisions from Title V will be moved to Title II. All unfunded programs are repealed and replaced with a comprehensive program whose purpose is to improve student achievement, to improve the quality of the current and future teaching force by improving the preparation of prospective teachers and enhancing professional development activities, and to hold institutions of higher education accountable for preparing teachers who have necessary teaching skills and are highly competent in the academic content areas in which they plan to teach, including training in the effective use of technology in the classroom. The proposal provides a ''top-down'' and ''bottom-up'' approach for improving teacher quality.

States will be eligible to compete for Teacher Quality Enhancement Grants that would be used to institute state level reforms to ensure that current and future teachers possess the necessary teaching skills and academic content knowledge in the subject areas in which they are assigned to teach.

Teacher Training Partnership Grants will be made to local partnerships comprised of academic programs and education programs at institutions of higher education, local education agencies, K–12 schools, state education agencies, Pre-K programs, non-profit groups, businesses and teacher organizations. Partnerships will be eligible to receive a ''one time only'' grant to encourage reform and improvement at the local level.

The proposal includes strong accountability measures for both Enhancement and Partnership grants. Grant recipients receiving assistance under this title will continue to receive support after the second year of the grant only if they have shown that they are making substantial progress in meeting such goals as improving student achievement, increasing the passage rate of teachers for initial state licensure or certification, and increasing the classes taught in core academic subject areas.

TITLE III: INSTITUTIONAL DEVELOPMENT

Part A—Strengthening Institutions

Encourage institutions to improve their technological capacity and make effective use of technology.

Allow institutions to use up to 20% of their awards to establish or expand an endowment fund.

Require a two-year wait out period between the receipt of consecutive grants.

Authorize at $135 million for FY 1999 and such sums as may be necessary for each of the 4 succeeding years.

Section 316—Hispanic serving institutions

Simplify definition of Hispanic Serving Institution.

Allow institutions to use up to 20% of their awards to establish or expand an endowment fund.

Encourage institutions to collaborate with community-based organizations on projects that seek to reduce drop-out rates, improve academic achievement and increase enrollment in Higher Education.

Repeal the funding trigger which requires that funding for Title III, Part A grants exceed $80 million before any funds may be provided for grants under Section 316.

Authorize at $45 million for FY 1999 and such sums as may be necessary for each of the 4 succeeding years.

Part B—Historically Black Colleges and Universities

Allow institutions to use up to 20% of their awards to establish or expand an endowment fund under the terms and conditions of Part C.

Authorize at $135 million for FY 1999 and such sums as may be necessary for each of the 4 succeeding years.

Section 326—Professional or graduate institutions

Clarify that eligible institutions must match only those funds received in excess of $500,000.

Provide eligible institutions with multiple eligible graduate programs the flexibility to spend Sec. 326 funds on any qualified graduate program.

Authorize at $30 million for FY 1999 and such sums as may be necessary for each of the 4 succeeding years.

Part C—Endowment challenge funds for institutions eligible for assistance under part A or part B.

Authorize at $10 million for FY 1999 and such sums as may be necessary for each of the 4 succeeding years.

Part E—Historically black college and university capital financing

Move from current Title VII, Part B.

Expand the definition of capital project to include administrative facilities, student centers, and student unions.

Clarify that the Secretary may sell qualified bonds guaranteed under this provision to any party that the Secretary determines offers the best terms.

Authorize at $110,000 for FY 1999 and such sums as may be necessary for each of the 4 succeeding years.

Part F—Minority science and engineering improvement program

Move from current Title X, Part B.

Modify definition of science to include behavioral sciences.

Authorize at $10 million for FY 1999 and such sums as may be necessary for each of the 4 succeeding years.

TITLE IV: STUDENT ASSISTANCE

Part A, subpart 1—Pell grants

Change the name of the program from Basic Education Opportunities Grants to the Federal Pell Grant program.

Allow for the Department, after allowing for a formal comment period, to institute an accurate and timely payment process replacing the mandatory 85% advance funding to institutions.

Update and increase the Federal Pell Grant maximum awards.

Eliminate the minimum step function for the minimum Pell grant by setting the Pell minimum at $200.

Place a time limit on the period during which students may receive a Federal Pell Grant equal to 150 percent of the period normally required to complete a course of study.

Tighten provisions dealing with English as a Second Language ''stand alone'' programs.

Part A, Subpart 2, Chapter I—Early outreach, federal TRIO programs

Increase the minimum grant level for TRIO programs so as to ensure comprehensive services remain available to students.

Permit TRIO directors to administer more than one program for disadvantaged students.

Increase authorization level to $700 million in FY 1999 and such sums as may be necessary for each of the 4 succeeding years.

Expand authorized activities in the Talent Search Program to include activities designed to acquaint youth with careers in which individuals from disadvantaged backgrounds are under represented.

Expand authorized activities in Upward Bound to include summer work study and permit higher stipends for those Upward Bound students participating in summer work study positions.

Require the Secretary to consider the institution's efforts to provide sufficient financial assistance to meet a student's full financial need when awarding Student Support Services grants to institutions.

Reserve up to 2% of TRIO funds for Evaluation and Dissemination/Partnership grants. The new Dissemination/Partnership provision would encourage partnerships between TRIO programs and other institutions, community based organizations or both offering programs or activities serving at-risk students to provide technical assistance and disseminate program best practices.

Part A, Subpart 2, Chapter 2—National early intervention scholarship and partnership program

Reauthorize the program with no changes.

Part A, Subpart 3—Federal supplemental education opportunity grants

Increase the authorization level for the SEOG program to $700 million for FY 1999 and such sums as may be necessary for each of the 4 succeeding years.

Eliminate the percentage reference to less than full time or independent students.

Provide institutions with the authority to carry-back and carry-forward 10% of the institution's SEOG funds.

Part A, Subpart 4—Grants to states for state student incentives

Adopt Senators REED and COLLINS proposal (S. 1644) strengthening the SSIG program and renaming the program the Leveraging Educational Assistance Partnership Act (LEAP), with modifications.

Part A, Subpart 5—Special programs for students whose families are engaged in migrant education

Increase the authorization level for the HEP and CAMP programs to $25 million and $10 million in FY 1999 and such sums as may be necessary for each of the 4 succeeding years.

Part A, Subpart 6—Robert C. Byrd honors scholarship program

Increase the authorization level to $45 million in FY 1999 and such sums as may be necessary for each of the 4 succeeding years.

Part A, Subpart 7—CAMPUS

Incorporates S.1151 with small modifications.

Part B and D—Federal family education loan program and the William D. Ford federal direct loan program

Require non-state designated guarantors to have capacity to respond to electronic inquiries.

Clarify that for the purpose of calculating cohort default rates loans that are successfully challenged on the basis of improper servicing will be removed from both the numerator and the denominator.

Require institutions that unsuccessfully appeal high cohort default rates and that choose to receive loans during the appeal process be held liable for loans made during the appeal process and to post surety in an amount sufficient to cover these costs.

Allow institutions with a student loan participation rate index of .0375 or lower to be exempted from sanctions related to high institutional cohort default rates.

Extend and modifies current exemption from cohort default rate sanctions enjoyed by HBCUs, HSIs, TCCCs and Navajo Community Colleges.

Reduce paperwork for institutions by only requiring them to transmit information to lenders which is needed by the lenders for originating and servicing the loan.

Eliminate 30-day disbursement delay for first time undergraduate borrowers at institutions with cohort default rates of 5% or less.

Eliminate multiple disbursement requirements for 4th and 5th year undergraduate students attending institutions with cohort default rates of 5% or fewer who will receive a loan to complete their degrees in less than one year.

Provide loan forgiveness for teachers.

Provide extended repayment terms for FFEL students with loans in excess of $30,000.

Exempt low volume lenders from annual lender audit requirements.

Allow borrowers to request forbearance electronically.

Allow lenders to provide 60 day forbearance for requests that require additional research. Interest may not be capitalized.

Repeal requirement that states share in costs of guarantying student loans that go into default (provision never implemented as a result of technical problems).

Allow Secretary to specify additional factors that may be considered in determining PLUS loan eligibility.

Allow Secretary to verify immigration status and social security number of PLUS loan applicants.

Exclude borrowers from whom involuntary payments are secured through litigation or administrative wage garnishment from eligibility for consolidating defaulted loans.

Eliminate 180-day rule for packaging of consolidation loans.

Encourage the development and use, free of charge to borrowers, of electronic applications and forms that are approved by the Secretary.

Authorize the Secretary to develop and implement a multi-year promissory note for Parts B & D.

Allow guaranty agencies and lenders to provide required disclosures electronically at the request of the borrower.

Clarify that the representative sample of loan servicing and collection records that will be made available to a school that is appealing its cohort default rate based upon allegations of improper loan servicing will be those that the guaranty agency used in making the determination whether to pay an insurance claim to the lender.

Repeal D.C. Student Loan Insurance Program—currently served by ASA.

Clarify the responsibility of program participants for the program compliance of their contractors.

Repeal requirement that an authority using tax-exempt funding submit a plan for doing business.

Allow the Secretary to pay for data that the Department considers essential to the efficient administration of the programs under Title IV.

Authorize the Secretary to allow borrowers under Parts B and D to use the FAFSA as their loan application.

Allow institutions to use electronic technology to provide personalized exit counseling to students.

Clarify that for purposes of calculating the FFEL program in-school interest subsidy that disbursement means disbursement by the school.

Clarify the loan limits available to borrowers who are eligible for FFEL and DL loans while taking non-degree course work necessary for enrollment or teacher certification.

Delete obsolete language referring to the 7-month interval of eligibility carried over from SLS program and clarify that annual loan limits are based on the statutorily defined academic year.

Clarify that interest that accrues and is capitalized on unsubsidized loans is not considered for purposes of computing aggregate loan limits.

Repeal payment to guaranty agencies for lender referral services.

Allow institutions to participate in one or more programs under Part B or Part D.

Recall $200 million in guaranty agency reserve funds.

Clarify that reserve funds are the sole property of the Federal government.

Eliminate preclaims and supplemental preclaims assistance and replace with a new default aversion program. GA's will be reimbursed only for those accounts which are brought current.

Restructure GA reimbursement to more accurately reflect cost structure. Eliminate the administrative expense allowance and replace with a loan origination fee and a portfolio maintenance fee.

Encourage greater emphasis upon default aversion by reducing reinsurance from 98% to 95% and by reducing the GA collection retention amount from 27% to 24%.

Authorize the Secretary to enter into voluntary flexible agreements with guaranty agencies in lieu of their agreements under section 428 (b) and (c).

Require the Secretary to report to Congress on the status of efforts to bring mission critical systems into Y2K compliance.

Direct the Secretary of Treasury to conduct a study, in consultation with institutions of higher education, lenders, students, and other participants in the student loan programs, of the impact and feasibility of

using market-based mechanisms to establish interest rates on student loans.

Authorize the Secretary to verify the incomes of the parents of dependent applicants with the IRS.

Establish the student loan interest rate 91-day T plus 1.7% in school and 91-day T plus 2.3% in repayment. Establish the rate paid to lenders at 91-day T plus 2.2% in-school and 91-day T plus 2.8% in repayment.

Part C—Federal work-study programs

Increase the authorization level for the Federal Work Study Program to $900 million in FY 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years.

Maintain provisions allowing for graduate student participation in FWS in position that reinforces the educational program or vocational goals of the student.

Expand the definition of community service to allow for certain types of on-campus jobs to count as community service jobs.

Eliminate the percentage reference to less than full time or independent students.

Allow for a higher federal contribution for community service jobs.

Delete the requirement that FWS-equivalent institutional employment be available to all students desiring such employment.

Part D—(See Parts B and D summary above)

Part E—Federal Perkins loans

Eliminate the percentage reference to less than full time or independent students.

Increase loan limits in Perkins and eliminate the Expanding Lending Option program.

Allow higher loan limits for student pursuing an education and career in teaching.

Strengthen the penalties for high default in the Perkins program including the loss of eligibility to participate (defined as the liquidation of the institution's Perkins fund) in Perkins for institutions with default rates of 50 percent or greater for 3 years in a row.

Eliminate the requirement that institutions establish a default management plan if its defaults are 15 percent or above.

Eliminate the exclusion of improperly serviced loans from the calculation of cohort default rates.

Define default for a borrower in the Perkins loan program.

Establish a loan rehabilitation program for the Perkins loan program.

Require credit bureaus to report defaulted Perkins loans until a loan is repaid in full and allow the Secretary to establish criteria under which an institution may cease reporting such information before a loan is paid in full.

Include discharge provisions in cases where an institution has closed.

Strengthen the language that includes Perkins loans in the Student Status Confirmation Report process.

Create an incentive repayment plan in the Perkins loan program.

Update dates for the mandatory liquidation of Perkins loans funds.

Part F—Need analysis

Adopt increases in the income protection allowances (IPA) for dependent and independent students.

Index IPA changes for inflation.

Add a dependent student offset in the amount of the negative adjusted parental income available.

Move authority to reduce or deny loans to section entitled ''Discretion of Student Financial Aid Administrators.

Remove the requirement that Cost of Attendance include a cost of living minimum amount for all populations.

Prorate student contributions for periods of enrollments of less than 9 months.

Part G—General provisions

Require the Department, to the extent feasible, to publish minimal software and hardware requirements by December 1 prior to the start of an award year.

Move from December 1 to November 1 the deadline by which the Secretary must publish regulations affecting federal student assistance programs in order for those regulations to be applicable to the following award year and authorize the Secretary to designate regulatory provisions that institutions may choose to implement before the effective date which would otherwise apply.

Remove the reference to accrediting agency approved refund policies from the list of policies to be compared to determine which produces the largest amount.

Revise methods for determining the ''last day of attendance'' for purposes of making pro-rata refund calculations.

Clarify that institutions may provide students and prospective students with a list of information and a statement of the procedures required to obtain it in order to comply with information dissemination requirements.

Define ''prospective student'' as one who has requested information regarding application for admission to an institution.

Clarify that the provision of comparable data by a national collegiate athletic association satisfies the disclosure requirement regarding athletically related student aid.

Eliminate duplicative athletic reporting provisions.

Add a provision to athletic reporting provisions regarding disclosure when institutions intend to reduce the number of athletes who will be permitted to participate in any collegiate sport or in the financial resources that the institution will make available to that sport.

Revise and expand the list of crimes that must be included in campus crime statistics to include arson and hate crimes; require institutions to maintain a daily log that records the nature, date, time and general location of each crime reported to the local police or campus security; make explicit that neither victims nor persons accused of a crime may be identified in the reporting of campus crime statistics, except as required by state or local laws; require a national study to examine procedures undertaken after an institution of higher education receives a report of sexual assault; and exclude criminal activities from a post-secondary student's educational records.

Section 486, ''Training in Financial Aid Services'' is repealed, as it has not been funded.

Require the National Center for Education Statistics (NCES) to develop standard definitions for a few basic financial items to help families make decisions about college; require institutions to report these items annually; and make the information available to the public. In addition, NCES would work in consultation with the Bureau of Labor Statistics to examine expenditures at institutions of higher education and to develop a ''Higher Education Market Basket.''

Clarify that only for-profit institutions have ''owners.''

Reauthorize the Advisory Committee on Student Financial Assistance at a funding level of $800,000 and direct the committee to conduct studies and evaluations of the modernization of student financial aid systems and delivery processes; the use of appropriate technology in delivery and management of student aid; the implications of distance learning on student financial aid eligibility and other requirements. In addition, the committee is to make recommendations to the Secretary regarding redundant or outdated sections of the Act and regulation to assist in the review of those sections.

Expand the categories of activities for which institutions participating in the Quality Assurance Program develop their own management approaches and clarify that the Secretary may waive regulatory—but not statutory—requirements of Title IV that are addressed by the institution's alternative management system.

Require the Secretary to report to Congress regarding the results of experiments conducted under the current experimental sites authority and make recommendations based on those findings regarding amendments to the Higher Education Act which would improve the operation of the Act. Addition of new experiments will not be permitted until this report is provided to Congress.

Continue negotiated rulemaking and add Part D to the parts (B, G, & H) which were subject to negotiated rulemaking following the 1992 reauthorization. In addition, negotiated rulemaking would be a requirement for developing all regulations for student loan programs.

Part H, Subpart 1—Program integrity triad, state role

State Postsecondary Review Entity (SPRE) provisions are repealed.

Replace SPRE with language which defines State responsibilities as being licensure and notification to the Secretary of revocation of license or evidence of institutional fraud. Require institutions to prove they have authority to operate in a state.

Part H, Subpart 2—Accrediting agency recognition

Substitute the word ''recognition'' for ''approval'' each time it appears in Subpart 2. Substitute ''criteria'' for ''standards,'' consistent with current regulations.

Modify provisions relating to accrediting agency assessment of institutions to delete ''in clock hours or credit hours'' relating to measure of program length and to clarify that accrediting agencies are not expected to enforce compliance with Title IV.

Strengthen statutory requirements relating to the time frame within which an accrediting agency must come into compliance after the Secretary has determined the agency has not met the requirements of Section 496.

Part H, Subpart 3—Eligibility and certification procedures

Require that an institution maintain a copy of any contract between the institution and a financial aid service provider or loan services, and provide a copy of any such contract to the Secretary upon request, instead of requiring that the institution supply the copy with its application to participate in the student aid programs under Title IV (as is currently the case).

Substitute more general language for the specific listing of financial responsibility measures now included in the Act in order to conform with current financial responsibility regulations.

Specify that the Secretary may accept any reasonable third-party financial guarantees in cases where an institution fails to meet overall financial responsibility standards.

Specify that ''ownership'' applies only to for-profit institutions.

Eliminate the requirement that the Department conduct site visits of all institutions and eliminate the ability of the Department to charge fees to cover the expenses of certification and site visits.

Give the Secretary the authority to recertify an institution for up to 6 years (rather than the 4 years in current law) and require the Secretary to information institutions 6 months in advance of the expiration of its eligibility.

Establish a special rule dealing with the recertification schedule for institutions of

higher education located outside of the United States which receive less than $500,000 annually in Federal Family Education Loans.

Clarify that, prior to seeking certification as a main campus or free-standing institution, a branch is required to be in existence for at least 2 years after it has been certified by the Secretary as a branch campus participating in a Title IV program.

Require the Secretary to establish priorities for program reviews of institutions of higher education, update priority criteria, and include among the additional categories of institutions which the Secretary may identify as requiring priority review those which may pose significant risk of failure to comply with the administrative or financial responsibility provisions of Title IV.

Add special administrative rules to: (1) require the Secretary to inform institutions of the criteria involved in program reviews; (2) require the Secretary to implement a system of ''cures'' to allow institutions to correct minor record-keeping errors; (3) require ''proportionality'' in civil penalties; and (4) facilitate the exchange of information between the Secretary and state authorizing agencies and creditors.

Require the Secretary to establish processes for ensuring that eligibility and compliance issues are considered simultaneously and for identifying unnecessary duplication of reporting and related regulatory requirements.

Part I—Performance based organization

Establish a performance based organization within the Department of Education for the purpose of simplifying and improving the delivery of student financial aid under this title. The Secretary of Education will be provided with personnel and procurement flexibilities in order to allow for the establishment of an organization rewarded for meeting specified contractual goals for the management and delivery of student financial aid. Personnel will be rewarded in accordance with their ability to meet objective performance measures. Proposed personnel and procurement flexibilities include: alternative job evaluation systems, ability to establish award programs, broad banding, alternative ranking procedures for evaluating job applicants, ability to hire technical and professional employees under excepted service, simplified contracting procedures for commercial items, modular contracting authority, and two-way selection procedures.

TITLE V: GRADUATE AND POSTSECONDARY EDUCATION IMPROVEMENT

Parts A and B—Jacob K. Javits fellowship program and graduate assistance in areas of national need

Repeal unfunded programs.

Maintain separate Jacob K. Javits Fellowship Program, permit forward funding of it, and permit the Secretary to contract out administration of the program if such a contract would be more effective and efficient.

Limit eligibility to students who demonstrate financial need.

Add an evaluation component.

Maintain the Graduate Assistance in Areas of National Need (GAANN) program, with minor amendments.

Authorize the Jacob K. Javits Fellowships at $30 million in FY 1999 and such sums as may be necessary for each of the 4 succeeding years.

Authorize Graduate Assistance in Areas of National Need (GAANN) at $30 million in FY 1999 and such sums as may be necessary for each of the 4 succeeding years.

Part C—Urban community service

Move from current Title XI, Part A.

Give priority to applicants which have shown prior commitment to urban community service.

Authorize at $20 million in FY 1999 and such sums as may be necessary for each of the 4 succeeding years.

Part D—Fund for the improvement of postsecondary education (FIPSE)

Move from current Title X, Part A.

Permit greater flexibility within current personnel ceilings to bring in technical experts.

Revise special projects list to include: international exchanges; institutional restructuring to improve learning and promote cost efficiencies; evaluation and dissemination of model programs; and articulation between two-year and four-year institutions, including developing innovative methods for ensuring the successful transfer of students from 2-year to 4-year institutions.

Authorization:

FIPSE General: $26 million in FY 99 and ''such sums'' in 4 succeeding years.

Planning Grants: $1 million in FY 99 and ''such sums'' in 4 succeeding years. Special Projects: $5 million in FY 99 and ''such sums'' in 4 succeeding years.

Part F—Improving Access to Higher Education for Students with Disabilities

This program authorizes a competitive grant program to provide assistance for improving disability support services offered by institutions of higher education. Grants would be awarded for a period of three years. $10 million are authorized to be appropriated for this part in FY 1999 and such sums as may be necessary in each of the 4 succeeding years.

Funds would be available to institutions of higher education to develop and identify effective approaches that enable individuals with disabilities to participate in post-secondary education, conduct training sessions and workshops for faculty and other personnel of institutions of higher education to help them meet the special needs of post-secondary students with disabilities, research the effectiveness of support services to individuals with disabilities in post-secondary education, prepare products from the project and disseminate those products, and coordinate projects with existing technical assistance and dissemination networks in postsecondary education.

TITLE VI: INTERNATIONAL EDUCATION

Repeal unfunded/obsolete provisions.

Add a foreign language component to the summer institutes authorized under Sections 602 (Graduate and Undergraduate Language and Area Centers), 604 (Undergraduate International Studies and Foreign Language Programs), and 612 (Centers for International Business Education).

Modify Section 603 (Language Resource Centers) to permit the operation of intensive summer language institutes, to permit the development and dissemination of resource materials for elementary and secondary school language teachers, and to make dissemination a component of each Center activity.

Consolidate provisions and streamline Section 604 (Undergraduate International Studies and Foreign Language Programs).

Add two new authorized activities to Section 606 (Research; Studies) dealing with evaluation of programs receiving assistance under Title VI and of effective dissemination practices.

Clarify that the establishment of new American Overseas Research Centers is allowable under Section 610.

Specifically mention that community college representatives may serve on the advisory council to Centers for International Business Education.

Increase required match by Minority Foreign Service Professional Development Program grant recipients from one-fourth to one-half, with the non-federal contribution being made by private sector contributions.

Authorize the Institute for International Public Policy to make sub-grants to strengthen institutional international affairs programs at HBCUs, HSIs, and Tribal Colleges.

Clarify that summer abroad programs are permissible under the Junior Year Abroad Program (Section 623).

Authorization Levels:

Part A: $80 million in FY 1999 and ''such sums'' in succeeding 4 years.

Part B:

Section 612: $11 million in FY 1999 and ''such sums'' in succeeding 4 years.

Section 613: $ 7 million in FY 1999 and ''such sums'' in succeeding 4 years.

Part C: $10 million in FY 1999 and ''such sums'' in succeeding 4 years.

TITLE VII: RELATED PROGRAMS AND AMENDMENTS TO OTHER LAWS

Part A—Indian higher education programs

Change reference to ''Tribally-Controlled Community College'' to ''Tribally Controlled College or University'' and make conforming and technical changes.

Authorization Level (Department of the Interior):

Technical Assistance Centers $3.2 million in FY 1999 and ''such sums.''

Grants to TCCCs $40.0 million in FY 1999 and ''such sums.''

Renovation/Construction of Facilities $10.0 million in FY 1999 and ''such sums.''

TCCC Endowment Program $10.0 million in FY 1999 and ''such sums.''

Tribal Economic Development $2.0 million in FY 1999 and ''such sums.''

Part B—Advanced placement fee payment program

Move from current Title XV, Part G.

Modify program to encourage States to support advanced placement teacher training and related activities designed to increase the participation of low-income individuals and to permit up to 5% of funds to disseminate information about the availability of test fee payments.

Authorize at $10 million in FY 1999 and such sums as may be necessary for each of the 4 succeeding years.

Part C—Amendments to institute for peace act

Technical changes.

Part D—Community scholarship mobilization

Authorize a competitive grant program which will allow the grant recipient, using the interest from an endowment grant, to establish and support state or regional program centers to foster the development of local affiliated chapters in high poverty areas that promote higher education goals for students from low income families by providing academic support and scholarship assistance.

Seventy percent of interest income would support the establishment or ongoing work of state or regional program centers to enable such centers to work with local communities to establish local affiliated chapters in high poverty areas and provide ongoing assistance, training workshops, and other activities to ensure the success of local chapters.

Thirty percent of the interest income would be used to provide scholarships for students from low income families, and scholarships would be matched 1:1 from funds raised by the local community.

The proposal provides and authorizes the appropriation of $10 million for fiscal year 2000 to carry out the purposes of this part.

Part E—Incarcerated youth offenders

Move from current Title X, Part E.

Authorized at $14 million in FY 1999 such sums as may be necessary for each of the 4 succeeding years.

Part F—Amendments to Education of the Deaf Act

Update references to IDEA. Includes technical and conforming amendments to make the provisions pertaining to Gallaudet's Kendall Elementary School and the Model Secondary School for the Deaf consistent with the 1997 IDEA.

Extension of authorization of appropriations. Extends authorization of appropriations from fiscal year 1998 through fiscal year 2003.

Clarification of audit requirements. Clarifies that audits include the national mission and school operations of the elementary and secondary education programs at Gallaudet University; and adds a requirement that a copy of each audit be provided to the Secretary within 15 days of the acceptance of the audit by Gallaudet University or the institution authorized to establish and operate the National Technical Institute for the Deaf.

Removal of restrictions on investment of non-Federal portion of endowment. Allows institutions to invest the non-Federal share of their endowments without the restrictions placed on Federal contributions to the endowments.

Immediate access to interest on endowment. Provides immediate access to the interest on their endowments, rather than as under current law, having access to only 50 percent of the interest from the prior year.

Limitation with regard to international student enrollment. Requires that, in any school year, no qualified U.S. citizen, who elects to enroll in Gallaudet University or the National Technical Institute for the Deaf, is denied admission because of the admission of an international student.

Institutional Research Plans. Requires Gallaudet University and the National Technical Institute for the Deaf establish and disseminate priorities and prepare and submit an annual research report to the Secretary and Congress.

Commission on education of the deaf. Requires the Secretary of Education to establish a Commission on Education of the Deaf to identify those education-related factors in the lives of individuals who are deaf that result in barriers to successful postsecondary education experiences and employment and those education-related factors in the lives of individuals who are deaf that contribute to successful postsecondary education and employment experiences.

Part G—Repeals

TITLE I—PARTNERSHIPS FOR EDUCATIONAL EXCELLENCE

PART A—School, College, and University Partnerships.

PART B—Articulation Agreements.

PART C—Access and Equity to Education for All Americans Through Telecommunications.

TITLE II—ACADEMIC LIBRARIES AND INFORMATION SERVICES

*Title II was repealed by P.L. 104–208 (FY 1997 Department of Education Appropriations Act).

TITLE IV—STUDENT ASSISTANCE

PART A—Grants to Students in Attendance at Institutions of Higher Education.

Chapter 3—Presidential Access Scholarships.

Chapter 4—Model Program Community Partnership and Counseling Grants.

Chapter 5—Public Information/Database and Information Line.

Chapter 6—National Student Savings Demonstration Program.

Chapter 7—Preeligibility Form.

Chapter 8—Technical Assistance for Teachers and Counselors.

Subpart 8—Special Child Care Services for Disadvantaged College Students.

PART H—Program Integrity Triad.

Subpart 1—State Postsecondary Review Program (SPRE).

TITLE V—EDUCATOR RECRUITMENT, RETENTION, AND DEVELOPMENT

PART A—State and Local Programs for Teacher Excellence.

PART B—National Teacher Academies.

PART C—Teacher Scholarships and Fellowships.

Subpart 1—Paul Douglas Teacher Scholarships.

Subpart 2—Christa McAuliffe Fellowship Program.

Subpart 3—Teacher Corps

PART D—Innovation and Research.

Subpart 1—National Board for Professional Teaching Standards.

Subpart 3—Class Size Demonstration Grant.

Subpart 4—Middle School Teaching Demonstration Programs.

PART E—Minority Teacher Recruitment.

Subpart 1—New Teaching Careers.

PART F—Programs for Special Populations.

Subpart 1—National Mini Corps Program.

Subpart 2—Foreign Language Instruction.

Section 586—Demonstration Grants for Critical Language and Area Studies.

Section 587—Development of Foreign Language and Culture Instructional Materials.

Subpart 3—Small State Teaching Initiatives.

Subpart 4—Faculty Development Grants.

Subpart 5—Early Childhood Education Training.

TITLE VI—INTERNATIONAL EDUCATION PROGRAMS

Section 604(b)—Programs of Demonstrated Excellence in Area Studies, Foreign Languages, and other International Fields.

Section 605—Intensive Summer Language Institutes.

Section 607—Periodicals and Other Research Materials Published Outside the United States.

TITLE VII—CONSTRUCTION, RECONSTRUCTION, AND RENOVATION OF ACADEMIC FACILITIES

PART A—Improvement of Academic and Library Facilities.

PART D—College Construction Loan Insurance Association.

**The cooperation has since been privatized.*

TITLE VIII—COOPERATIVE EDUCATION

No funding for this title.

TITLE IX—GRADUATE PROGRAMS

PART A—Grants to Institutions and Consortia To Encourage Women and Minority Participation in Graduate Education.

PART B—Patricia Roberts Harris Fellowship Program.

PART E—Faculty Development Fellowship Program.

PART F—Assistance for Training in the Legal Profession.

PART G—Law School Clinical Experience.

TITLE X—POSTSECONDARY IMPROVEMENT PROGRAMS

PART B—Minority Science and Engineering Improvement Programs.

Subpart 2—Science and Engineering Access Programs.

PART C—Women and Minorities Science and Engineering Outreach Demonstration Program.

PART D—Dwight D. Eisenhower Leadership Program.

TITLE XI—COMMUNITY SERVICE PROGRAMS

PART B—Innovative Projects.

Subpart 1—Innovative Project for Community Service.

Subpart 2—Student Literacy Corps and Student Mentoring Corps.

Mr. KENNEDY. Mr. President, it is an honor to be a sponsor of the Higher Education Act Amendments of 1998 with Chairman JEFFORDS and Senators COATS and DODD. The reauthorization of this Act is a bipartisan effort of all members of the Labor Committee, and I am pleased that we have achieved a consensus on so many issues.

Our goal in this bill is to strengthen federal support for higher education. Our legislation increases the maximum authorization for Pell grants, and expands the formula for need analysis to protect more of the income of working parents and students.

The bill also continues the critical investment in graduate education through the institution-based program of Graduate Assistance in Areas of National Need, as well as the portable Javits Fellowships, which are vital for talented students in the arts, humanities, and social sciences, where other sources of funding are limited.

An additional initiative in the bill will enable institutions to work with faculty and administrators to improve teaching for students with disabilities. Increasing numbers of students with disabilities are participating in higher education, and faculty members often have little experience in adapting their teaching techniques for these students. This initiative will reach out to many different types of institutions, including community colleges, graduate schools, and urban and rural institutions. It also includes graduate teaching assistants—the faculty of the future. This program was first suggested by the University of Massachusetts, and it is supported by the Consortium for Citizens with Disabilities on behalf of 20 disability groups.

The bill takes a major step to improve the training of teachers by creating strong programs for training and recruitment. The training program has two parts. Fifty percent goes to local partnerships that include elementary and secondary schools, programs or schools of teacher training, schools of arts and sciences, and other groups, such as teachers unions, businesses, and community organizations. The other 50 percent of the funding goes to competitive grants to state education agencies. This teacher training proposal represents a thoughtful compromise, and I hope it will receive strong support in the Senate.

The bill helps teachers in another way, through loan forgiveness. I have long supported more loan forgiveness for teachers, and I am pleased that there is bipartisan support for this proposal. It forgives loans for teachers who teach for at least 3 years in high-need schools. Many college graduates with heavy debt loads cannot afford to go into teaching in schools where we need them most. This loan forgiveness program will make it easier for idealistic young men and women to work with needy children.

The bill also calls for the creation of a Performance Based Organization at the Department of Education. Following Vice President GORE's initiative to re-invent government, this organization will streamline and improve the financial aid functions at the Department. We are working with the Department to make a plan that will work well for it, for students, and for all others involved in student aid.

Two provisions of the bill raise significant question. One of those provisions modifies the payment structure for the guaranty agencies that work with banks in the student loan program. But greater reform of these agencies is needed. They are paid too much if students go into default, and they are not paid enough for preventing defaults in the first place. I am pleased, however, that the bill does allow guaranty agencies to enter into voluntary, flexible agreements with the Secretary of Education that will be more business-like and will focus more heavily on preventing defaults. ASA, the guaranty agency in Massachusetts, has been at the forefront of the reform movement, and supports these voluntary agreements.

Finally, the bill, like the House bill, reduces the interest rate that students pay on their college loans by almost 1% from the current rate. This reduction will be a substantial benefit for students. The average borrower with a loan of $12,000 will save $650 in interest over the life of the loan, and the average master's degree student with a debt of $20,000 will save more than $1000. For borrowers with larger loans, the savings will be greater. I am pleased that Republicans and Democrats agree that reducing the interest rate on student loans is necessary.

But the bill trims the rates paid to banks only slightly. As under the House bill, students will pay less interest to the banks, but the federal government will make an additional payment to the banks, so that bank receipts will go down only slightly from the high rates now in effect. This subsidy is paid by the taxpayers. The cost is at least $1.2 billion over 5 years, and may be as high as $3.9 billion.

The banks complain that they cannot live with even this very modest cut. In 1992, they told us that they could not accept any cut in the interest rate on student loans. Congress cut the rate anyway, and the bank loan program continued to thrive. Today, however, at a time when interest rates in the economy are low, the interest rate for government guaranteed student loans is higher than the rate for either car loans or home mortgages. A recent report from the Treasury Department shows that if the interest rate on student loans is cut by almost 1%, the banks can still make a reasonable profit.

The interest rate subsidy in this bill is not offset by other revenues. We will have to work with the Budget Committee, with our colleagues in the House, and with the Administration to resolve this problem. We must do all we can to reduce the high cost of borrowing for students, without subsidizing banks at the expense of taxpayers.

This legislation is designed to improve higher education in all parts of America. It renews our commitment to needy students, to graduate education, to teacher training, and to improving loan service for students. I look forward to working with my colleagues on this important legislation in the weeks to come.

Mr. DODD. Mr. President, I rise today to join my colleagues, Senator JEFFORDS, Senator KENNEDY, and Senator COATS, in introducing the Higher Education Act Amendments of 1998.

The Higher Education Act is the foundation of opportunity and access to post-secondary education. Pell Grants, College Work Study, federal student loans and federal TRIO programs are what make college possible for the all Americans. The bill we introduce today makes important changes in these programs and updates and streamlines the law to ensure the vitality of federal aid programs in the next millennium.

There are few pieces of legislation that we will consider this Congress that are as important to American families as this bill. Parents recognize that their child's success is in no small measure dependent on their educational achievement. Statistics bear this out—a person with a Bachelor's degree earns twice as much as one with just a high school education.

But this issue is not only of concern to families; higher education has defined and shaped America's economy in the post World War II era. Our economy has grown on the strength of knowledge-based, highly-skilled industries and workers. This would not have been possible without higher education or without our federal commitment to ensuring access to college.

Since the GI Bill, millions of Americans have been able to attend college because of the assistance offered by the Federal Government. Today, 75 percent of all student aid is federal.

And yet, with rising college costs and growing student debt, families increasingly worry that college is slipping beyond their grasp. Studies suggest that, even with the nearly $35 billion of federal aid available each year, affordability is already becoming a factor for those at the lowest income levels.

And in nearly all families, a letter offering financial aid is as, if not more, important than the actual letter accepting the student into a college of his or her choice. This bill works to make sure that the serious problem of rising college costs does not become more of a reality for America's families and reaches out to those who already believe that college is slipping beyond their reach.

In particular, we have adopted many of the recommendations of the Cost of College Commission, formed by the Congress last year. We streamlined many regulatory requirements that may contribute to rising costs. We also adopted strong new disclosure requirements about cost. These provisions will provide families with new, reliable and comparable information on college costs, so they can exercise their power as consumers to choose institutions that are of high quality and reasonable cost.

This legislation also strengthens federal financial aid programs which are a lifeline for millions of families as they struggle with cost increases. We authorize an increase in the maximum Pell Grant award and hope that appropriators and our Budget Resolution will follow through with adequate funds. We also adjust the treatment of the neediest students' earnings to ensure that they and their families are not penalized in the award of aid because the student works, as I recommended in earlier legislation. We also expand campus-based aid programs, like College Work Study and low-cost Perkins Loans, to reach more students. We improve the federal student loans programs by providing extended repayment for students with large balances and by giving colleges more tools to help their students avoid expensive loans.

Students are also guaranteed a substantially lower student loan interest rate. As many members are aware, the issue of the student loan interest rate has been the most controversial and closely followed issue in this bill. I am very pleased that the solution we put forward today ensures that students will receive the long-term benefit of substantially lower rates. However, I am disappointed that this bill expects taxpayers to foot this bill with a new subsidy to banks. This new entitlement to banks is also costly and raises serious budget concerns on our bill. I am hopeful that we can continue to work on this issue with the majority, the Budget Committee and the Administration to reach a better solution for taxpayers than the one proposed today.

This legislation also includes new authority for the Secretary to explore the potential of distance education and learning. In the past, distance education too often meant correspondence courses with little merit and high cost. Today, the Internet, the World Wide Web, and other emerging technologies offer new opportunities for quality, interactive learning right from a student's home. However, current law provides little opportunity for institutions and their students to explore these exciting opportunities. The bill we introduce today directs the Secretary to undertake and carefully monitor a demonstration program in distance education.

The bill also includes another important initiative to increase access to post-secondary education—the Child Care Access Means Parents in School Act, which Senator SNOWE and I introduced last year. This bill will support

campus-based child care centers meeting the needs of low income students. As the non-traditional student population grows, one of the major obstacles facing students who are parents is locating affordable, quality child care. Campuses are a key place to meet this need. In my home state of Connecticut, all of our community-technical colleges have campus-based child care facilities. The centers provide student-parents with convenient, high quality care and also serve as laboratories for training new child care providers.

Colleges are also our nation's laboratories for training teachers. This bill offers significant new support in this area. The committee has worked hard with its members and developed a comprehensive teacher training program that supports state-level initiatives and local partnerships. This two-track approach will ensure that colleges and schools who work together to improve teacher training will be rewarded at the state level with recognition for achieving higher standards. In another important initiative, this bill also offers teachers working in high poverty schools with loan forgiveness. This effort will provide highly qualified teachers with a powerful incentive to share their talents, skills and knowledge with the neediest children.

Beyond bringing student aid programs in line with today's realities, we also take a key step to modernize and improve the delivery of these crucial student aid programs in the creation of the Performance-Based Organization within the Department of Education. the PBO will administer and deliver all federal student aid. At nearly $35 billion a year, the complexity of this undertaking demands talent, energy, experience, and performance. A PBO will ensure that the Secretary can recruit the best people to this job and retain them based on their performance.

Mr. President, this is a strong and comprehensive bill. But perhaps most importantly for its future, it is a bipartisan bill. I was pleased to be a part of the effort of our chairman, Senator JEFFORDS, Senator KENNEDY, and Senator COATS in pulling this bill together. It may not be everything any one of us wanted; however, it is what America's students and their families need.

ADDITIONAL COSPONSORS

S. 328

At the request of Mr. HUTCHINSON, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 328, a bill to amend the National Labor Relations Act to protect employer rights, and for other purposes.

S. 755

At the request of Mr. CAMPBELL, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 755, a bill to amend title 10, United States Code, to restore the provisions of chapter 76 of that title (relating to missing persons) as in effect before the amendments made by the National Defense Authorization Act for Fiscal Year 1997 and to make other improvements to that chapter.

S. 1192

At the request of Ms. SNOWE, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1192, a bill to limit the size of vessels permitted to fish for Atlantic mackerel or herring, to the size permitted under the appropriate fishery management plan.

S. 1221

At the request of Mr. STEVENS, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1221, a bill to amend title 46 of the United States Code to prevent foreign ownership and control of United States flag vessels employed in the fisheries in the navigable waters and exclusive economic zone of the United States, to prevent the issuance of fishery endorsements to certain vessels, and for other purposes.

S. 1260

At the request of Mr. MCCAIN, his name was withdrawn as a cosponsor of S. 1260, a bill to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to limit the conduct of securities class actions under State law, and for other purposes.

S. 1325

At the request of Mr. FRIST, the names of the Senator from New Mexico (Mr. BINGAMAN), and the Senator from New York (Mr. MOYNIHAN) were added as cosponsors of S. 1325, a bill to authorize appropriations for the Technology Administration of the Department of Commerce for fiscal years 1998 and 1999, and for other purposes.

S. 1334

At the request of Mr. BOND, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1334, a bill to amend title 10, United States Code, to establish a demonstration project to evaluate the feasibility of using the Federal Employees Health Benefits program to ensure the availability of adequate health care for Medicare-eligible beneficiaries under the military health care system.

S. 1534

At the request of Mr. TORRICELLI, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 1534, a bill to amend the Higher Education Act of 1965 to delay the commencement of the student loan repayment period for certain students called to active duty in the Armed Forces.

S. 1536

At the request of Mr. TORRICELLI, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1536, a bill to amend the Public Health Service Act and Employee Retirement Income Security Act of 1974 to require that group and individual health insurance coverage and group health plans provide coverage for qualified individuals for bone mass measurement (bone density testing) to prevent fractures associated with osteoporosis and to help women make informed choices about their reproductive and post-menopausal health care, and to otherwise provide for research and information concerning osteoporosis and other related bone diseases.

S. 1584

At the request of Mr. FRIST, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 1584, a bill to direct the Administrator of the Federal Aviation Administration to reevaluate the equipment in medical kits carried on, and to make a decision regarding requiring automatic external defibrillators to be carried on, aircraft operated by air carriers, and for other purposes.

S. 1677

At the request of Mr. CHAFEE, the names of the Senator from Michigan (Mr. ABRAHAM), and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 1677, a bill to reauthorize the North American Wetlands Conservation Act and the Partnerships for Wildlife Act.

S. 1680

At the request of Mr. DORGAN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1680, a bill to amend title XVIII of the Social Security Act to clarify that licensed pharmacists are not subject to the surety bond requirements under the Medicare program.

S. 1764

At the request of Mr. THURMOND, the names of the Senator from Colorado (Mr. ALLARD) and the Senator from North Carolina (Mr. HELMS) were added as cosponsors of S. 1764, a bill to amend sections 3345 through 3349 of title 5, United States Code (commonly referred to as the ''Vacancies Act'') to clarify statutory requirements relating to vacancies in certain Federal offices, and for other purposes.

S. 1868

At the request of Mr. NICKLES, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1868, a bill to express United States foreign policy with respect to, and to strengthen United States advocacy on behalf of, individuals persecuted for their faith worldwide; to authorize United States actions in response to religious persecution worldwide; to establish an Ambassador at Large on International Religious Freedom within the Department of State, a Commission on International Religious Persecution, and a Special Adviser on International Religious Freedom within the National Security Council; and for other purposes.

S. 1873

At the request of Mr. COCHRAN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1873, a bill to state the policy of the

United States regarding the deployment of a missile defense system capable of defending the territory of the United States against limited ballistic missile attack.

S. 1874

At the request of Mr. CRAIG, his name was added as a cosponsor of S. 1874, a bill to improve the ability of small businesses, Federal agencies, industry, and universities to work with Department of Energy contractor-operated facilities, and for other purposes.

SENATE CONCURRENT RESOLUTION 55

At the request of Mr. GREGG, the name of the Senator from Ohio (Mr. GLENN) was added as a cosponsor of Senate Concurrent Resolution 55, a concurrent resolution declaring the annual memorial service sponsored by the National Emergency Medical Services Memorial Service Board of Directors to honor emergency medical services personnel to be the ''National Emergency Medical Services Memorial Service.''

SENATE CONCURRENT RESOLUTION 65

At the request of Ms. SNOWE, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of Senate Concurrent Resolution 65, a concurrent resolution calling for a United States effort to end restriction on the freedoms and human rights of the enclaved people in the occupied area of Cyprus.

SENATE CONCURRENT RESOLUTION 77

At the request of Mr. SESSIONS, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of Senate Concurrent Resolution 77, a concurrent resolution expressing the sense of the Congress that the Federal government should acknowledge the importance of at-home parents and should not discriminate against families who forego a second income in order for a mother or father to be at home with their children.

SENATE RESOLUTION 170

At the request of Mr. SPECTER, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of Senate Resolution 170, a resolution expressing the sense of the Senate that the Federal investment in biomedical research should be increased by $2,000,000,000 in fiscal year 1999.

SENATE RESOLUTION 202—TO AUTHORIZE REPRESENTATION BY THE SENATE LEGAL COUNSEL

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 202

Whereas, in the cases of *William L. Singer* v. *Office of Senate Fair Employment Practices,* No. 98–6002, and *Office of the Senate Sergeant at Arms* v. *Office of Senate Fair Employment Practices,* No. 98–6003, pending in the United States Court of Appeals for the Federal Circuit, petitioners William L. Singer and the Office of the Senate Sergeant at Arms have sought review of a final decision of the Select Committee on Ethics, which had been entered, pursuant to section 308 of the Government Employee Rights Act of 1991, 2 U.S.C. §1208 (1994), in the records of the Office of Senate Fair Employment Practices;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1)(1994), the Senate may direct its counsel to defend committees of the Senate in civil actions relating to their official responsibilities;

Whereas, pursuant to section 303(f) of the Government Employee Rights Act of 1991, 2 U.S.C. §1203(f)(1994), for purposes of representation by the Senate Legal Counsel, the Office of Senate Fair Employment Practices, the respondent in this proceeding, is deemed a committee within the meaning of sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a), 288c(a)(1)(1994): Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to represent the Office of Senate Fair Employment Practices in the Cases of *William L. Singer* v. *Office of Senate Fair Employment Practices* and *Office of the Senate Sergeant at Arms* v. *Office of Senate Fair Employment Practices.*

AMENDMENTS SUBMITTED

CONCURRENT RESOLUTION ON THE CONGRESSIONAL BUDGET

SESSIONS (AND OTHERS) AMENDMENT NO. 2166

Mr. SESSIONS (for himself, Mr. LOTT, Mr. ENZI, Mr. HELMS, Mr. GRAMS, Mr. BROWNBACK, Mr. CRAIG, Mr. FRIST, Mr. ASHCROFT, Mr. MACK, Mr. COATS, Mr. GREGG, Mr. SANTORUM, Mr. LIEBERMAN, Mr. SHELBY, Mr. FAIRCLOTH, Mr. NICKLES, Mr. MCCONNELL, Mr. INHOFE, Mr. HUTCHINSON, Mr. COVERDELL, Mr. ABRAHAM, Mr. DEWINE, Mr. HAGEL, Mr. ALLARD, Mr. THURMOND, Mr. SMITH of Oregon, Mr. DODD, Mr. DOMENICI, Mr. DORGAN, and Mr. ROBERTS) proposed an amendment to the concurrent resolution (S. Con. Res. 86) setting forth the congressional budget for the United States Government for fiscal years 1999, 2000, 2001, 2002, and 2003 and revising the concurrent resolution on the budget for fiscal year 1998; as follows:

At the appropriate place, insert the following:

SEC. ___. FINDINGS; SENSE OF CONGRESS.

(a) Congress finds that—

(1) studies have found that quality child care, particularly for infants and young children, requires a sensitive, interactive, loving, and consistent caregiver;

(2) as most parents meet and exceed the criteria described in paragraph (1), circumstances allowing, parental care is the best form of child care;

(3) a recent National Institute for Child Health and Development study found that the greatest factor in the development of a young child is ''what is happening at home and in families'';

(4) as a child's interaction with his or her parents has the most significant impact on the development of the child, any Federal child care policy should enable and encourage parents to spend more time with their children;

(5) nearly ½ of preschool children have at-home mothers and only ⅓ of preschool children have mothers who are employed full time;

(6) a large number of low- and middle-income families sacrifice a second full-time income so that a mother may be at home with her child;

(7) the average income of 2-parent families with a single income is $20,000 less than the average income of 2-parent families with 2 incomes;

(8) only 30 percent of preschool children are in families with paid child care and the remaining 70 percent of preschool children are in families that do not pay for child care, many of which are low- to middle-income families struggling to provide child care at home;

(9) child care proposals should not provide financial assistance solely to the 30 percent of families that pay for child care and should not discriminate against families in which children are cared for by an at-home parent; and

(10) any congressional proposal that increases child care funding should provide financial relief to families that sacrifice an entire income in order that a mother or father may be at home for a young child.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the functional totals in this concurrent resolution on the budget assume that—

(1) many families in the United States make enormous sacrifices to forego a second income in order to have a parent care for a child at home;

(2) there should be no bias against at-home parents;

(3) parents choose many different forms of child care to meet the needs of their families, such as child care provided by an at-home parent, grandparent, aunt, uncle, neighbor, nanny, preschool, or child care center;

(4) any quality child care proposal should include, as a key component, financial relief for those families where there is an at-home parent; and

(5) mothers and fathers who have chosen and continue to choose to be at home should be applauded for their efforts.

GREGG AMENDMENT NO. 2167

Mr. GREGG proposed an amendment to the concurrent resolution, Senate Concurrent Resolution 86, supra; as follows:

At the end of title III, add the following:

SEC. 3 . SENSE OF THE SENATE CONCERNING IMMUNITY.

It is the sense of the Senate that the levels in this resolution assume that no immunity will be provided to any tobacco product manufacturer with respect to any health-related civil action commenced by a State or local governmental entity or an individual prior to or after the date of the adoption of this resolution.

GREGG (AND OTHERS) AMENDMENT NO. 2168

Mr. GREGG (for himself, Mr. CONRAD, and Mr. LAUTENBERG) proposed an amendment to amendment No. 2167 proposed by Mr. GREGG to the concurrent resolution, Senate Concurrent Resolution 86, supra; as follows:

Strike all after the first word and insert the following:

3 . SENSE OF THE SENATE CONCERNING IMMUNITY.

It is the sense of the Senate that the levels in this resolution assume that no immunity

will be provided to any tobacco product manufacturer with respect to any health-related civil action commenced by a State or local governmental entity or an individual or class of individuals prior to or after the date of the adoption of this resolution.

KYL AMENDMENT NO. 2169

Mr. KYL proposed an amendment to the concurrent resolution, Senate Concurrent Resolution 86, supra; as follows:

At the end of title III, add the following:

SEC. ___. SENSE OF CONGRESS REGARDING FREEDOM OF HEALTH CARE CHOICE FOR MEDICARE SENIORS.

(a) FINDINGS.—Congress finds the following:

(1) Medicare beneficiaries should have the same right to obtain health care from the physician or provider of their choice as do Members of Congress and virtually all other Americans.

(2) Most seniors are denied this right by current restrictions on their health care choices.

(3) Affording seniors this option would create greater health-care choices and result in fewer claims being paid out of the near-bankrupt medicare trust funds.

(4) Legislation to uphold this right of health care choice for seniors must protect beneficiaries and medicare from fraud and abuse. Such legislation must include provisions that—

(A) require that such contracts providing this right be in writing, be signed by the medicare beneficiary, and provide that no claim be submitted to the Health Care Financing Administration;

(B) preclude such contracts when the beneficiary is experiencing a medical emergency;

(C) allow for the medicare beneficiary to modify or terminate the contract prospectively at any time and to return to medicare; and

(D) are subject to stringent fraud and abuse law, including the medicare anti-fraud provisions in the Health Insurance Portability and Accountability Act of 1996.

(b) SENSE OF CONGRESS.—It is the sense of Congress that seniors have the right to see the physician or health care provider of their choice, and not be limited in such right by the imposition of unreasonable conditions on providers who are willing to treat seniors on a private basis, and that the assumptions underlying the functional totals in this resolution assume that legislation will be enacted to ensure this right.

ALLARD AMENDMENTS NOS. 2170–2172

(Ordered to lie on the table.)

Mr. ALLARD submitted three amendments intended to be proposed by him to the concurrent resolution Senate Concurrent Resolution 86, supra; as follows:

AMENDMENT NO. 2170

At the end of title II, add the following:

SEC. ___. REDUCTION OF NATIONAL DEBT.

(a) IN GENERAL.—In the Senate, beginning with fiscal year 2000 and for every fiscal year thereafter, it shall not be in order to consider any concurrent resolution on the budget, or amendment thereto or conference report thereon, that—

(1) that would cause budgeted outlays for that fiscal year to exceed budgeted revenues; and

(2) does not provide that actual revenues shall exceed actual outlays in order to provide for the reduction of the gross Federal debt as provided in subsection (b).

(b) AMOUNT.—The amount of reduction required by this section shall be equal to the amount required to amortize the debt over the next 30 years in order to repay the entire debt by the end of fiscal year 2028.

(c) WAIVER.—The Senate may only waive the provisions of this section for a fiscal year in which a declaration of war is in effect.

(d) PASSAGE OF REVENUE INCREASE.—No bill to increase revenues shall be deemed to have passed the Senate unless approved by a majority of the total membership of each House of Congress by a rollcall vote.

AMENDMENT NO. 2171

At the end of the budget resolution add the following new section:

SEC. . SENSE OF THE SENATE ON REPAYMENT OF THE FEDERAL DEBT.

(a) FINDINGS.—The Senate Finds that—

(1) Congress and the President have a basic moral and ethical responsibility to future generations to repay the Federal debt, including money borrowed from the Social Security Trust Fund;

(2) the Congress and the President should enact a law that creates a regimen for paying off the Federal debt within 30 years;

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that—

(1) the Congress provide for the amortization of the Federal debt over 30 years, including money borrowed from the Social Security Trust Fund.

AMENDMENT NO. 2172

At the end of title II, add the following:

SEC. . USE OF BUDGET SURPLUS FOR DEBT REDUCTION

(a) DEBT REDUCTION RESERVE FUND.—The budget resolution shall include a Debt Reduction Reserve Fund (referred to as the ''reserve fund'') for the budget year if a unified budget surplus will occur in the budget year.

(b) AMOUNT OF RESERVE.—The amount of the reserve fund shall equal the total amount of any surplus not exceeding $11,750,000,000.

(c) USE OF RESERVE FUND.—Amounts set aside in the reserve fund shall be used to reduce the debt and may not be expended for any purpose.

DODD AMENDMENT NO. 2173

Mr. CONRAD (for Mr. DODD) proposed an amendment to the concurrent resolution, S. Con. Res. 86, supra; as follows:

At the appropriate place, insert the following:

SEC. . DEFICIT-NEUTRAL RESERVE FUND FOR CHILD CARE IMPROVEMENTS.

(a) IN GENERAL.—In the Senate, revenue and spending aggregates and other appropriate budgetary levels and limits may be adjusted and allocations may be revised for legislation to improve the affordability, availability, and quality of child care and to support families' choices in caring for their children, provided that, to the extent that this concurrent resolution on the budget does not include the costs of that legislation, the enactment of that legislation will not increase (by virtue of either contemporaneous or previously-passed deficit reduction) the deficit in this resolution for—

(1) fiscal year 1999;

(2) the period of fiscal years 1999 through 2003; or

(3) the period of fiscal years 2004 through 2009.

(b) REVISED ALLOCATIONS.—

(1) ADJUSTMENTS FOR LEGISLATION.—Upon the consideration of legislation pursuant to subsection (a), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately-revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution.

(2) ADJUSTMENTS FOR AMENDMENTS.—If the Chairman of the Committee on the Budget of the Senate submits an adjustment under this section for legislation in furtherance of the purpose described in subsection (a), upon the offering of an amendment to that legislation that would necessitate such submission, the Chairman shall submit to the Senate appropriately-revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution.

(c) REPORTING REVISED ALLOCATIONS.—The appropriate committees shall report appropriately-revised allocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this section.

(d) APPLICATION OF SECTION 202 OF H. CON. RES. 67.—Section 202 of H. Con. Res. 67 (104th Congress) shall not apply for purposes of this section.

CONRAD (AND OTHERS) AMENDMENT NO. 2174

Mr. CONRAD (for himself, Mr. LAUTENBERG, Mr. BINGAMAN, Mr. REED, and Mr. KENNEDY) proposed an amendment to the concurrent resolution, Senate Concurrent Resolution 86, supra; as follows:

On page 28, strike line 2 through line 17 and insert the following:

(a) IN GENERAL.—In the Senate, revenue and spending aggregates may be adjusted and allocations may be adjusted for legislation that reserves the Federal share of receipts from tobacco legislation for—

(1) (A) public health efforts to reduce the use of tobacco products by children, including youth tobacco control education and prevention programs, counter-advertising, research, and smoking cessation;

(B) transition assistance programs for tobacco farmers;

(C) increased funding for the Food and Drug Administration to protect children from the hazards of tobacco products; or

(D) increased funding for health research; and

(2) savings for the Medicare Hospital Insurance Trust Fund.

(b) REVISED AGGREGATES AND ALLOCATIONS.—Upon the consideration of legislation pursuant to subsection (a), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately-revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution.

(c) APPLICATION OF SECTION 202 OF H. CON. RES. 67.—For the purposes of enforcement of Section 202 of H. Con. Res. 67 (104th Congress) with respect to this resolution, the increase in the Federal share of receipts resulting from tobacco legislation and used to fund

subsection (a)(2) shall not be taken into account.

MOSELEY-BRAUN (AND BINGAMAN) AMENDMENT NO. 2175

Mr. CONRAD (for Ms. MOSELEY-BRAUN for herself and Mr. BINGAMAN) proposed an amendment to the concurrent resolution, Senate Concurrent Resolution 86, supra; as follows:

At the end of title III, insert the following:

SEC. . SENSE OF THE SENATE REGARDING SCHOOL MODERNIZATION AND CONSTRUCTION.

(a) FINDINGS.—The Senate finds that—

(1) the General Accounting Office has performed a comprehensive survey of the Nation's public elementary and secondary school facilities and has found severe levels of disrepair in all areas of the United States;

(2) the General Accounting Office has concluded that more than 14,000,000 children attend schools in need of extensive repair or replacement, 7,000,000 children attend schools with life safety code violations, and 12,000,000 children attend schools with leaky roofs;

(3) the General Accounting Office has found the problem of crumbling schools transcends demographic and geographic boundaries. At 38 percent of urban schools, 30 percent of rural schools, and 29 percent of suburban schools, at least one building is in need of extensive repair or should be completely replaced;

(4) the condition of school facilities has a direct effect on the safety of students and teachers and on the ability of students to learn. Academic research has provided a direct correlation between the condition of school facilities and student achievement. At Georgetown University, researchers have found the test scores of students assigned to schools in poor condition can be expected to fall 10.9 percentage points below the test scores of students in buildings in excellent condition. Similar studies have demonstrated up to a 20 percent improvement in test scores when students were moved from a poor facility to a new facility;

(5) the General Accounting Office has found most schools are not prepared to incorporate modern technology in the classroom. Forty-six percent of schools lack adequate electrical wiring to support the full-scale use of technology. More than a third of schools lack the requisite electrical power. Fifty-six percent of schools have insufficient phone lines for modems;

(6) the Department of Education has reported that elementary and secondary school enrollment, already at a record high level, will continue to grow over the next 10 years, and that in order to accommodate this growth, the United States will need to build an additional 6,000 schools;

(7) the General Accounting Office has determined the cost of bringing schools up to good, overall condition to be $112,000,000,000, not including the cost of modernizing schools to accommodate technology, or the cost of building additional facilities needed to meet record enrollent levels;

(8) schools run by the Bureau of Indian Affairs (BIA) for Native American children are also in dire need of repair and renovation. The General Accounting Office has reported that the cost of total inventory repairs needed for BIA facilities is $754,000,000. The December 1997 report by the Comptroller General of the United States states that, ''Compared with other schools nationally, BIA schools are generally in poorer physical condition, have more unsatisfactory environmental factors, more often lack key facilities requirements for education reform, and are less able to support computer and communications technology;''

(9) State and local financing mechanisms have proven inadequate to meet the challenges facing today's aging school facilities. Large numbers of local educational agencies have difficulties securing financing for school facility improvement;

(10) the Federal Government has provided resources for school construction in the past. For example, between 1933 and 1939, the Federal Government assisted in 70 percent of all new school construction; and

(11) the Federal Government can support elementary and secondary school facilities without interfering in issues of local control, and should help communities leverage additional funds for the improvement of elementary and secondary school facilities.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying the functional totals in this budget resolution assume the enactment of legislation to allow States and school districts to issue $21.8 billion worth of zero-interest school modernization bonds to rebuild and modernize our Nation's schools, and to provide Federal income tax credits to the purchasers of those bonds in lieu of interest payments.

BOXER AMENDMENT NO. 2176

Mr. CONRAD (for Mrs. BOXER) proposed an amendment to the concurrent, Senate Concurrent Resolution 86, supra; as follows:

On page 16, line 9, increase the amount by $50,000,000.

On page 16, line 10, increase the amount by $6,000,000.

On page 16, line 13, increase the amount by $50,000,000.

On page 16, line 14, increase the amount by $40,000,000.

On page 16, line 17, increase the amount by $50,000,000.

On page 16, line 18, increase the amount by $49,000,000.

On page 16, line 21, increase the amount by $50,000,000.

On page 16, line 22, increase the amount by $50,000,000.

On page 16, line 25, increase the amount by $50,000,000.

On page 17, line 1, increase the amount by $50,000,000.

On page 25, line 8, decrease the amount by $50,000,000.

On page 25, line 9, decrease the amount by $6,000,000.

On page 25, line 12, decrease the amount by $50,000,000.

On page 25, line 13, decrease the amount by $40,000,000.

On page 25, line 16, decrease the amount by $50,000,000.

On page 25, line 17, decrease the amount by $49,000,000.

On page 25, line 20, decrease the amount by $50,000,000.

On page 25, line 21, decrease the amount by $50,000,000.

On page 25, line 24, decrease the amount by $50,000,000.

On page 25, line 25, decrease the amount by $50,000,000.

BROWNBACK AMENDMENT NO. 2177

Mr. BROWNBACK proposed an amendment to the concurrent resolution, Senate Concurrent Resolution 86, supra; as follows:

At the end of title III, add the following:

SEC. . SENSE OF THE SENATE ON ECONOMIC GROWTH, SOCIAL SECURITY, AND GOVERNMENT EFFICIENCY.

It is the sense of the Senate that the functional totals underlying this resolution assume that—

(1) the elimination of a discretionary spending program may be used for either tax cuts or to reform the Social Security system.

(2) the Congressional Budget Act of 1974, the Balanced Budget and Emergency Deficit Control Act of 1985, and other appropriate budget rules and laws should be amended to implement the policy states in paragraph (1).

BURNS AMENDMENT NO. 2178

Mr. BURNS proposed an amendment to the concurrent resolution, Senate Concurrent Resolution 86, supra; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF SENATE REGARDING AGRICULTURAL TRADE PROGRAMS.

It is the sense of the Senate that the functional totals in this concurrent resolution assume the Secretary of Agriculture will use agricultural trade programs established by law to promote, to the maximum extent practicable, the export of United States agricultural commodities and products.

NOTICES OF HEARINGS

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that an executive session of the Senate Committee on Labor and Human Resources will be held on Wednesday, April 1, 1998, 1:30 p.m., in SD–430 of the Senate Dirksen Building. The following is the committee's agenda.

1. S. 1882, Higher Education Act Amendments of 1998.

2. S. 1754, the Health Professions Education Partnerships Act of 1998.

3. Presidential nominations.

For further information, please call the committee, 202/224–5375.

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet on Wednesday, April 1, 1998 at 10:30 a.m. in room 106 of the Dirksen Senate Office Building to conduct a mark-up on the following business: (1) the nomination of Katherine Archuleta of Denver, Colorado to serve on the Board of Directors of the Institute of American Indian and Alaska Native Culture and Arts Development; (2) S. 1279, Indian Employment, Training and Related Services Demonstration Act Amendments of 1997; and (3) S. 1797, the Reduction in Tobacco Use and Regulation of Tobacco Products in Indian Country Act of 1998 to be followed immediately by a hearing on amendments to the Indian Gaming Regulatory Act of 1998.

Those wishing additional information should contact the Committee on Indian Affairs at 224–2251.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will meet on Thursday, April 2, 1998 at 9:00 a.m. in SR–328A. The purpose of this meeting will be to examine recently proposed legislation aimed at managing animal waste.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Labor and Human Resources will be held on Thursday, April 2, 1998, 10:00 a.m., in SD–430 of the Senate Dirksen Building. The subject of the hearing is Metered Dose Inhalers. For further information, please call the committee, 202/224–5375.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. GREGG. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Monday, March 30, 1998, at 2 p.m. for a hearing on the nominations of Elaine D. Kaplan to be the special counsel in the Office of Special Counsel, and Ruth Y. Goldway to be Commissioner of the Postal Rate Commission.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

VENEZUELA'S IMPORTANCE TO HEMISPHERIC ENERGY SECURITY

• Mr. MURKOWSKI. Mr. President, recently some of my colleagues on the Energy Committee and I traveled to Venezuela to tour some of the oil and gas operations run by the state-owned oil company, Petroleos de Venezuela, S.A. (PDVSA), and to learn more about the U.S.-Venezuela relationship on energy matters. Not many weeks prior to our trip, I had traveled to Venezuela for the first time to attend and address the Hemispheric Energy Conference in Caracas, which was co-chaired by Energy Secretary Federico Pena.

As Chairman of the Committee on Energy and Natural Resources, I believe my colleagues should know the important role Venezuela plays in U.S. and hemispheric energy security. And, as a Senator strongly committed to preserving and strengthening the U.S. oil and gas industry, I believe it is essential that we understand to the fullest extent possible the relationships between our countries and energy industries, and how we stand in relation to the rest of the world. I think it is safe to say, Mr. President, that very few people in our country appreciate Venezuela's importance in the global energy picture.

Our visit to Venezuela was particularly timely in light of the recent drop in world oil prices and the agreement among OPEC and non-OPEC members to curtail production to halt the downward fall in prices. Venezuela is a member of OPEC, and is a country others are looking to for cooperation in scaling down production.

What my colleagues and I learned about Venezuela's energy industry from our brief visit, Mr. President, is very impressive. I want to share some of the information we gathered with the rest of our colleagues in the Senate.

The United States and Venezuela have a long history of cooperation on energy matters. Venezuela has continuously provided oil to the U.S. for more than 70 years. During World War II, the Korean War, the conflict in Vietnam, and more recently the oil embargos and Persian Gulf War, Venezuela has been a stable and reliable source of oil for the United States. The U.S. presently imports just under 1.5 million barrels of oil a day from Venezuela, making Venezuela the largest supplier of crude. Venezuela, Mexico and Canada are the leaders in the Western Hemisphere in supplying oil to the U.S., which imports 52 percent of its daily production from that region.

Because of the proximity of our two countries, and certain synergies in our energy industries, the U.S. and Venezuela now enjoy a robust energy relationship that is triggering economic development and opening new trade and investment opportunities in both countries. To date, Venezuela's oil company has invested $2 billion in the U.S., and is importing hundreds of millions of dollars in U.S. goods and services used for energy production in Venezuela. A new bilateral investment protection treaty presently being negotiated between the two countries will afford U.S. investors greater safeguards in such important areas as capital transfers, international arbitration, intellectual property rights and others, and will put U.S. investors on an even playing field with investors from other countries.

Venezuela has 75 billion barrels of proven conventional crude oil reserves, ranking fifth-largest in the world and first outside of the Middle East. By comparison, U.S. crude oil reserves are three times smaller. In Venezuela's Orinoco Belt, which we visited, there are 1.2 trillion barrels of extra-heavy oil in place. Using a conservative rate of recovery of 20 to 25 percent at today's technology, it is estimated that 270 to 320 billion barrels of this resource could be recovered and used as a boiler fuel. In addition, Venezuela has 146 trillion cubic feet of natural gas reserves, which rank seventh-largest in the world. The U.S. is sixth in the world with 165 trillion cubic feet of natural gas reserves.

Mr. President, Venezuela is prepared to share its abundant oil resources with the rest of the world, and is implementing plans to almost double oil production from 3.7 to 6.5 million barrels per day by the year 2007. In order to do so, PDVSA plans to invest $65 billion in the next 10 years, $37 billion of which will come from its own revenue stream. $18 billion will come from PDVSA's foreign partners, and $10 billion will come from strategic alliances with foreign firms. Of the $65 billion total investment, PDVSA plans to invest $1.5 billion in the U.S.

To expand production and improve operating efficiency, PDVSA has undertaken several rounds of ''oil openings,'' a process in which participation of companies operating around the world is solicited in an open bidding process. In the first round of bidding, ten light- and medium-crude fields were opened to foreign investment. Eight of the ten successful bidders were companies operating in the U.S.—Amoco, BP America, Benton Oil and Gas Company, Dupont Conoco, Enron Oil and Gas Company, Louisiana Land and Exploration Company, Maxus Energy Corp., and Mobil Corp.

PDVSA is involved in five joint ventures with U.S. companies to open Venezuela's extensive heavy oil reserves in the eastern Orinoco Belt and the western Boscan field. Those companies are Arco, Chevron, Conoco, Mobil and Total, N.A.

In addition, PDVSA has issued more than a dozen contracts to companies to develop marginal and inactive oil fields that contain approximately 2 billion barrels of light and medium crude oil. Those companies include Amoco, Benton Oil and Gas Co., Chevron, Mosbacher Energy Company, Occidental, Pennzoil, Total, and Shell.

Similar opportunities for investment in Venezuelan joint ventures lie ahead for U.S. companies.

Mr. President, the harsh reality is that the U.S. will import greater and greater amounts of oil to meet its domestic energy needs in the coming decades, notwithstanding our efforts to maintain a viable domestic oil and gas industry. Presently, the U.S. is importing about 54 percent of its daily crude oil needs, and that level is expected to exceed 60 percent in a few short years.

I believe U.S. government policies should favor reasonable oil and gas exploration and production efforts, fair royalty and tax treatment, and balanced environmental and conservation measures so that we can produce our own energy for our growing economy. Unfortunately, the Administration does not have those goals in mind, and does not see the importance of setting a national energy policy.

In my State of Alaska, we have potentially large untapped crude oil reserves in the ANWR and on the Alaska Outer Continental Shelf. The Administration does not support environmentally responsible exploration of ANWR, however. Elsewhere in the lower 48 states, the Administration is frustrating exploration and production activities on federal lands by removing promising acreage from inventory of lands accessible for exploration purposes, and is making more difficult the job of producing energy by imposing onerous economic and regulatory requirements.

Now, at a time when world oil prices are plummeting to record lows, it will be more and more difficult for American companies to produce oil at a reasonable price. While this is good news

to the people of the U.S. because gasoline is at its lowest price ever when adjusted for inflation, it is not welcome news to small and independent oil and gas producers who will be especially hard hit, or to the larger energy producing companies.

It stands to reason, Mr. President, that the U.S. economy and industrial sector will benefit during times of low energy prices. The bad news is that there is a down-side to lower energy prices, and one that few people fully appreciate. When world oil prices fall below a certain level, as they have recently, the U.S. stands to lose production from stripper wells and marginally economic wells, along with the jobs associated with those wells. That, in turn, has ripple effects elsewhere in the economy through loss of jobs in the industries that supply goods and services to producers, and in the communities where they operate.

While we can take comfort in knowing that Venezuela is prepared to meet our oil import needs now and in the future, Mr. President, our trip served to bring more clearly into focus the U.S. energy situation and the need for policies and programs to preserve domestic production so that the current price situation does not cause permanent loss of jobs and domestic oil and gas reserves.

I intend to take important steps in the coming weeks to address the U.S. energy situation, Mr. President.●

HONORING RICHARD M. WILLIAMS FOR 24 YEARS OF SERVICE

● Mr. LEAHY. Mr. President, I rise today to pay tribute to a man who has spent the last twenty four years of his life working to ensure that Vermonters who are struggling to make ends meet, can afford to keep a roof over their heads. Richard Williams is far too humble to ask for recognition for those years of service, but that service has meant too much to go unrecognized.

The Vermont State Housing Authority (VSHA) was the first statewide housing authority in the United States, and Richard has been with it almost from the beginning. He came to VSHA in 1974 as an accountant when the organization itself was only six years old. Through the years he has served as Director of Fiscal Management, Deputy Director, and since 1984, Executive Director.

Under his leadership, VSHA has grown considerably. Today it administers the Section 8 program providing 4,585 families with rental assistance. The organization's non-profit arm, The Housing Foundation Inc. (HFI), which Richard helped to establish, created additional units of affordable housing and mobile home park lots. Through the HFI and various partnerships 1,050 units of affordable housing are now available for low-income families in Vermont. Just recently, Richard oversaw a creative interpretation of the tax code which, with the help of the Howard Bank, produced an $8.1 million tax exempt bond to refinance most of the mobile home parks in The Housing Foundation portfolio, to the benefit of 565 Vermont households.

But Richard was never content to limit himself to the work of VSHA. He sits on more boards and has served in more associations than I could recount here today. Among them are the Governor's Housing Council, the Advisory Group for the Consolidated Plan, and the Low-Income Housing Tax Credit Committee. With all of these commitments, it amazes me that he gets any rest at all. Vermonters are fortunate indeed to have someone so dedicated to making housing affordable for all, and who apparently needs so little sleep.

This year, the Vermont State Housing Authority is celebrating its thirtieth anniversary, and that is indeed cause for celebration. I applaud VSHA for thirty years of outstanding service to Vermont, and at the same time recognize Richard Williams for the large part he has played in that success. I know I speak for thousands of Vermonters who have a roof over their heads today because of his efforts, in saying thank you to Richard for twenty four years of service to Vermont.●

EXTENSION OF DEADLINE FOR SUBMISSION OF COMMISSION REPORT

Mr. DEWINE. Mr. President, on behalf of the majority leader, I ask unanimous consent that the Intelligence Committee be discharged from further consideration of S. 1751, and, further, the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1751) to extend the deadline for submission of a report by the Commission to Assess the Organization of the Federal Government to combat the proliferation of weapons of mass destruction.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. DEWINE. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1751) was read the third time passed.

The bill is as follows:

S. 1751

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

SECTION 1. EXTENSION OF DEADLINE FOR SUBMISSION OF COMMISSION REPORT.

Section 712(c)(1) of the Combatting Proliferation of Weapons of Mass Destruction Act of 1996 (contained in Public Law 104–293) is amended by striking ''enactment of this Act'' and inserting ''first meeting of the Commission''.

AUTHORIZATION FOR SENATE LEGAL COUNSEL REPRESENTATION

Mr. DEWINE. Mr. President, further, on behalf of the majority leader, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 202 submitted earlier today by Senators LOTT and DASCHLE.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 202) to authorize representation by the Senate legal counsel.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, as my colleagues are aware, the Congressional Accountability Act of 1995 created procedures for judicial review of employment discrimination claims throughout the Congress to govern cases arising after the requirements of the law took effect on January 23, 1996. The Senate's antecedent process for review of discrimination claims in Senate employment, which was created by the Government Employee Rights Act of 1991, continues to govern older cases. The cases of William L. Singer versus Office of Senate Fair Employment Practices and Office of the Senate Sergeant at Arms versus Office of Senate Fair Employment Practices, now pending in the United States Court of Appeals for the Federal Circuit, arise under the 1991 Act.

These consolidated cases present the Federal Circuit with two petitions for review of the same underlying order. The first petition was filed by William Singer, a former member of the Capitol Police. After Officer Singer filed his petition for review, the Office of the Senate Sergeant at Arms, Officer Singer's ''employing office'' under the statute, filed its own petition for review. Both petitions seek review of a ruling of the Select Committee on Ethics concerning Officer Singer's request for reimbursement of attorneys' fees incurred in an underlying employment discrimination action.

Under the Government Employee Rights Act, a final decision of the Ethics Committee is entered in the records of the Office of Senate Fair Employment Practices, which is then named as the respondent if the decision is challenged in the Federal Circuit. As petitions for review in the Federal Circuit challenge final decisions of a Senate adjudicatory process, under the Government Employee Rights Act the Senate Legal Counsel may be directed to defend those decisions through representation of the Office of Senate Fair Employment Practices in court.

Accordingly, this resolution directs the Senate Legal Counsel to represent

the Office of Senate Fair Employment Practices, in the cases of Singer versus Office of Senate Fair Employment Practices and Office of the Senate Sergeant at Arms versus Office of Senate Fair Employment Practices, in defense of the Ethics Committee's final decision.

Mr. DEWINE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to this measure appear at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 202) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 202

Whereas, in the cases of William L. Singer v. Office of Senate Fair Employment Practices, No. 98–6002, and Office of the Senate Sergeant at Arms v. Office of Senate Fair Employment Practices, No. 98–6003, pending in the United States Court of Appeals for the Federal Circuit, petitioners William L. Singer and the Office of the Senate Sergeant at Arms have sought review of a final decision of the Select Committee on Ethics, which had been entered, pursuant to section 308 of the Government Employee Rights Act of 1991, 2 U.S.C. §1208 (1994), in the records of the Office of Senate Fair Employment Practices;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1)(1994), the Senate may direct its counsel to defend committees of the Senate in civil actions relating to their official responsibilities;

Whereas, pursuant to section 303(f) of the Government Employee Rights Act of 1991, 2 U.S.C. §1203(f) (1994), for purposes of representation by the Senate Legal Counsel, the Office of Senate Fair Employment Practices, the respondent in this proceeding, is deemed a committee within the meaning of sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a), 288c(a)(1)(1994): Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to represent the Office of Senate Fair Employment Practices in the cases of William L. Singer v. Office of Senate Fair Employment Practices and Office of the Senate Sergeant at Arms v. Office of Senate Fair Employment Practices.

ORDERS FOR TUESDAY, MARCH 31, 1998

Mr. DEWINE. Mr. President, on behalf of the majority leader, I ask unanimous consent that at 10 a.m. on Tuesday, the Senate resume consideration of the Sessions amendment No. 2166, and there will be 30 minutes of debate equally divided between the proponents and opponents. I further ask consent that following that time the Senate then proceed to a vote on or in relation to amendment No. 2166, and that no second-degree amendments be in order to that amendment. I finally ask consent that following that vote the Senate resume debate on the Murray amendment No. 2165.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DEWINE. Mr. President, again on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Tuesday, March 31, and immediately following the prayer the routine requests through the morning hour be granted, and the Senate resume consideration of S. Con. Res. 86, the budget resolution, with the time between 9:30 a.m. and 10 a.m. being equally divided between the two managers.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DEWINE. Mr. President, I also ask unanimous consent that from 12:30 p.m. to 2:15 p.m. the Senate stand in recess for the weekly policy luncheons to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DEWINE. Again, on behalf of the majority leader, tomorrow the Senate will resume consideration of the budget resolution. At 10 a.m. the Senate will resume consideration of the Sessions amendment No. 2166 with 30 minutes of debate equally divided, with a vote occurring on or in relation to the amendment at approximately 10:30 a.m. Following that vote, the Senate will resume debate on the Murray amendment No. 2165.

During Tuesday's session of the Senate, Members can anticipate debate on a number of amendments expected to be offered to the budget resolution. Any Members wishing to offer amendments should contact the managers of their intentions.

In addition, the Senate may consider any executive or legislative business cleared for Senate action. Therefore, Members can anticipate a very busy week of floor action.

As a reminder to all Senators, tomorrow the first vote will occur at approximately 10:30 a.m.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DEWINE. If there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:33 p.m., adjourned until Tuesday, March 31, 1998, at 9:30 a.m.

EXTENSIONS OF REMARKS

THE MULTICHANNEL VIDEO COMPETITION AND CONSUMER PROTECTION ACT OF 1997

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. BILBRAY. Mr. Speaker, I rise today to lend my support to H.R. 2921, the Multichannel Video Competition and Consumer Protection Act of 1997. This Act, which I cosponsored earlier this year, will allow the Federal Communications Commission (FCC) to conduct an inquiry into competition in the multichannel video market. I agree with my colleague, Representative BILLY TAUZIN, whose goal with respect to video markets, is to create a policy environment that encourages vigorous competition. This will provide consumers with a choice of providers, new services, and competitive rates. I would like to take this opportunity to commend Representative TAUZIN for his leadership on this issue, and I look forward to working with him in the future to enact this bill into law.

A recent action by the Library of Congress flies in the face of these goals. The Library of Congress has upheld a decision of the Copyright Arbitration Rate Panel, which dramatically increases the price that Director-To-Home (DTH) satellite television companies pay in copyright fees. At the moment cable operators pay an average of 9.7 cents per subscriber for superstations, and 2.5 cents for network stations. DTH companies, on the other hand, have been paying an average of 27 cents per subscriber for both signals since the Library of Congress decision came into effect on January 1 1998. At these rates, the satellite service providers will be paying 275 percent and 900 percent more respectively for the very same signals.

In the short term, this has a detrimental impact on America's 7.5 million satellite subscribers. For example, in my home state of California, these costs have already been passed on to consumers through DTH subscription increases. Strangely enough, cable subscribers could suffer too. In the year between July 1996 and July 1997, we witnessed cable rates increase at nearly 4 times the rate of inflation. In order to remedy this situation we must listen to some sensible advice from the FCC. They have told us that the most effective regulator of cable rates is more robust competition from satellite television services.

Let's create an environment in which the satellite television industry can compete, not one where their competitiveness is reduced. I urge my colleagues to cosponsor this legislation, and help create a better multichannel video market for consumers.

HONORING MONTGOMERY'S HABITAT FOR HUMANITY

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. EVERETT. Mr. Speaker, I am pleased to pay tribute to an outstanding organization that is building lives as it builds homes for the needy in my congressional district in central Alabama. I'm speaking about the Montgomery, Alabama Habitat for Humanity. I would like to enter into the RECORD this recent editorial in The Montgomery Advertiser honoring our local volunteers' selfless efforts.

For sheer effectiveness, few charitable undertakings rival the work of Habitat for Humanity. The Montgomery chapter of that organization will soon begin its most ambitious project yet, a neighborhood of perhaps as many as 50 homes built the Habitat way—with donated money, materials and labor in what can only be described as the spirit of love.

Habitat enjoys such wide support and admiration because it accomplishes its stated mission without a lot of frills or fanfare. It puts in decent housing people who are willing to work and be responsible homeowners, but who would never qualify for a mortgage from a conventional lender.

Its most famous volunteer worker is former President Jimmy Carter, who is a pretty fair carpenter, but anyone who can drive a nail or carry some lumber or make sandwiches for lunch or do any of scores of other necessary tasks can find a way to help with a Habitat project.

Montgomery Habitat for Humanity envisions a neighborhood off the Alabama River Parkway, near North Pass neighborhood. The land is in hand, foreclosed property donated by Troy Bank and Trust.

Habitat officials favor the idea of creating neighborhoods over building individual houses scattered around a community. Montgomery Habitat built Litchfield, a 16-home neighborhood near Maxwell Air Force Base. Now it's looking at a project three times that size.

Habitat is not some no-strings giveaway program. Those for whom Habitat homes are built make monthly payments on their homes, with the money going into a revolving account that helps pay for building other homes. They also are required to invest 400 hours of ''sweat equity'' on their homes and others.

Habitat founded by former Montgomerian Millard Fuller 22 years ago, has built homes from the start, but by building neighborhoods it also builds lives. It builds a sense of community and gives hard-working, low-income people a stake in their neighborhood that rental property or government-subsidized housing cannot provide.

Habitat is effective, which makes it especially appealing to those people who can contribute their time and labor and those whose contributions can only be financial. The proposed new neighborhood is an exciting prospect for Habitat and for Montgomery.

RECOGNIZING BARBARA WHEELER

HON. HARRIS W. FAWELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. FAWELL. Mr. Speaker, it is my privilege to introduce to the Speaker and my associates in the House a prominent resident of the 13th Illinois Congressional District, prominent in terms of public service and professional accomplishments. Barbara M. Wheeler was recently elected President of the National School Boards Association, a nationwide advocacy organization comprised of 95,000 local school board members governing 15,000 local school districts.

Even before taking her law degree, Barbara Wheeler became actively involved in her local public school system, serving as a school board member, school board president, and chair of several school board advisory committees. She has been a member of the board of directors of the Illinois Association of School Boards and has held the office of president. More recently, she served as Secretary-Treasurer of the National School Boards Association, the organization she will now lead. She continues to speak on the challenges facing public education to conferences across the country. For more than 12 years, she has been a valuable member of my Congressional District Advisory Committee.

Barbara Wheeler, as President of the National School Boards Association, will be a vigorous, knowledgeable and articulate advocate of the interests of that organization and local school boards. I expect she will testify before Congress and represent the Association in many of its relationships with the executive branch of the federal government. I respectfully ask my colleagues in this House to join me in congratulating Barbara and wishing her well as she carries out her new responsibilities.

FRANKLIN TOWNSHIP BICENTENNIAL CELEBRATION

HON. BOB FRANKS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. FRANKS of New Jersey. Mr. Speaker, I would like to extend my sincere congratulations to the citizens of Franklin Township on their bicentennial celebration. The history, tradition, and values which have made Franklin into a leader in New Jersey, exemplify the values upon which our great nation has risen. Since its incorporation in 1798, Franklin has continued to prosper as a business and industrial leader, while maintaining its rural sense of community.

Today, I join my colleagues and fellow citizens of New Jersey in extending our congratulations to the citizens of Franklin Township.

We take great pride in celebrating your history, achievements and future prosperity.

IN HONOR OF MR. CARL VAIL

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. FORBES. Mr. Speaker, rare is the occasion when one person so defines the character of a place, but I stand here today reflecting on just such a man, Mr. Carl Vail, of Southold, Long Island, New York. A man of great dignity and integrity, someone who held dear his Long Island home and served his country with special distinction, Carl Vail was someone that made you feel proud to be an American. That is why it is with great sadness that I inform my colleagues in the U.S. House of Representative of the passing of Carl Vail, at 102 years of age, on Thursday, March 12, 1998.

Born on August 12, 1895, Carl Vail lived his life as a reflection of the view that our national and familial legacy are gifts to nurture and pass on to our sons and daughters. The Vails are one of Long Island's and America's oldest families, having served and protected this land since the early 1700's. A Vail has fought in nearly every American conflict since the French and Indian War. Just last year, Carl discovered that he was a descendant of Christopher Vail who fought in the Revolutionary War. His own son Everett Flew B–24s in World War II and his seven grandsons served during the Vietnam conflict.

That tradition of service and patriotism ran deep in Carl Vail, who left the family's Southold farm to join the U.S. Army in December of 1917 and served his country in World War I. Carl was wounded in combat a month before the war ended after an enemy mustard-gas attack in France's Argonne Forest. Due to lost paperwork and a modest regard for his own heroic service to our country, Carl did not receive his Purple Heart until 1982. Until he passed away, Carl Vail was one of two dozen surviving World War I veterans living in Suffolk County.

After courageously serving his country, Carl returned to Southold, where he and his brother started a Hupmobile franchise, the beginning of an automobile sales business that lasted nearly 70 years. Generations of East Enders purchased their cars from Vail Brothers in Southold, Vail Motors in Riverhead and Seavale Motors in Southampton, dealerships that sold 20 different makers of cars, from Packards to Hudsons to Model T Fords.

I am proud to have come to know Carl during my service as a Member of the Congress representing Brookhaven, Smithtown and the five East End towns of Suffolk County. Born and raised in the same East End community, I can tell you that Carl Vail was the epitome of Eastern Long Island: friendly, proud, independent-minded and loyal to the core of this place to which the Vail family was such an integral part.

Carl Vail was a spirited man who cared about our community and participated in it to the last hours of his 102 years. May God bless and keep him. He will be sorely missed by all who knew him and all who so dearly love the East End.

CARL VAIL, WWI VETERAN, DIES—SOUTHOLD FAMILY'S LEGACY OF SERVICE

(By George DeWan)

The Vail family name is one of Long Island's oldest, and a Vail has fought in most of America's wars going back to the French and Indian War in the mid-1700s.

On Thursday, Carl Vail of Southold, who was gassed as an infantryman in France in World War I and was one of about two dozen surviving World War I veterans in Suffolk County, died at 102. He passed away at the Veterans Affairs Medical Center in Northport after an eight-month illness.

Vail was best known on the East End for the automobile dealerships he founded: Vail Brothers Inc. in Southold, Vail Motor Corp. in Riverhead and Seavale Motors in Southampton. He had sold 20 makes of cars—including Packard, Willys, Nash, Hudson, Maxwell and Model T Ford—and became one of the top dealers in eastern Suffolk.

Born in Peconic on Aug. 12, 1895, Vail was 22 when he was drafted in 1917. He was a farmer at the time, but was in love with the water. ''I wanted to get in the Navy,'' he said in an interview with Newsday last year. ''They said they'd take me only as a ship's cook.'' He didn't want to be a cook, so he went to the draft board in December, 1917.

Vail was a member of the Army's 77th, known as the Rainbow Division, which trained at Camp Upton in Brookhaven. He was hospitalized after an enemy mustard-gas attack in France's Argonne Forest in early October, 1918, a month before the war ended. After a number of governmental paperwork snafus, he was awarded the Purple Heart in 1982.

''My son, Everett, was a B–24 pilot in World War II,'' he has said. ''He did 35 missions over Germany and came home without a scratch. During the Vietnam War, I had seven grandsons in the service.'' Vail learned only last year that he was a descendant of Revolutionary War soldier Christopher Vail.

Vail first learned to drive in a 1905 Pierce Arrow, and cars became a hobby, then a business. In 1919, he and his brother got a Hupmobile franchise, the beginning of an automobile sales business that grew and grew, lasting until 1983, when he retired at 88.

''In '27 I brought an acre of potato land for $8,000,'' he said. ''We built a garage, and I built up a $100,000 business in a little town.''

''When World War II started, most car dealers went out of business,'' Vail's grandson, Carl III, said yesterday. ''He went out and bought a lot of cars. He once told me he was either going to go bankrupt or make a lot of money. After the war, he had a lot of cars, and he made a lot of money.''

Vail helped found chapters of the American Legion in Mattituck and Southold. He was a life member of Eastern Long Island Hospital, a member of the Southold Universalist Church, the Southold Rotary Club and the East End Surf and Fishing Club.

Vail is survived by three children: Mary Hart of Southold, Virginia Bard of New York City and C. Everett Vail of Malabar, Fla.

Cremation was private. A memorial service will be held 3 p.m. Sunday, May 3, at the Universalist Church in Southold.

FAIRNESS FOR SMALL BUSINESS AND EMPLOYEES ACT OF 1998

SPEECH OF

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 26, 1998

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3246) to assist small businesses and labor organizations in defending themselves against government bureaucracy; to ensure that employees entitled to reinstatement get their jobs back quickly; to protect the right of employers to have a hearing to present their case in certain representation cases; and to prevent the use of the National Labor Relations Act for the purpose of disrupting or inflicting economic harm on employers:

Mr. STOKES. Mr. Chairman, I rise to strongly oppose H.R. 3246, mistakenly called the Fairness for Small Business and Employees Act.

I use the adverb ''mistakenly'' because I do not believe that this bill would provide fairness for either small businesses or for employees.

This proposed legislation would allow employers to discriminate against any applicant who he or she determines have been either a union organizer or an activist in an union, and who is suspected of engaging in union activity as the ''primary purpose'' of seeking employment.

For 60 years, the National Labor Relations Board (NLRB) made rulings, acting under the authority of the National Labor Relations Act (NLRA), that clearly prohibited discrimination against workers based on their union membership or activities. The principles supporting these rulings have been upheld by the U.S. Supreme Court (NLRB v. Town and Country Electric, 1955.)

Title I of H.R. 3246 would amend the National Labor Relations Act to permit employers to refuse employment, or to fire, a person who is not a ''bona fide employee applicant'', if the employer believes that the applicant is not 50% motivated to work for the employer. Both of these conditions are, of course, subjective measures and would thus, give employers unrestricted ability to exclude from hiring any person suspected of union activity.

Title II would restrain the right of workers to organize by making it more difficult for a union to be recognized as the bargaining representative at a single facility of a multi-facility employer. The NLRB has, for over thirty five years, recognized that each separate workplace of an employer is an ''appropriate'' unit for collective bargaining. Forcing workers to organize all sites of a single employer in order to have union representation at one site of course presents a nearly unsurmountable obstacle to having any representation. Instead, title II imposes on the NLRB a set of subjective tests, and lengthy hearings by which the board is to determine the appropriate bargaining unit.

However, title III is partly acceptable. The positive part is that it would require the NLRB to decide wrongful termination cases within one year. However, there are no enforcement measures and this title needs to be amended to require the NLRB to reinstate a discharged worker should a preliminary investigation indicate that there is reasonable cause to believe that the discharge violated the NRLA.

Lastly, title IV of H.R. 3264 would have the effect of severely limiting the NLRB's ability to enforce worker protection rights at small business sites. It would require the NLRB to pay attorney fees and expenses of any small business that prevails in administrative and judicial proceedings, regardless of whether the NLRB's position was substantially justified or reasonable.

Earlier, I stated that H.R. 3246 was not fair to either small business or employees. I believe that the moral strength, and the economic vigor of this country derive from a healthy balance of power between employer and employee. H.R. 3246 would destroy that balance by removing some of the fundamental protections of workers in this country. For all of the reasons above, I urge my distinguished colleagues to vote against H.R. 3246.

PROJECT HOPE

HON. J.D. HAYWORTH

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. HAYWORTH. Mr. Speaker, I come to the well of the House today to recognize a community success story: Project HOPE (Hayden Offers Positive Encouragement).

Project HOPE is a pro-recreation program for youth in Hayden, Arizona. The program was started by David Elmira, a former Hayden town councilman, in 1993 and has been supported every year since then by Hayden's mayors, Melesio R. Chavez and Jose Aranda. The program's purpose is to encourage youth to participate in after-school activities in order to keep them from getting into trouble.

Mr. Speaker, we often talk about the importance of local control. This program helps youth without the bureaucratic strings from the federal government. More importantly, Project HOPE doesn't rely on federal funds. Therefore, they can craft a program that fits their youth, instead of the federal government's ''one-size-fits-all'' approach. This gives them the freedom and flexibility to create a program that can succeed.

Project HOPE organizes various sporting activities including basketball, golf, and volleyball tournaments and football pass, punt, and kick competitions. Night swimming also remains a central component of this program. The program enters its fourth year under the leadership of Hayden Vice Mayor David Aguirre, who heads up the town council's Parks and Recreation Department. Carlos Galindo-Elvira, who is the Economic Development Program Coordinator, also deserves credit for the success of this program.

Project HOPE is primarily funded by the Town of Hayden, along with various grants. The year, Project HOPE will open a new youth recreation center. The center, a renovated fire station located in downtown Kearny, will have a physical exercise room and group activity room for all youth from the surrounding community to enjoy. It is local programs like this that need to be replicated in other communities. I wish Project HOPE continued success in the future.

IN RECOGNITION OF NORTHERN VIRGINIA'S FAIRFAX COUNTY 1997 CITIZEN OF THE YEAR AND MERIT AWARD WINNERS

HON. JAMES P. MORAN

OF VIRGINIA

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. MORAN of Virginia. Mr. Speaker, my colleague Mr. DAVIS of Virginia and I are honored to recognize four outstanding Northern Virginians who are being recognized this week by the Fairfax County Federation of Citizens Association as the Citizen of the Year and as Citation of Merit Award recipients for their community contributions.

The Fairfax County Federation of Citizens Associations is a volunteer, nonpartisan, umbrella for the organized citizenry of Fairfax County. For the past forty years it has represented the interests of hundreds of civic, condominium and town house associations working together with the magisterial district councils of citizens associations.

Minerva W. Andrews is the Fairfax County of Citizens Associations 1998 Citizen of the Year award recipient. Ms. Andrew's record of lifetime achievement and her dedication to country issues sets a shining example of public service for the Fairfax County community. Born and raised in South Carolina, Ms. Andrews distinguished herself by pursuing a career in law at a time when social mores directed women toward ''traditional'' occupations. She came to Fairfax County after graduating from the University of Virginia's Law School in 1948. Formerly a partner with McGuire, Woods, Battle and Boothe, Ms. Andrews specialized in real estate law. Her professional interest and civic commitments dovetailed as she worked to strengthen land development environmental practices. Ms. Andrews assisted in drafting the very first Erosion Control Ordinance adopted by Fairfax County.

During the 1950's, when Virginia entered the era of ''massive resistance,'' Ms. Andrews served as the Fairfax League of Women Voters' President. Under her leadership, the LWV strongly supported integration of public schools and took the lead in opposing the states' actions to close the public school system. Ms. Andrews has been active in providing opportunities for young people throughout her life. She served on the Fairfax County Vocational Educational Foundation Board for 25 years (renamed the Foundation for Applied Technical Education) and served as the organization's President from 1977 to 1980.

Since her retirement, she has increased her participation on the National Society of Arts and Letters Board, an organization that recognizes talented students in the creative and literary arts. First associated with the Washington Chapter of the National Society of Arts and Letters, she served as the Chapter President from 1973–1974 and more recently has served as the National President from 1994–1996. Ms. Andrews has been an active member of the Fairfax-Falls Church United Way Executive Committee for many years and is a past chair of the Government Relations Committee.

Ms. Andrews was an early supporter of the Fairfax Committee of 100 having served on its Board and as its volunteer registered Agent. Until her retirement she also served for twelve years as a board member of the Greater Washington Research Center, a forum supported by the business community to encourage research on regional business, social issues and public policy, with an emphasis on transportation issues.

In addition to her county-wide and national activities, she has been active in her home community of McLean, serving as the president of the McLean Citizens' Associates from 1971–1972 and working with her husband Robert in forming the McLean Planning Commission that helped secure a federal grant for McLean's central business district. She has also served as a board member of the McLean Citizens' Foundation, the McLean Community Center and the McLean Project for the Arts.

She is a life Elder in the Lewinsville Presbyterian Church and has just completed a term as vice President on the board of the National Capitol Presbytery. She is also on the board and serves as counsel for the Lewinsville Retirement Residence.

In addition to Ms. Andrews, three citizens will be honored with Citations of Merit. They include: Mildred Corbin who will be recognized for her work in many county wide organizations such as the National Political Congress of Black Women, the Fairfax Care Network for Seniors, the Fairfax Commission for Women, the Route One Human Service Task Force, the Fairfax Committee of 100, and the Steering Committee for the Human Services Alliance to name just a few. She is also a two-term member of United Community Ministries and dedicates time to the Mount Vernon Mental Health Center and the Eleanor Kennedy Homeless Shelter. She actively supports Fairfax Offender Aid and Restoration Program, Black Women United for Action, the National Association of Retired Federal Employees and the American Association of Retired Persons. In 1997, she became the District representative to the Fairfax Area Commission on Aging. Ms. Andrews also participates in the Pinewood Lake Civic Association. Her volunteer contributions span more than forty years of service to young people, as well as senior citizens in the Northern Virginian community.

Shirely O. Nelson will also be recognized for her contributions to the Chantilly community and for her county-wide volunteerism. Her work has focused on innovative and practical youth programs, such as the Chantilly Pyramid Minority Achievement Committee (CPMSAC), a program that serves twenty eight schools. CPMSAC works toward improving youth motivation and awards academic achievement; it is currently in its thirteenth year. She also has been a lynchpin in saving and expanding the Saturday Toward Excellence Program (STEP). After serving on the Fairfax County Council of PTA for seven years, Ms. Nelson became its first African-American President in 1996. Since then she has spearheaded planning and communications program activities for the PTA. She has also coordinated community activities such as the first County-wide extended Family Solutions Conference. Additionally, Ms. Nelson founded and directs the Young Voices of Chantilly, an ensemble of fifteen elementary, middle and high school students. This group provides positive and inspirational messages to youth through song.

Thomas E. Waldrop will add the Fairfax County Federation of Citizens' Associations

Citation of Merit award to his 1998 Jinx Hazel Arts Citizen of the Year Award, a Northern Virginia Community Foundation Founders Award in 1997 and his designation in 1996 as the Fairfax County Chamber of Commerce Citizen of the Year. He has served for an unprecedented third term as Chairman of the Board of the Arts Council and is on the Board of Directors for numerous arts and educational organizations. In addition, he has supported many county-wide and national human service causes such as the American Heart Association, United Way, the Hospice of Northern Virginia, the Women's Center, the Adopt a Family Program, and Ronald McDonald House to name only a few.

Mr. Speaker, we thank you for this opportunity to recognize such valuable members of the Northern Virginia community. We wish each of them the best in their endeavors to improve the lives of our constituents. Their life time dedication to volunteering is truly an inspiration to us all.

TRIBUTE TO WILLIAM L. CULVER

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. SKELTON. Mr. Speaker, today I would like to recognize a fellow Missourian, Mr. William L. Culver, for his contributions to culture and history. In February 1998, Bill Culver participated in a C–SPAN contest that outlined the travels of Alexis de Tocqueville. He captured in art the essence of Tocqueville's travels in search of American democracy and was recognized as a top 10 national prize winner. He is an avid C–SPAN watcher and has faithfully shared his caricatures with this organization.

Bill Culver has been interested in art since he was a small child. He grew up in Northwest Missouri, attended the University of Missouri Law School, and successfully practiced law for many years. Bill now spends time doing what he enjoys most—writing and illustrating children's books. Also, he teaches part time at Columbia College at the Lake of the Ozarks.

Mr. Speaker, I ask my colleagues to join me in congratulating Bill Culver on this award and wish him good luck as he continues to illustrate art and developing legacies for future generations to enjoy.

PUT WORDS INTO ACTION: GIVE A TAX BREAK TO STAY-AT-HOME PARENTS

HON. BOB FRANKS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. FRANKS of New Jersey. Mr. Speaker, last month, Congress voted on Daycare Fairness for Stay-at-Home Parents, a resolution recognizing the importance of stay-at-home parents and the care they give their kids.

I supported H. Con. Res. 202, because I believe that the Federal Government has for too long discriminated against parents who choose to stay at home to raise their children. We as lawmakers need to recognize the sacrifices these parents make to be at home with their kids, and encourage the kind of care that only they can give.

But a sense of Congress means nothing unless we back these words up with action. We should pass legislation that brings real tax relief to parents who stay at home.

The keystone of our child care effort should be to reverse current federal tax policy which effectively discriminates against parents who choose to stay at home to raise their children.

That is why I have introduced legislation that will universalize the Dependent Care Tax Credit (DCTC) to give stay-at-home parents tax relief equal to that received by parents who choose to leave their children with an outside caregiver. Under my bill, H.R. 3176, parents who stay at home with their pre-school age children will receive credit on $2,400 of expenses for one child, and $4,800 for two or more children.

The Dependent Care Tax Credit (DCTC) is currently available only to working parents for expenses related to non-parental child care. In effect, the DCTC subsidizes parents to leave their children in the care of others. In my view, this is a fundamentally misguided and harmful policy.

While I supported H. Con. Res. 202, parents who sacrifice a second income to stay at home with their kids deserve more than just a pat on the back. Let's show stay-at-home parents that we mean what we say. Support extending the Dependent Care Tax Credit. America's families and our children will be better off for it.

INTRODUCTION OF THE IDENTITY PIRACY ACT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Ms. DELAURO. Mr. Speaker, last week I introduced the Identity Piracy Act to give the Secret Service and prosecutors more crime fighting tools to protect victims of identity fraud. Under current law, the attempt to defraud an individual by using his or her identity is not by itself a punishable offense. The Identity Piracy Act (IPA) closes this loophole, and makes the theft of one's identity a specific category of crime punishable under federal law.

In order to prosecute someone for identity fraud under current law, a person must commit another type of fraud such as wire, bank, or credit card fraud. The IPA would make the act of obtaining someone's identity with the intent to defraud a person or entity a federal crime. Punishment would include up to twenty years in prison, additional time for a conspiracy to commit identity fraud, fines, and restitution.

Imagine learning that someone has stolen your name and social security number and used an out-of-state address to apply for nearly 15 credit cards. Imagine that you didn't learn about the theft of your identity until the credit card company calls to check with you about $2,500 worth of charges you didn't make. Under current law, only the theft of the $2,500, and not the assumption of your identity, is punishable by federal law. The Identity Piracy Act (IPA) closes this loophole, and makes the theft of one's identity a crime.

The provisions of the IPA are similar to those of the Senate Identity Theft and Assumption Deterrence Act. However, the IPA contains language endorsed by the Secret Service that clearly defines identity fraud as a federal crime and expands penalties for this crime.

Like the Identity Theft and Assumption Deterrence Act (ITADA), the IPA would give law enforcement officials more crime fighting tools to protect victims of identity fraud. It would also enable victims to seek financial restitution from identity fraud thieves, and give law enforcement officials expanded authority to seize the equipment that enable thieves to steal the identities of consumers.

Unlike other proposed identity fraud legislation, the IPA clearly defines the threshold that makes identity fraud a federal crime. The threshold provisions enable prosecutors to determine what actions trigger a federal identity fraud crime.

The IPA eliminates the dollar threshold for making identity fraud a federal crime. Under ITADA, a person must use an individual's identity to steal at least $1,000 to make this type of fraud a federal crime.

The IPA would make taking the identity of both a person or an entity, such as a corporation, a federal crime. ITADA only covers theft from a person, not an entity.

The IPA refines what a court may provide in restitution to the victim of identity fraud. Under the IPA the court can provide restitution for attorney fees, to clear credit or debt history problems, and to clear debts and liens against a person. ITADA does not clearly define the restitution that can be provided.

The IPA refines the punishment for conspiracy to commit identity fraud. ITADA does not clearly define the punishment for conspiracy. IPA would increase the penalty for conspiracy by half of the maximum sentence for identity fraud.

The IPA creates definitions for what constitutes: a ''means of identification,'' a ''personal identifier,'' an ''identification device,'' and ''personal information or data.'' For example, use of data such as a fingerprint, a voice print, and a retina or iris image are identifiers that if used by an identity thief would be punishable under this law.

Federal law enforcement officials need to be able to keep up with changes in technology that have increased the number of identity fraud cases, in order to protect victims. We need to protect the rights of consumers like my constituent, Denise, whose case involving the theft of $2,500 I described earlier. Denise has had to fight to clear her credit record of illegal charges. Since the initial theft, Denise learned that the identity thiefs obtained credit in her name to lease housing. Landlords trying to collect from their tenants in out-of-state courts have led to a credit reporting nightmare for Denise.

The IPA would enable the Secret Service to pursue Denise's identity thieves. Under this bill, if these thieves are caught, they can be arrested on identity theft charges alone, their equipment for obtaining Denise's identity can be confiscated, and the courts can provide Denise the restitution she needs to clear her credit.

The IPA also gives people like my constituent, Denise, the assurance that law enforcement officials will have all of the tools they need to combat identity theft. I am sure that

many of my colleagues will learn about situations similar to Denise's, and I urge you to consider cosponsoring the IPA to advance this important crime fighting tool.

SMALL BUSINESS PAPERWORK REDUCTION ACT AMENDMENTS OF 1998

SPEECH OF

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 26, 1998

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3310) to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements, and to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses:

Mr. STOKES. Mr. Chairman, I rise in opposition to H.R. 3310, the Small Business Paperwork Reduction Act Amendments of 1998. One of the purposes of the original Paperwork Reduction Act of 1995 was to promote prompt dissemination of public information for major Federal agencies which depend on vital information from businesses. However, the proposed amendments will indirectly contradict the original intent.

Although I support the financial relief offered to small businesses in this bill, it would open the door for willful mistakes that would put various elements of Government control and worker safety at a disadvantage. For example, the Pension and Welfare Benefits Administration [PWBA] which depends on reports to ensure proper investing to secure our retirement savings for the future. This bill will weaken the ability of PWBA to protect workers' benefits by undermining current disclosure requirements. Another agency that would be adversely affected is the Drug Enforcement Administration [DEA] which uses business reports in order to detect drug trafficking. This bill would jeopardize reporting requirements that could provide evidence of criminal activity. Our Immigration Department relies on employers to file reports to monitor the hiring of illegal immigrants.

H.R. 3310 would weaken the ability of Federal agencies to receive vital information by making it easier for companies to bypass their responsibility to provide basic statistics needed for regulatory purposes.

In addition to the adverse effects this bill will have on Government regulations, it also places millions of American workers at risk by undermining the hard work of unions across America which have been successful in promoting the safety and health for workers in mines, factories, and other workplaces. These amendments would erode hard-fought protections that have played a significant role in the decreased deaths of workers.

Mr. Speaker, businesses have an obligation to adhere to governmental regulations that protect workers and the American people by building a healthy society which ultimately benefit businesses.

I strongly support our small businesses as they are fundamental to the well being of our society, however, I do not support putting American workers at physical risk by removing penalties for ignoring the law. I urge my colleagues to defeat this bill.

IN HONOR OF THE LAKE ERIE NATURE AND SCIENCE CENTER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. KUCINICH. Mr. Speaker, I rise today to recognize the dedication celebration of the newly renovated Lake Erie Nature and Science Center (LENSC) in Bay Village, Ohio.

In 1996, more than 124,000 people participated in the Center's programs. Students came from Cuyahoga and Lorain Counties, and other visitors represented 30 states and 11 countries. LENSC provides educational programs, wildlife rehabilitation, non-releasable wild animals and exhibits. The Center's goal is to involve individuals of all ages from every background in learning to care for wildlife and the earth in a fun, hands-on way.

LENSC recognized the growing need for more educational programs and exhibits and planned a $2.3 million renovation project. The dedication ceremony will take place on Saturday, April 4th. Since its founding in the home of Dr. Elberta Wagner Fleming in 1945, LENSC has undergone remarkable changes and growth. This newest renovation added a new classroom designed for preschoolers, an event center, an expanded resource center, a new lobby with a nature art mural, a courtyard, volunteer room and a new conference room.

My fellow colleagues, please join me in honoring the accomplishments of the Lake Erie Nature and Science Center.

TRIBUTE TO THE REVEREND DR. MARTIN LUTHER KING JR.

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. GILMAN. Mr. Speaker, I would like to take this opportunity to honor the legacy of the Reverend Dr. Martin Luther King Jr., who, thirty years ago this week was senselessly murdered by an assassin in Memphis, Tennessee.

Dr. King contributed more to the causes of national freedom and equality than any other man or woman of our century. His achievements as an author and as a minister were surpassed only by his leadership, which transformed a torn people into a beacon of strength and solidarity, and united a divided nation under a common creed of brotherhood and mutual prosperity.

It was Dr. King's policy of nonviolent protest which served to open the eyes of the American populace to the horrors of discrimination and police brutality. This policy revealed the Jim Crow laws of the South as hypocritical and unfair, and forced civil rights issues into the national dialectic. It is due to the increased scope and salience of the national civil rights discussion that the movement achieved so much during its decade of greatest accomplishment, from 1957 to 1968.

It was in 1955 that Dr. King made his first mark on the nation, when he organized the black community of Montgomery, Alabama during a 382-day boycott of the city's bus lines. The boycott saw Dr. King and many other civil rights activists placed in prison as ''agitators,'' but their efforts were rewarded in 1956, when the Supreme Court declared that the segregational practices of the Alabama bus system was unconstitutional, and demanded that blacks be allowed to ride with equal and indistinguishable rights. The result proved the theory of nonviolent protest in practice, and roused the nation to the possibilities to be found through peace and perseverance.

In 1963, Dr. King and his followers faced their most ferocious test, when they set a massive civil rights protest in motion in Birmingham, Alabama. The protest was met with brute force by the local police, and many innocent men and women were injured through the harsh response. However, the strength of the police department worked against the forces of discrimination in the nation, as many Americans came to sympathize with the plight of the blacks through the sight of their irrational and inhumane treatment.

By August of 1963 the civil rights movement had achieved epic proportions, and it was in a triumphant and universal air that Dr. King gave his memorable ''I Have a Dream'' speech on the steps of the Lincoln Memorial. In the next year, Dr. King was distinguished as Time magazine's Man of the Year for 1963, and he would later be awarded the Nobel Peace Prize for 1964.

Throughout his remaining years, Dr. King continued to lead the nation towards increased peace and unity. He spoke out directly against the Vietnam War, and led the nation's War on Poverty, which he saw as directly involved with the Vietnam struggle. To Dr. King, the international situation was inextricably linked to the domestic, and thus it was only through increased peace and prosperity at home that tranquility would be ensured abroad.

When Dr. King was tragically gunned down in 1968 he had already established himself as a national hero and pioneer. As the years passed, his message continued to gather strength and direction, and it is only in the light of his multi-generational influence that the true effects of his ideas can be measured.

Dr. King was a man who lacked neither vision nor the means to express it. His image of a strong, united nation overcoming the obstacles of poverty and inequality continues to provide us with an ideal picture of the ''United'' States which will fill the hearts of Americans with feelings of brotherhood and common purposes for years to come.

Mr. Speaker, I urge my colleagues to appropriately remember the significant deeds of the Rev. Dr. Martin Luther King Jr., and to join in a moment of silent meditation in his honor.

PERSONAL EXPLANATION

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Ms. BROWN of Florida. Mr. Speaker, I was away from the House with the President on the historical visit to Africa. I was unable to vote on Rollcall votes 68 through 80. If I had been here I would have voted as follows:

Rollcall—68, aye; 69, nay; 70, aye; 71, aye; 72, aye; 73, nay; 74, nay; 75, nay; 76, nay; 77, yea; 78, nay; 79, aye; 80, nay.

CAMPAIGN FINANCE REFORM—AN OPPORTUNITY TO MAKE SOME PROGRESS

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. HORN. Mr. Speaker, last October, a group of 30 Republican members asked Speaker GINGRICH to set open ground rules for the House debate on the issue of campaign finance reform. He promised to bring up these issues in March and he has done so.

I and other co-signers hoped that we could build a bipartisan consensus to bridge the disagreements on campaign finance that divide the parties. As one who has been involved in this issue for many years, I had few illusions about the difficulties of this effort. But I believed that the House had developed a bipartisan group committed to genuine reform and that this group could become the nucleus for a broad agreement.

The bipartisan Shays-Meehan group, the Tuesday Group Republicans, the Blue Dog Democrats, and the bipartisan freshman group of 1996 had demonstrated the possibilities on a limited scale. By joining forces, I hoped we could be the engine of bipartisan campaign reform in the House.

Beginning last October, members of these groups and their staffs worked many long hours in an intense effort to produce the broad, bipartisan consensus all of us wanted. Unfortunately, despite the best of intentions and the good-faith efforts of all involved, we simply could not come to a final agreement.

We diverged on a number of issues, including the extent of a ban on so-called ''soft money'' which seems unlimited and is largely unregulated contributions that both parties collect from corporations, unions, and wealthy individuals outside the scope of our present Federal election laws. Some of us were committed to a full and complete soft-money ban at the Federal, State and local levels. Others preferred the more limited approach in the freshman bill that bans soft-money at the national party level and prohibits Federal officeholders, candidates, and their agents from any involvement in raising, soliciting, directing, or transferring such funds. But it would not ban soft money at the State level.

This disagreement was fundamental—it reflects strongly held principles on both sides and it is an honest difference of opinion.

The members of the bipartisan working group also could not resolve disagreements over so-called ''issue ads''—the television and radio advertisements that flood the airwaves at the end of a campaign launching anonymous attacks on candidates without being required to disclose the source of their funding.

A number of us wanted all special interest issue ads to comply with the same Federal election disclosure laws that bind us as candidates. That would include limits on contributions from individuals and political action committees and full disclosure and complete reporting of all contributions and expenditures. Others believed that imposing those restrictions on non-candidates would violate First Amendment freedoms and that, at most, we should require disclosure.

Again, Mr. Speaker, these are not phony arguments. These are real differences of opinion on complex issues.

There were other less severe disagreements, but in hindsight we failed to give adequate consideration to what is probably the most serious roadblock to any broad bipartisan consensus on campaign finance. That roadblock is the role of union money in our campaigns.

From the start of the bipartisan discussions, Democratic members were very clear that they were united in opposition to certain Republican proposals, such as the ''Paycheck Protection Act'' that would require unions to obtain permission from individual union members before their dues could be used for political activities. This proposal was viewed as a pure ''poison pill'' intended to kill reform and therefore not subject to compromise.

At the same time, a majority of House Republicans—162 of 225 are cosponsors of the paycheck bill—view this legislation in the exact opposite light. That is, many Republicans believe that failure to include Paycheck Protection is a poison pill for reform because a soft-money ban would cut off Republican funds for grassroots activities such as voter registration and get-out-the-vote efforts while leaving largely pro-Democratic unions free to spend their own money on such efforts for the Democrats.

In short, Mr. Speaker, there are stark and fundamental disagreements between the two parties on this issue and the efforts to resolve those conflicts have not succeeded despite the very intense effort that was made over the past 5 months.

The failure of the bipartisan working group means we are largely back where we began—splintered on two or three plans that are nominally bipartisan. While I believe that each of these proposals has merit, the reality is that each also lacks the depth of support and the staying power necessary to win passage in the House and the other body, to survive a difficult conference, and to be signed into law.

Barring the development of a genuine bipartisan consensus, I see little reason to hope that we can pass a significant campaign reform bill this year. While some argue that a majority of the House supports the McCain-Feingold II proposal, I question the wisdom of trying to force the passage of a bill that already has been killed in the Senate and that does not enjoy broad bipartisan support here.

If we are every to achieve real reform, it must be done on a fair, bipartisan basis and the unfortunate truth is that that basis does not now exist. As one who has spent a great deal of time on the McCain-Feingold proposal, a Commission bill and major disclosure legislation, and a lot of energy in seeking a bipartisan consensus, I am disappointed but I am not willing to give up. Neither am I willing to waste time trying to assign blame or score partisan points on this issue.

Republicans and Democrats must share equally in the failure to achieve consensus on this issue and both must be prepared to make important compromises if we are every to move forward. That means we must craft legislation with real reforms that affect both parties and every special interest group.

The bill offered by Rep. BILL THOMAS, chairman of the Committee on House Oversight is a serious effort. He accepted a number of our ideas. He worked avidly to build a consensus. He sought to strike a balanced and fair framework for campaign finance reforms. The legislation is not perfect. No bill is. Among other reforms, this bill would:

Ban soft money contributions and spending by the national party committees and prohibit federal officeholders, candidates and their agents from being involved in soft money activities.

Require full public disclosure of the sources of the special interest funding for issue ads that identify a candidate for federal office in the last 90 days of a campaign. Voters have a right to know who is trying to influence an election.

Provide basic tools for state and local officials to combat voter fraud so that the votes of U.S. citizens are not canceled out by illegal votes.

Require that unions and corporations give their members or stockholders the power to block the use of their dues or funds for political activities. Frankly, I believe some of the language in this section is too broad and needs refinement but the goal of balanced limits on unions and corporations is sound and necessary.

These are real reforms. This bill would produce genuine, substantive and far-reaching changes in the way our campaigns are conducted. I support it and I urge my colleagues to do the same. If it passes, real progress will have been made.

IN CELEBRATION OF EDWARD RYBKA'S 70TH BIRTHDAY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. KUCINICH. Mr. Speaker, I rise today to recognize a leader in the Polish-American community in Cleveland, Ohio, Edward Rybka, who will celebrate his 70th birthday on April 14, 1998.

Edward has worked for years to promote understanding between the Catholics and the Jewish in Cleveland. His dedication has earned him the Good Joe award from the Cleveland Society of Poles as well as the Brotherhood Award from Fairmount Temple. Edward is also owner and President of a prosperous real estate agency, Rybka Realty.

Edward will celebrate his birthday with a family reunion in Florida with his wife, Irene, son, Robert, daughter Michelle, and his two grandchildren. My fellow colleagues, please join me in wishing a happy birthday to Edward Rybka, a great community leader and family man.

DR. NAPOLEON B. ''PAPA BEAR'' LEWIS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it is with deep sadness that I stand to offer my condolences to the family of

Dr. Napoleon Lewis of Dallas, Texas. Dr. Lewis was a good friend of mine and a role model to generations of students at Lincoln High School in Dallas.

On Friday, March 27, 1998, Dr. Lewis passed away at the age of 76, leaving a long legacy of love and concern for his students at Lincoln High. Indeed, Dr. Lewis was recognized nationally for his outstanding leadership of Lincoln High School in south Dallas.

He earned his bachelor's degree in biology from Morgan State College in Baltimore in 1945. While he wanted to earn his master's degree at the University of Maryland, only 15 minutes from his home, the school did not admit blacks into its graduate programs. Therefore, he was forced to attend New York University during the summers and even commuted a couple of semesters by bus for Saturday classes, beginning his journey at 2 a.m. in Washington.

He supplemented his salary during those days by doing odd jobs, never complaining, never stopping and always striving.

In 1980, Lincoln High School was ranked second from the bottom in the Dallas school district. Students were not challenged and they never envisioned a life of success in college and the workforce. When Dr. Lewis was brought from Washington, D.C. to be named principal at Lincoln, he made caring for students a priority and preparing them for college a reality.

By the time he retired in 1997, the seniors at Lincoln established a record of attending the best colleges in America, including such schools as Northwestern and Howard.

Dr. Lewis was known and respected for his high standards of discipline, his values and his high expectations for his students. Dr. Lewis improved Lincoln's library, strengthening the school's broadcasting curriculum and, most impressive, increased the students' achievement scores.

Many times, individuals do not expect some of our young African-American youth to meet high standards and to have high goals. My friend, Dr. Lewis, raised our expectations of the students and showed them how to set and accomplish goals that they never dreamed possible. He pressed for replacing remedial subjects at Lincoln with physics and advanced math, subjects much more fitting for our students preparing to meet the challenges the 21st century.

All of us who care about the educational opportunities of our children in the Dallas area will miss the faith and discipline that Dr. Lewis brought to the work of educating Dallas' students.

Mr. Speaker, Dr. Lewis started his educational career in Washington, D.C. where he began developing his successful formula for shaping the minds of young students. Dr. Nolan Estes, superintendent of Dallas Schools recruited him to Dallas as part of a national search to help reform the district and how it did business in teaching our children.

The way that he reformed Lincoln High School and influenced its children to reach for the stars reflected his own path to learning. He did not grant excuses or breaks to his students, because he knew that life offers little success to those who are not willing to fight, struggle and persevere.

On behalf of the many students whose lives he has touched and influenced, I would like to say that we will miss his unbounded generosity and concern for their futures. His years of guidance and devotion to the Dallas area students will never leave our hearts and minds, and he will forever leave a mark in our community.

A TRIBUTE TO COLUMBIA, ILLINOIS

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. COSTELLO. Mr. Speaker, I rise today to recognize the town of Columbia, Illinois which will be celebrating Space Shuttle Columbia Day. The celebration will commemorate the launch of the namesake shuttle at Kennedy Space Center on April 16, 1998. The Space Shuttle Columbia is commonly referred to as OV–102, for Orbiter Vehicle–102. The Shuttle has completed 24 successful flights and has traveled nearly 100 million miles. The crew of seven for the April 16 launch will carry the payload Neurolab and the astronauts will study the human nervous system in space. The mission will fly at an orbital inclination of 39 degrees, passing over Southern Illinois and its namesake City of Columbia.

As it flies over Columbia, the city will be displaying the Avenue of Flags and a commemorative space hologram postmark and envelope will be issued at the Columbia, IL Post Office 62236. A proclamation has also been issued by the City of Columbia, the Columbia Chamber of Commerce, the USS Columbia (SSN 771) and the Commander and Crew of the Space Shuttle Columbia Mission STS–90. The original proclamation will be stowed onboard the Space Shuttle Columbia during its mission. The citizens of Columbia have signed oversized copies of the proclamation that will be sent as a show of support to the Shuttle Columbia crew.

Eight community leaders including Mayor Lester Schneider, Ron Raeber, Curt Kopp, Roman Altgilbera, Franklin Kohler, Scott Simpson, Don Stumpf and Don Stumpf, Sr. will witness the launch as the Space Shuttle Columbia embarks on its 25th mission.

Columbia is the oldest orbiter in the Shuttle fleet and is named after the sloop captained by Robert Gray. On May 11, 1792, Gray and his crew maneuvered the Columbia past the dangerous sandbar at the mouth of a river extending more than 1,000 miles. The river was later named after the ship. Gray also led Columbia and its crew on the first American circumnavigation of the globe.

Other sailing ships have further enhanced the honor of the name Columbia, including the first US Navy ship to circle the globe. The City of Columbia also has a rich connection to the Navy and has a namesake submarine, the USS Columbia. The community was very involved in the namesake program and has participated in both launching and commissioning ceremonies.

I ask my colleagues to join me in acknowledging the City of Columbia's Space Shuttle Columbia Day and celebrating its namesake's historic 25th launch.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. BECERRA. Mr. Speaker, on March 27, 1998, I was unavoidably detained during two roll call votes: number 79, on agreeing to the amendment and number 80, on passage of the Forest Recovery and Protection Act. Had I been present for the votes, I would have voted ''yes'' on number 79 and ''no'' on number 80.

IN HONOR OF BASEBALL HALL-OF-FAMER LARRY DOBY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. KUCINICH. Mr. Speaker, I rise today to honor a pioneer in ending baseball's color barrier, Larry Doby. His accomplishments in the sport have earned him a spot in Major League Baseball's prestigious Hall of Fame.

Doby, the first African-American to play in the American League, joined the Cleveland Indians in 1947. He was instrumental in the Indians' victory in the 1948 World Series, the first for the city in twenty-eight years. Doby led the American League in home runs in 1952 and 1954, hallmarks of a distinguished career in baseball.

After leaving baseball on the field, Doby served as a manager for the Chicago White Sox in 1978 and is currently special assistant to American League president Gene Budig. His election to the Hall of Fame in 1998 reflects his life-long contributions to the game of baseball.

My fellow colleagues, join me in saluting one of baseball's greats, Larry Doby—a true American hero.

INTRODUCTION OF LEGISLATION TO SUSPEND TEMPORARILY THE DUTY ON CERTAIN CHEMICALS

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. CASTLE. Mr. Speaker, I rise today to introduce eight bills to suspend temporarily the imposition of duties on the importation of certain products

I am pleased to introduce six bills to suspend temporarily the imposition of duties on imports of certain chemicals used in the production of pesticides. These chemicals are deltamethrin, diclofop methyl, piperonyl butoxide, resmethrin, thidiazuron and tralomethrin. By temporarily suspending the imposition of duties, these bills would help AgrEvo USA, a company located in Wilmington, Delaware, lower its cost of production and improve its competitiveness in global markets.

I am also pleased to introduce a bill to suspend temporarily the imposition of duties on imports of Pigment Red 177. Its full subheading number is 3204.17.0435. This high

quality coloring material is imported for sale in the United States by Ciba Specialty Chemicals Corporation (Pigments Division), a company located in Newport, Delaware. By temporarily suspending the imposition of duties, this bill will reduce significantly the cost of a coloring material that is used in a wide variety of finished products.

Finally, I am pleased to introduce a bill to suspend temporarily the imposition of duties on imports of Triflusulfuron Methyl. By temporarily suspending the imposition of duties, this bill will help DuPont, a company located in Wilmington, Delaware, lower its cost of production and improve its competitiveness in global markets. I had the pleasure of introducing a bill to suspend the duty on this same chemical on June 12, 1997 through 1999. Today I introduce a bill to extend the duty suspension through 2000.

PERSONAL EXPLANATION

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Ms. SANCHEZ. Mr. Speaker, due to an event in my district, I unavoidably missed roll call votes #79 and #80 on the afternoon of March 27, 1998. Had I been present I would have voted ''yes'' on Roll Call vote #79 and ''No'' on Roll Call vote #80.

THE OUTSTANDING ACHIEVEMENTS OF RABBI EDGAR GLUCK

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. GILMAN. Mr. Speaker, I would like to take this opportunity to call to the attention of our colleagues the outstanding record of our good friend and religious leader, Rabbi Edgar Gluck.

Rabbi Edgar Gluck is a man of exceptional qualities. His hard work and dedication has helped to make his community, New York City and the State of New York a better place. Rabbi Gluck has worked for many years in the public sector. His innovative and intelligent solutions have helped to solve many of today's most pressing problems. Each of Rabbi Gluck's numerous accomplishments have been a reflection of his earnest and profound desire to help others. It is Rabbi Gluck's selfless dedication that makes him the remarkable man he is.

Rabbi Gluck's dedication and perseverance has brought a better life to hundreds of people. Early in his long career Rabbi Gluck fought to incorporate the Hasidic Village of New Square in Rockland County, N.Y. Rabbi Gluck was faced with many obstacles including antisemitism. He petitioned and worked along side government officials and bureaucrats in hopes of helping his community. Rabbi Gluck's diligence, understanding and intelligence made the incorporation of the Village of New Square possible.

Rabbi Gluck has used his insight and intellect to bring about many meaningful changes. Rabbi Gluck has been personally responsible for our Nation's largest and fastest Volunteer Ambulance Corps. What is most remarkable about Rabbi Gluck's accomplishments is that each program, issue or organization he has worked with has involved bettering people's lives. His convictions and love for community is an example for all of us. For bringing about meaningful change.

Mr. Speaker, for my colleagues information about the Rabbi's exemplary life, I would like to submit into the RECORD an article entitled ''Rabbi Edgar Gluck: Personifying the Ideal of Service'' from the Jewish Press's March 20th, 1998 edition.

[From the Jewish Press, March 20, 1998]

RABBI EDGAR GLUCK: PERSONIFYING THE IDEAL OF SERVICE

(By Jason Maoz)

Rabbi Edgar Gluck first navigated the bureaucratic maze of government as a yeshiva bochur back in the days of the Eisenhower administration in the 1950's. Forty-plus years later, in the Clinton 90's, he's still at it full force, utilizing his savvy and his skill, his contacts and his connections, working incessantly on behalf of the community.

A full and detailed account of each of Rabbi Gluck's accomplishments through the years would easily fill half this newspaper; certainly there are too many to list in this space. But it is not very difficult to appreciate the scope of his success: Just think of him the next time you see an Hatzolah ambulance racing to the scene of an accident, or the next time you pass—or use—the designated safe-site for Mincha on the New York State Thruway.

Born in Hamburg, Germany in 1936, Rabbi Edgar Gluck came to the United States at the age of two. His family settled in the Bronx, where as a young boy he attended yeshiva Ahavas Torah. In later years he would learn at Beis Medrash Elyon, Chasam Sofer Rabbinical College and Mesifta Talmudical Seminary.

It was as a talmid at Beis Medrash Elyon that Rabbi Gluck became involved in the battle to incorporate the village of New Square—a particularly fierce battle, given the prevailing anti-Jewish attitudes in neighboring communities—and learned how to deal with all manner of government officials and bureaucrats.

''I was asked by the Rosh Yeshiva to work with some other people on this issue and see if we could make any headway,'' Rabbi Gluck recalls. ''It was a real education, getting to know about all of the various state agencies and how each differs from the other in terms of specific responsibilities. I figured out my way around Albany and made my first trip to the Governor's office—Rockfeller was just starting his first term—and we made steady progress toward achieving our goal.''

It took several years and a lot of behind-the-scenes maneuvering, but in 1961 the village of New Square was finally incorporated. Rabbi Gluck saw first-hand that while the wheels of government turn slowly, they do turn; the trick is knowing how to steer.

Rabbi Gluck developed a close relationship in the early 1960's with then-Congressman John Lindsay. After Lindsay became Mayor, Rabbi Gluck was appointed Supervisor and Coordinator of Area Services, charged with overseeing nine field offices of the Mayor's Urban Task Force, the Neighborhood Conservation Bureau, and Nieghborhood City Halls in Williamsburg, Boro Park and Coney Island.

'There was so much going on in New York during that period of time, the late Sixties, early Seventies,'' he says. ''I was fortunate to be right in the middle of things, on the local neighborhood level, interacting with so many constituency groups. It helped me gain immeasurably in my knowledge of the communities that make up the city.''

Rabbi Gluck continued working in city government under Mayors Beame and Koch, serving as Director of Neighborhood Conservation in the Office of Housing Preservation and Development and as city liaison to the Port Authority Police, the U.S. Departments of Customs and Immigration, and Orthodox communities around the city.

''The Rabbi played a key role in many high-level negotiations,'' says a former official who worked on some of the same sensitive issues. ''Racial problems, crime, health services—these were the city's biggest headaches, and Rabbi Gluck always brought to the table a cool head and an amazing amount of relevant information. I remember that people who dealt with him invariably came away with a great amount of respect for the man.''

In 1979, Governor Hugh Carey named Rabbi Gluck Special Assistant to the Director at the New York Division for Youth where, working in tandem with legislators and community leaders, he helped resolve a wide range of local problems. Since 1984 he's served as Special Assistant to the Superintendent of the State Police, acting as liaison between the office of the Superintendent and state and federal lawmakers, government agencies, and private-sector organizations.

The many achievements for which Rabbi Gluck can justly take credit include the Hatzolah Volunteer Ambulance Corp., which he co-founded decades ago and which, he points out with pride. Newsweek magazine has called it the largest such organization in the country, with the fastest response time; the Mincha site on the New York Thruway, which he fought for despite fierce opposition from a number of secular organizations; and the new stipulations—agreed to by Governor Pataki at Rabbi Gluck's behest and now officially written into state contracts—that all construction crews on the Thruway work only until 12 noon on Fridays, a measure that greatly facilitates the flow of traffic up to the Catskills.

Rabbi Gluck has been instrumental in the matter of Jewish cemeteries, working to incorporate the first new Chassidic cemetery in New York State when Grand Rabbi Twersky died and a new cemetery in Monroe when the Satmar Rebbe, Rabbi Joel Teitelbaum, was niftar. He also helped increase the size of the cemetery in Mount Kisco when the Pupa Rebbe, Rabbi Grunwald, passed away.

Dennis Rapps, the executive director and general counsel at COLPA, the National Jewish Commission on Law and Public Affairs, has known Rabbi Gluck for more than 20 years. The two of them have worked closely together on a number of issues and have successfully influenced legislation, perhaps most notably the autopsy law of 1983. Mr. Rapps describes Rabbi Gluck as a ''pioneer'' on the matter of autopsies and how they affect the Jewish community.

''I personally know so many people,'' he says, ''who have been helped by Rabbi Gluck on autopsies alone. This was the case before we got the law passed and it's the case even now, when there are still problems that can come up. Whether it's help to arrange for a special visa, or to get the medical examiner to release a body in time for a flight to Israel, or to make sure an autopsy is not performed on a loved one who unexpectedly dies while abroad, everyone knows Rabbi Gluck is the one to call—and they call him whenever they need him, many times in the middle of the night. He is truly a remarkable individual.''

A particular source of personal satisfaction, says Rabbi Gluck, is his work with the U.S. Commission for the Preservation of America's Heritage Abroad. Starting on his own in 1984, and continuing as a member of the Commission since 1987, he's traveled to Poland once a year for the purpose of assessing the condition of shuls and cemeteries in order to restore as many as possible.

Each stay in Poland runs about a week, and while he's there he lends a hand whichever way he can—as rabbi, chazzan, and all-around troubleshooter. He also makes trips on behalf of the Commission to cities as disparate as Moscow and Kiev, Hamburg and Prague, Jerusalem and Tel Aviv.

Rabbi Gluck has won numerous awards and citations over the years, including the U.S. Presidential Award for Community Service, presented to him by Ronald Reagan, and the Man of the Year Award of the Council of Neighborhood Organizations. Later this month, he will be the Guest of Honor and receive the Humanitarian Award at the annual Journal Dinner of the Yeshiva of Manhattan Beach.

Asked who has been the most help to him over the years, Rabbi Gluck names several elected officials, among them State Assembly Leader Sheldon Silver and U.S. Representative Benjamin Gilman (whom he describes as his closest political confidante).

But ultimately, he says, the lion's share of the credit must go to his wife, Fraidy: ''She never complains about my crazy schedule, or about having to answer the phone at all hours of the night. My real help, my most invaluable advice and assistance, comes from her.''

INTRODUCTION OF THE ''FAMILY FRIENDLY TAX RELIEF ACT OF 1998''

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. WOLF. Mr. Speaker, it has been said that there is no greater job than to raise a child, and I believe that's true. Children are our country's greatest resource. Their stability is America's stability, because they are our future. That's why it's so important that as we think and talk about children and families, balancing work and family time, and the decisions families face about how to best care for their children, we need to have all the facts. We need to know what will work for our family. Every family is different.

Parents today are facing very tough choices. It seems like there is never enough time to spend with their children, yet they are hard-pressed to work and earn the money they need to make ends meet. American families need more options, more choices and more opportunities as they decide how to balance their work and home responsibilities.

There are a lot of reasons for these increased pressures. The American family is under great stress today. Half of all marriages end in divorce. Domestic violence is on the rise. Drug use and suicide among teens is on the rise. And now, we're seeing one of the most heartbreaking tragedies of all—kids killing other kids at our nation's schools. These are tough times for the family.

There is an added pressure, and that is that it's so expensive to raise a family these days. The latest issue of U.S. News and World Report's cover story, ''The Real Cost of Raising Kids,'' says that one government report showed that the cost of raising a child to age 18 has risen by 20 percent since 1960. The magazine conducted its own study to see how much it costs a typical, middle-income family today to raise a child from birth to college graduation. The answer: $1.45 million per child.

But this figure did not take into account another reason why many families are so hard-pressed for time and money: They are weighed down with an incredible tax burden. The average American family of four used to pay about 5 percent of its income in federal taxes. According to a recent Wall Street Journal editorial, federal taxes have gone up faster than wages every year for the last five years, leaving the tax burden on families higher now than at any time since the end of World War II. While families used to pay 5 percent of the family budget in federal taxes, now that figure has ballooned to 23 percent. That doesn't even count state, local and indirect taxes. If you added those on, the tax burden on today's family would be 37 percent.

We in Congress need to help moms and dads who are struggling to make ends meet. To do nothing to help lift this incredible tax burden from off of their backs is neither fair nor right. But neither is it fair nor right to merely direct new spending to day care centers or to just expand federal programs. Let's give back to families their own hard-earned. Let them decide how to use it to meet their family's needs.

Over the past few months, I've been working with various child and family experts, child psychologists, researchers and groups and have listened to what they had to say. In February, Senator DAN COATS held a congressional symposium on child care and parenting. Other Members of Congress and I heard from 17 different experts, most of whom said the same thing: What parents want and need most is time with their kids, and what kids need and want most is time with their parents. What can we do to help parents and kids receive what they really want and need?

Today I am introducing the ''Family Friendly Tax Relief Act of 1998.'' The $500-per-child tax credit for families with children under the age of 17 enacted last year was a great first-step in helping our nation's families. My bill does not take anything away from these families. But what it does do is to recognize the special economic needs of families with preschool children—children ages 0 to 4—by giving these families an additional $500 per child to help them in their care options.

If you pay income taxes, you have a child under the age of 5, and you are not currently receiving the Dependent Care Tax Credit, you would be eligible to receive this tax credit. You could receive one or the other—either the DCTC, or my tax credit—but not both. People who do not pay taxes would not be eligible to receive this tax credit because they are already receiving the Earned Income Tax Credit.

Last year's child tax credit had a technical problem regarding the Alternative Minimum Tax. There are a lot of people who are not able to receive last year's $500-per-child tax credit, because the Alternative Minimum Tax took precedence. This is a technicality which will grow more and more pronounced over the next few years as more and more people will have to file taxes under the AMT—not just wealthy people looking for tax shelters, but more and more middle-income people who qualify for tax credits. This was a glitch that needed adjusting. My bill will correct this problem so that more families with children will be able to receive a tax credit.

Back in January, President Clinton announced his child care proposal, much of which merely expands current government programs. It is my understanding that his proposal would cost the American taxpayer $21 billion over five years. The cost of my legislation would be roughly the same, with one important difference—my bill gives families choices.

Now I think we need to do everything we can to help our country's moms and dads who are struggling to raise their families. But I think we could help them more if we would give them back their own money, and let them decide how to best use it to meet their family needs. My proposal will help everyone—parents who work outside the home, parents who work inside the home, parents who use commercial day care, parents who take care of their kids themselves or have relatives or friends care for their children—everyone.

I don't believe in a Washington-mandated, ''one-size-fits-all'' solution when it comes to child care. Let's do what is right and fair and equitable for all. Let parents decide how to best care for their children, not Washington. We shouldn't tell parents what to do. Parents want control over their own lives and their own families so they can make their own decisions and choices to be able to spend more time with their children. Let's give parents freedom and flexibility.

The Family Friendly Tax Relief Act of 1998 will allow moms and dads who are both working outside the home to take this money and use it to help pay for day care, if they use paid day care. Or, for other families who either have one parent staying home to care for their kids or have relatives, friends or neighbors helping them with child care, they could use this tax credit to help with other family budget needs. But it would be fair, giving back parents' hard-earned money, whether they worked outside or inside the home. I think it's important that whatever we do to help families, it should be fair and equitable for all. Everyone should be treated the same.

Parents know that when their kids are small, before they start going to school, they have special needs. They are the most vulnerable during the ages of 0 to 4. Parents know that these are the formative years. As child psychologist Stanley Greenspan and other researchers have observed, intimate, ongoing interactions between children and their parents are essential for the healthy growth and development of the brain and mind, particularly during this critical period of life. This kind of time and care is needed if our children are going to grow up to be reflective citizens and, ultimately, if we are going to have a cohesive, functioning society. Dr. Greenspan and other researchers have found that it is also the crucial period when a child: develops a sense of empathy, compassion, trust and relating, develops the capacity to learn, develops the ability to form language and logical communication, creativity, early types of thinking and social skills, and develops awareness, attention, self-control, and a sense of self.

It is because of the incredible importance of these early, preschool years that I am introducing this legislation. Our nation's preschool-

aged children have special needs. Their parents are under tremendous pressures. We need to recognize this and help them every way we can.

And there is one more thing that I think we need to think about as policymakers. Over and over again, American parents are saying that they need more time with their kids. Moms and dads need more options, more choices and more flexibility in the workplace. Over the years I have focused my work in Congress developing what I call ''family friendly'' policies that give moms and dads those choices. I have sponsored legislation and have long advocated these kinds of policies for the federal government. Some of these now in effect as public law are:

1) Telecommuting. Allowing employees to work at home or at a central telecommuting center nearby equipped with a computer, phone, fax, and other office tools. That allows parents to do their jobs at home or near home and gives them more time to be with their families. The first federal telecommuting center opened several years ago in Winchester in my congressional district, and more are springing up as the idea takes hold.

2) Job Sharing. Splitting job duties to allow employees who want to work part-time the opportunity to be in the workforce and bring home a paycheck, but also to have time to spend with their families, or get an advanced degree, or take care of an aging parent, or fulfill other needs.

3) Leave Sharing. Allowing employees to donate annual leave to help a fellow employee who needs extra time off for their own health needs or to care for family members. It kindles the spirit of community by allowing employees to help out their fellow worker, and its costs the employer nothing.

4) Child Care. Providing on-site or near-site child care centers in federal buildings. It was my legislation several years back that allowed child care centers to be housed in federal buildings to help federal employees and others with child care needs.

I have also worked in Congress with others to implement for federal workers the policy of flextime—the staggering of work hours to allow one working parent to come in early while the other gets the kids off to school and comes in later. The earlybird gets off in time to be at home at the end of the school day so that the problem of ''latch-key children'' does not arise.

Just as we have implemented these policies in the federal workplace, I think we in Congress need to talk about and to look at what we might be able to do to encourage employers in the private sector to give these kinds of choices and options to their employees as well. Maybe we ought to provide incentives or find ways to reward companies which provide more flexibility in the workplace for their employees.

But here in Congress, let's not just expand more government programs. Let's give American families what they really want and need—their own money. Their own choices. Flexibility. Options. The time has come to give all taxpaying families with children broad-based tax reductions. I urge my colleagues to support this bill.

H.R. 3583

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 ''Family Friendly Tax Relief Act of 1998''.

SEC. 2. $1,000 CHILD TAX CREDIT FOR CHILDREN UNDER AGE 5.

(a) IN GENERAL.—Section 24 of the Internal Revenue Code of 1986 (relating to child tax credit) is amended by redesignating subsections (e) and (f) as subsections (g) and (h), respectively, and by inserting after subsection (e) the following new subsection:

''(f) $1,000 CREDIT FOR QUALIFYING CHILDREN UNDER AGE 5.—

''(1) IN GENERAL.—Subsection (a) shall be applied by substituting '$1,000' for '$500' with respect to any qualifying child who has not attained the age of 5 as of the close of the calendar year in which the taxable year of the taxpayer begins.

''(2) COORDINATION WITH DEPENDENT CARE CREDIT.—This subsection shall apply to a taxpayer for a taxable year only if the taxpayer elects not to have section 21 apply for such year.''

(b) CONFORMING AMENDMENT.—Subparagraph (I) of section 6213(g)(2) of such Code is amended by striking ''section 24(e)'' and inserting ''section 24(f)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1997.

SEC. 3. CHILD TAX CREDIT ALLOWED IN DETERMINING ALTERNATIVE MINIMUM TAX LIABILITY.

(a) IN GENERAL.—Subsection (a) of section 26 of the Internal Revenue Code of 1986 is amended by inserting ''(other than the credit allowed by section 24)'' after ''credits allowed by this subpart''.

(b) CONFORMING AMENDMENT.—Section 24 of such Code is amended by inserting after subsection (f) (as added by section 2) the following new subsection:

''(g) LIMITATION BASED ON AMOUNT OF TAX.—The aggregate credit allowed by this section for the taxable year shall not exceed the sum of—

''(1) the taxpayer's regular tax liability for the taxable year reduced by the sum of the credits allowed by sections 21, 22, 23, 25, and 25A, plus

''(2) the tax imposed by section 55 for such taxable year.''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1997.

IN HONOR OF ROBERT A. POOLE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. KUCINICH. Mr. Speaker, I rise today to honor Robert A. Poole, a man who is dedicated to his family, his country and his community. He was honored on March 28, 1998 by the Veterans of Foreign Wars for his leadership in the organization.

Robert served in the United States Army from 1968–1970 and was sent to Vietnam with I-Core and the 101st Airborne Division in 1969. He has been active in the VFW since 1979 and is a life member of Andrew A. Bachleda Post 2850 on West 61st Street in Cleveland, Ohio. Robert served as Post Commander twice and also became active in the County Council, serving as Commander from 1989–1990. He has been involved in District Seven and was honored as a five star Cottie Commander and all state Quartermaster. Robert has served on numerous committees and has held countless chairmanships. He is currently Cuyahoga County Council Commander.

His wife, Susan, his sons, Robert, Matthew, Brian, and his grandchildren must be proud of the dedication Robert has shown to them and to his community. My fellow colleagues, please join me in recognizing a truly great American.

FAIRNESS FOR SMALL BUSINESS AND EMPLOYEES ACT OF 1998

SPEECH OF

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 26, 1998

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3246) to assist small businesses and labor organizations in defending themselves against government bureaucracy; to ensure that employees entitled to reinstatement get their jobs back quickly; to protect the right of employers to have a hearing to present their case in certain representation cases; and to prevent the use of the National Labor Relations Act for the purpose of disrupting or inflicting economic harm on employers:

Mr. ANDREWS. Mr. Chairman, this list will be used to keep these troublemakers from interfering with the operations of companies and businesses throughout the country. The problem is, however, these troublemakers are not troublemakers at all. On this list will be working men and women who are no different from the tens of millions of working Americans who have chosen to exercise their right to organize.

This bill, therefore, affects not only the ''undercover union agent'' whom the proponents of this bill fear so much. It affects all working Americans by encouraging potential employers to make unsupported, unjustified, and unfair decisions about whom to hire. We as lawmakers have done much to ensure that the hiring of workers is done in a non-discriminatory and fair manner. By passing this bill, we will undo that progress and prompt a return to practices of unwarranted retribution and illegitimate blacklisting.

Mr. Chairman, I oppose the bill and urge my colleagues to join me in opposition.

TRIBUTE TO MR. JOSEPH C. SANDERS

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. CLYBURN. Mr. Speaker, I rise today in recognition of May 23, 1998 as ''Joe Sanders Day'' in Moncks Corner, South Carolina. Joseph C. Sanders is a successful businessman and true humanitarian. Born in the Berkeley County town of Cross, he moved to Moncks Corner at a very early age where he attended the public schools. In 1958, ''Joe Cleve,'' as he is affectionately known, graduated from Berkeley Training High School and matriculated at South Carolina State College (State) in Orangeburg, South Carolina. Upon graduating from State in 1962 he was drafted into the United States Army and served for two years.

Joe completed his military assignment in Germany, and upon returning to the United States moved to New York City in 1964 to pursue his goal of ''acquiring a piece of the American dream.'' He worked as a recreational leader with the Children's Aid Society, which inspired him to pursue a Master's Degree in Urban Education at Brooklyn College. it was in graduate school that Joseph Sanders developed an interest in the business sector and seized an opportunity to work as an insurance agent for the New York Insurance Company. Mr. Sander's employment with New York Life Insurance Company heightened his entrepreneurial interests, and in 1972, Mr. Sanders and a partner, Charles Baylor, founded BaySan Holding Corporation.

Mr. Sanders attributes his success and business awareness to his mother, Eliza, and lots of hard work. He credits Mrs. Addie W. Rivers, a high school teacher, Coach Ollie C. Dawson, and the late H.N. Vincent, both of South Carolina State College as professionals and friends who contributed greatly to his social, personal, and educational growth. Sanders stated, ''Their interest in my personal growth created a desire within me to help others.'' His commitment to helping others is evident in the $100,000 scholarships he established at Allen University, Voorhees College, Claflin College, and South Carolina State, all located in the Sixth Congressional District of South Carolina which I proudly represent in this body. He was also instrumental in the establishment of the ''Dean H.N. Vincent Scholarship Fund'' to honor and perpetuate the memory of Dean Vincent of South Carolina State College.

Joseph Sanders has been granted innumerable awards and citations highlighting his contributions to and concern for ''Excellence in Education'' at Historically Black Colleges and Universities. Allen University conferred upon Sanders a Doctorate of Humane Letters at its 116th Commencement ceremony on May 10, 1986. As a Certified Property Manager, President of Vis-Chet Holding Limited of Brooklyn, NY; and avid golfer, Joseph Sanders is presently developing an eighteen-hole golf course on a 227-acre tract of land he owns near Santee, South Carolina.

With knowledge under his belt and a proven track record, Sanders spends a great deal of time traveling and enjoying the fruits of his labor. Sanders is a member of several business organizations and is a life member and Basileus of Iota Xi Chapter of Omega Psi Phi Fraternity, Inc. He is a Golden Heritage Life member of the NAACP and a 32nd degree Prince Hall Mason. Sanders resides in Manhattan, New York and has two daughters, Vista and Conchetta, one son, Michael, and five grandchildren. Joe and I met on State's campus where we forged a friendship which we continue to enjoy today. Please join me Mr. Speaker in saluting the humanitarian efforts of Mr. Joseph C. ''Joe Cleve'' Sanders, and thanking the people of Moncks Corner, South Carolina for declaring the 23rd day of May, Nineteen Hundred and Ninety-Eight ''Joe Sanders Day.''

PERSONAL EXPLANATION

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. BALLENGER. Mr. Speaker, on Friday, March 27, I missed rollcall vote 80, final passage of H.R. 2515. Had I been present , I would have voted yea.

IN HONOR OF ARLENE RYHTER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. KUCINICH. Mr. Speaker, I rise today to honor Arlene Ryhter for her continued service to her country and her community. Arlene was recently honored by the Veterans of Foreign Wars for her leadership in that organization.

Arlene first joined the Local Ladies Auxiliary to the VFW in 1966. She worked her way up through the ranks serving on various committees and holding several chairmanships to become President of both the Ladies Auxiliary Bedford Post 1082 and the Cuyahoga County Council. She has also served as a flag bearer and color bearer for District Seven.

In addition to her activities at the VFW, Arlene has been active in the Girl Scouts and Brownies and is an honorary Boy Scout Father in the community of Bedford, Ohio. She has also served as President of the Democratic Party in Bedford and continues to work in voting booths. Arlene also volunteers her time at local Senior Citizen Centers and Veterans Hospitals.

My fellow colleagues, please join me in recognizing Arlene Ryhter, a model American of whom her family and her community can be proud.

SOUTH GLENS FALLS HIGH SCHOOL MARATHON DANCE CELEBRATES 21 YEARS OF VOLUNTEERISM

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. SOLOMON. Mr. Speaker, these days, young people are often discounted as self-absorbed and apathetic about the problems facing others in their community and society at large. The students at South Glens Falls High School in my congressional district in upstate New York prove that this stereotype does not universally apply. Over the past twenty-one years, the remarkable students of South High have raised over $400,000 for local individuals and projects, dedicating their time and effort to making life easier for their less fortunate neighbors.

On March 6–7, 1998, South Glens Falls High School held its 21st annual Marathon Dance. Under a spinning ball and colored lights, 243 high school students danced for twenty-seven hours, with family and friends looking on in the special t-shirts which they had bought in support of the students' efforts. When it was over, the jubilant young people celebrated the highest total in two decades of the Marathon, as the announcement came that the dance had raised $54,000 through direct pledge money and other sources in the community, including a church benefit breakfast. Another year's worth of tremendous effort has resulted in yet another astounding success.

The impressive amount of money raised will reach several charitable destinations. First, a new van will be purchased for a local citizen with multiple sclerosis, which will allow her to travel as needed to attend to her daily activities. The remaining funds will be divided between donations to a medical mission which aids the impoverished in Guatemala, a fund used to help local families at holiday time, and a fund dedicated to supporting a local youngster who is fighting Pompe's Disease. Through their hard work and determination, the students of South High help to ensure that others, both within and far from their community, know that they are not alone in coping with the travails of their daily lives.

Mr. Speaker, the efforts of South High's students stand as an example of how young people can and should give back to their community. These remarkable young people have shown just how vibrant the spirit of volunteerism remains in the small towns and cities of upstate New York, and I am proud to count them among my neighbors. With that in mind, Mr. Speaker, I ask that all members join me in paying tribute to the students of South Glens Falls High School on the occasion of their 21st Annual Dance Marathon. Their success has been truly spectacular, and, considering their dedication to these selfless pursuits, I know will be duplicated or even eclipsed in the years to come.

TRIBUTE TO ALDO VAGNOZZI

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. LEVIN. Mr. Speaker, I rise to day to join in the celebration of uniquely talented and dedicated citizen of Michigan, Aldo Vagnozzi.

He has had an unusually long and distinguished career in journalism. For about one-half of a century, his beat has been the lives and interest of working families of Michigan. With the AFL–CIO in Michigan, he has dedicated himself to providing hundreds of thousands of Michigan workers with information about key aspects of their labors and the broader issues that affect the well-being of their families. While he served as editor, he was indeed a working journalist reflecting his personal concerns about working families reading his reports and comments. He became a model in Michigan and beyond.

His strong beliefs were combined with modesty, a sense of goodwill and respect for the beliefs of others. They helped propel him into elective office with support from people of a wide array of political ideologies and backgrounds. As the first directly elected Mayor of his home city of suburban Farmington Hills, Michigan, he as helped build and strengthen that fast-growing community.

Also Vagnozzi can leave his position as editor of the Detroit Labor News with a sense of

major accomplishment and pride. Like so many others, I have been privileged to know him and his family over several decades and join all who gather to pay tribute to him on April 1 in wishing him the best of luck in the years ahead.

PERSONAL EXPLANATION

HON. HAROLD E. FORD, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. FORD. Mr. Speaker, on the dates of March 25–27, 1998, I missed votes due to official travel with the President's delegation to Africa.

On March 25, 1998, Rollcall No. 68, H.R. 2589, Copyright Term Extension Act—Licensing Fee Exemption, by Mr. MCCOLLUM, R–Fl, amendment to Sensenbrenner amendment, I would have voted aye.

On March 25, 1998, Rollcall No. 69, H.R. 2589, Copyright Term Extension Act—Licensing Fee Exemption, by Mr. SENSENBRENNER, R–WI, amendment, I would have voted nay.

On March 25, 1998, Rollcall No. 70, H.R. 2578, Visa Waiver Pilot Program—Refusal Rate, by Mr. POMBO, R–CA, amendment, I would have voted aye.

On March 25, 1998, Rollcall No. 71, H.R. 2578, Visa Waiver Pilot Program—Passage, I would have voted aye.

On March 26, 1998, Rollcall No. 72, H.R. 3310, Small Business Paperwork Reduction Act Amendments—Waiver Policies, by Mr. KUCINICH, D–Ohio, amendment, i would have voted aye.

On March 26, 1998, Rollcall No. 73, H.R. 3310, Small Business Paperwork Reduction Act Amendments—Waiver Policies, by Mr. MCINTOSH, R–Indiana, amendment, I would have voted nay.

On March 26, 1998, Rollcall No. 74, H.R. 3310, Small Business Paperwork Reduction Act Amendments—Passage, I would have voted nay.

On March 26, 1998, Rollcall No. 75, H.Res. 385, waiving points of order against conference report on H.R. 1757 (State Department Authorization)—Agreeing to the Resolution, I would have voted nay.

On March 26, 1998, Rollcall No. 76, H. Res. 393, providing for the consideration of H.R. 3246 (Fairness for Small Business and Employees Act)—Agreeing to the Resolution, I would have voted nay.

On March 26, 1998, Rollcall No. 77, H.R. 3246, Fairness for Small Business and Employees Act—Job Applicant Protection, by Mr. GOODLING, R–Penn, amendment, I would have voted aye.

On March 26, 1998, Rollcall No. 78, H.R. 3246, Fairness for Small Business and Employees Act—Passage, I would have voted nay.

On March 27, 1998, Rollcall No. 79, H.R. 2515, Forest Recovery and Protection Act—Roads, by Mr. BOEHLERT, R–NY, amendment, I would have voted aye.

On March 27, 1998, Rollcall No. 80, H.R. 2515, Forest Recovery and Protection Act—Passage, I would have voted nay.

FAMINE IN NORTH KOREA

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. HALL of Ohio. Mr. Speaker, I rise today to bring a grave situation to the attention of my colleagues.

As we hurry away to recess, we all have many things on our minds. But by the time we return in a few weeks, millions of people halfway around the world will be facing the worse famine to threaten any people since a million died in Ethiopia a decade ago.

That experience seared all who witnessed that famine's horror. And, as many of our colleagues know, it transformed me in a fundamental way. I went to Ethiopia just before the world learned what was happening there and watched a dozen children die in a single day. Since then, I have seen other famines, and genocides, and humanitarian disasters, and I have committed myself to doing whatever can be done to ease the suffering of the innocent people who always are the first to die.

In North Korea, there are millions of such people—innocent Koreans who don't know anything about their government's international reputation, who don't follow the twists and turns of the peace talks, who simply want to eat. They have been plagued by successive crop failures due to floods and a drought, natural disasters that have compounded the manmade ones that we all know well.

Now, they are out of food. Agriculture experts from the United Nations and seasoned aid workers from dozens of organizations agree that food stocks will not last beyond late April. And people inside North Korea now say that storehouses in a growing number of villages already are empty.

Wherever blame for the famine that threatens the lives of so many Koreans lies, their only hope for survival is with the aid of private individuals and the contributions of governments. Korean-Americans, people of faith, and thousands of others are joining an initiative launched in South Korea to remember the people of North Korea during a world day of fasting and prayer that begins on April 24.

The list of organizations who have joined together in support of this one-day fast is an impressive one. Presbyterians, Methodists, National Council of Churches, Lutherans, Christian Reformed, and other churches are involved. United Way, Bread for the World, Mercy Corps, World Vision, ADRA, the U.S. Committee for UNICEF, Holt International, Food for the Hungry—the list is a long one, and growing. And Korean-Americans have been at the forefront, with the initiative endorsed by the Korean American Sharing Movement, the Korea Society, and others.

I urge my colleagues to join us on April 24. Candlelight vigils are planned in communities around the United States, Canada, and South Korea to help alert the world that this silent famine is claiming many people who are outside the range of TV cameras. The Council on Foreign Relations, one of the most respected organizations in our country, recently estimated that a million people already have died in North Korea, based on its evaluation of the numerous reports of famine deaths.

We can be proud of the United States for what it has done to help the ordinary people of North Korea. The military, the elites—those people always eat in any crisis. But our country has stood up for the little people, leading the international response to this crisis and insisting that the food is monitored to ensure that it does not end up in the military or government's hands. We have been joined in this by our allies, but there are alarming signs that they are imposing a political agenda on humanitarian aid.

The European Union has just announced that it will not contribute food to North Korea, complaining that reform has not come quickly enough. Most people agree that North Korea must change, but few would starve a nation's citizens to try to change its government's ways.

Japan continues to use food as a weapon, letting millions of people just across the channel starve while it presses for answers about several Japanese people it charges North Korean spies abducted during the past 20 years. Its stinginess is particularly appalling because Japan is now paying $380 million just to store its surplus rice. To put that sum into perspective, the cost of storage alone is roughly equal to the total amount of humanitarian aid the United Nations has requested.

And China shows no sign that it will change its pattern of donating food to North Korea without any assurance that it will reach the people who are suffering.

I hope that our country will continue to lead the way in providing humanitarian aid, and that our example will spur others to do the right thing. A century ago, Ireland's famine claimed a million people—while just across the channel, the superpower of the 1800s ate well. History judged Britain harshly for its failure to act, and I doubt it will be more forgiving of Japan and others who ignore the clear evidence that ordinary people in North Korea are starving today. It is not enough that we live in a country that is responding more humanely than others. We all have plenty to eat, so much that few of us every feels hunger's pangs. On April 24, I hope that you will join with me in sharing that experience.

I know from firsthand experience that the survivors of any crisis remember those who helped them, and they never forget those who found an excuse to do nothing, or do too little, to save their families and friends. The people of North Korea are beyond the reach of TV cameras, beyond the reach—so far—of democracy, almost beyond hope as they head into six months with no food supply.

But they are not beyond our prayers. On April 24, please join me and thousands of others in praying and fasting for the ordinary people of North Korea.

BROOKLYN YOUNG WOMAN WINS NATIONAL SEVENTEEN/COVER GIRL VOLUNTEERISM AWARD

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. TOWNS. Mr. Speaker, I am very pleased that one of my constituents, La-Kee-A Lowry, a 21-year-old young lady from Brooklyn, New York will be honored tomorrow as one of the six top winners in the first annual Seventeen/Cover Girl Volunteerism Awards.

Growing up in a Brooklyn housing project, La-Kee-A found a sanctuary in her public library, heading there after school and remaining until closing time. One day she arrived at the library to find a sign announcing it was being shut down due to budget cuts. Horrified, La-Kee-A moved immediately to action. She started a local petition, collected over 1500 signatures, and organized her classmates to write letters to the White House. She appealed to elected officials in her area and at one point even staged a sit-in in front of the library. Local gang members threatened La-Kee-A and her grandmother, who largely raised her, begged her to just ''let it go''. But La-Kee-A prevailed and the library remained open. Today, La-Kee-A helps others reap the benefits of her work by, among other endeavors, working with children to spread the pleasures of reading.

La-Kee-A is a young woman who demonstrated through pride and courage that young people can make a difference. I am proud that Seventeen and Cover Girl have recognized her important contributions to the Brooklyn community. Their efforts to reward the positive actions of young women are highly commendable and should be replicated by others. La-Kee-A is truly an example for young people everywhere that volunteerism can make a difference in their communities. Congratulations, La-Kee-A for your courage and for showing the world that young people can make important contributions if they are simply willing to stand up for their beliefs.

IN HONOR OF TONY GEORGE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 30, 1998

Mr. KUCINICH. Mr. Speaker, I rise to honor a great American. Tony George is an entrepreneur, a civic leader and a family man who has, over his lifetime, made a deep impression on Cleveland, Ohio.

Tony is known around Cleveland for his chain of sports bars, Slam Jams, and his new restaurant, the Harry Buffalo opening on April 6, 1998. All of Cleveland flocks to Tony's restaurants, and he has served host to some of America's luminaries. His fine establishment has been patronized by the Honorable William William J. Clinton and Donna Shalala, Secretary of the Department of Health and Human Services.

Born in Cleveland in 1957 to Arab-American immigrant parents, Tony George is a hard-working, innovative and personable man. His sweet demeanor and generosity spring from deep within him. He is a man who has known adversity and has overcome it.

When he was just seventeen, Tony's father passed away, leaving Tony, his five sisters and mother. Tony grew up quickly. He assumed the responsibility of maintaining his father's business. He continued where his father left off to provide for the family. Tony also handled all of the family's finances. He even managed to finish school, graduating from St. Edward's High School. Tony's ability to put family values into effective action made it possible for his sisters to grew up and mature into fine individuals.

Tony is raising his own family in Fairview Park, Ohio with his wife, Christine. Their five children are fine young people: Joseph, Bobby, Justin, Krystle, and Jonathon.

Tony George is a man who does so much for so many people. Cleveland and all those who know him around the country are fortunate to have such a man among us.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, March 31, 1998, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 1

9:00 a.m.
Appropriations
Military Construction Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1999 for military construction, focusing on the Department of Defense's Base Realignment and Closure Commission's (BRAC) environmental programs.
SD–138

Governmental Affairs
To hold hearings on the nomination of Melvin R. Wright, to be an Associate Judge of the Superior Court of the District of Columbia.
SD–342

Labor and Human Resources
Business meeting, to mark up S. 1754, to consolidate and authorize funds for health professions and minority and disadvantaged health professions and disadvantaged health education programs, proposed legislation authorizing funds for programs of the Higher Education Act, and to consider pending nominations.
SD–430

9:30 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1999 for the Department of the Interior.
SD–124

Commerce, Science, and Transportation
Business meeting, to mark up proposed legislation to reform and restructure the process by which tobacco products are manufactured, marketed, and distributed, to prevent the use of tobacco products by minors, and to redress the adverse health effects of tobacco use.
SH–216

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1999 for Department of Defense medical programs.
SD–192

Banking, Housing, and Urban Affairs
Financial Services and Technology Subcommittee
To hold hearings to examine how identity theft contributes to electronic crime.
SD–538

Finance
Business meeting, to continue markup of proposed legislation to amend the Internal Revenue Code of 1986 to restructure and reform the Internal Revenue Service.
SD–215

Governmental Affairs
To hold hearings to examine the Year 2000 computer transition.
SD–342

Judiciary
Antitrust, Business Rights, and Competition Subcommittee
To hold hearings to examine airline competition and pricing.
SD–226

10:30 a.m.
Indian Affairs
Business meeting, to mark up S. 1797, to reduce tobacco use by Native Americans and to make the proposed tobacco settlement applicable to tobacco-related activities on Indian lands, and S. 1279, proposed Indian Employment Training and Related Services Demonstration Act, and to consider the nomination of Katherine L. Archuleta, of Colorado, to be a Member of the Institute of American Indian and Alaska Native Culture and Arts Development; to be followed by hearings on proposed legislation to revise the Indian Gaming Regulatory Act of 1988.
SH–216

1:30 p.m.
Environment and Public Works
To hold hearings to examine indoor air quality and involuntary exposure to environmental tobacco smokeor second-hand smoke in the workplace and in homes.
SD–406

2:00 p.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1999 for the National Institutes of Health, Department of Health and Human Services.
SD–192

Energy and Natural Resources
National Parks, Historic Preservation, and Recreation Subcommittee
To hold hearings on titles I, II, III, and V of S. 1693, to renew, reform, reinvigorate, and protect the National Park System.
SD–366

2:30 p.m.
Select on Intelligence
To hold closed hearings on intelligence matters.
SH–219

APRIL 2

9:00 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings on S. 1323, to regulate concentrated animal feeding operations for the protection of the environment and public health.
SR–332

9:30 a.m.
Appropriations
Treasury, Postal Service, and General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1999 for the Executive Office of the President.
SD–192

Banking, Housing, and Urban Affairs
To resume hearings to examine implications of the recent Supreme Court decision concerning credit union membership.
SD–538

Energy and Natural Resources
To hold hearings to examine the status of Puerto Rico.
SH–216

Small Business
To resume hearings on the President's proposed budget request for fiscal year 1999 for the Small Business Administration.
SR–428A

10:00 a.m.
Foreign Relations
Near Eastern and South Asian Affairs Subcommittee
To hold hearings to examine the economic and political situation in India.
SD–419

Judiciary
Business meeting, to consider pending calendar business.
SD–226

Labor and Human Resources
To hold hearings to examine the extent of chlorofluorocarbon in the atmosphere.
SD–430

2:00 p.m.
Judiciary
Administrative Oversight and the Courts Subcommittee
Business meeting, to mark up S. 1301, to provide for consumer bankruptcy protection, and S. 1352, to amend Rule 30 of the Federal Rules of Civil Procedure to restore the stenographic preference for depositions.
SD–226

APRIL 21

10:30 a.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1999 for foreign assistance, focusing on crime programs.
Room to be announced

APRIL 22

9:30 a.m.
Indian Affairs
To hold oversight hearings on Title V amendments to the Indian Self-Determination and Education Assistance Act of 1975.
SR–485

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1999 for the Department of Defense, focusing on the Ballistic Missile Defense program.
SD–192

APRIL 23

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1999 for the National Aeronautics and Space Administration.
SD–138

Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1999 for the Forest Service, Department of Agriculture.
SD–124

Labor and Human Resources
Children and Families Subcommittee
To resume hearings on proposed legislation authorizing funds through fiscal year 2002 for the Head Start program.
SD–430

10:30 a.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1999 for foreign assistance programs, focusing on infectious diseases.
SD–192

APRIL 28

10:00 a.m.
Labor and Human Resources
To hold hearings to examine reading and literacy initiatives.
SD–430

10:30 a.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for foreign assistance programs, focusing on Bosnia.
Room to be announced

APRIL 29

9:30 a.m.
Labor and Human Resources
To hold hearings to examine proposed legislation relating to assistive technology.
SD–430

Indian Affairs
To resume hearings to examine Indian gaming issues.
Room to be announced

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1999 for the Department of Defense, focusing on Bosnian assistance.
SD–192

APRIL 30

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1999 for the Envrionmental Protection Agency, and the Council on Environmental Quality.
SD–138

10:00 a.m.
Labor and Human Resources
Public Health and Safety Subcommittee
To resum hearings to examine the role of the Agency for Health Care Policy Research in health care quality.
SD–430

2:00 p.m.
Energy and Natural Resources
National Parks, Historic Preservation, and Recreation Subcommittee
To hold hearings on title IV of S. 1693, to renew, reform, reinvigorate, and protect the National Park System, and S. 624, to establish a competitive process for the awarding of concession contracts in units of the National Park System.
SD–366

MAY 5

10:30 a.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1999 for foreign assistance programs.
Room to be announced

MAY 6

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1999 for the Department of Defense, focusing on the U.S. Pacific Command.
SD–192

MAY 7

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1999 for the National Science Foundation, and the Office of Science and Technology.
SD–138

2:00 p.m.
Energy and Natural Resources
National Parks, Historic Preservation, and Recreation Subcommittee
To hold hearings on titles VI, VII, VIII, and XI of S. 1693, to renew, reform, reinvigorate, and protect the National Park System.
SD–366

MAY 11

2:00 p.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1999 for the Department of Defense.
SD–192

MAY 13

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1999 for the Department of Defense.
SD–192

MAY 14

2:00 p.m.
Energy and Natural Resources
National Parks, Historic Preservation, and Recreation Subcommittee
To hold hearings on titles IX and X of S. 1693, to renew, reform, reinvigorate, and protect the National Park System, and S. 1614, to require a permit for the making of motion picture, television program, or other forms of commercial visual depiction in a unit of the National Park System or National Wildlife Refuge System.
SD–366

OCTOBER 6

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans Affairs on the legislative recommendations of the American Legion. 345 Cannon Building

CANCELLATIONS

MARCH 31

2:30 p.m.
Energy and Natural Resources
Water and Power Subcommittee
To hold hearings on S. 1515, to amend Public Law 89-108 to increase authorization levels for State and Indian tribal, municipal, rural, and industrial water supplies, to meet current and future water quantity and quality needs of the Red River Valley, to deauthorize certain project features and irrigation service areas, and to enhance natural resources and fish and wildlife habitat.
SD–366

APRIL 1

2:30 p.m.
Judiciary
Immigration Subcommittee
Business meeting, to consider pending calendar business.
SD–226

POSTPONEMENTS

APRIL 1

9:30 a.m.
Indian Affairs
To hold oversight hearings on barriers to credit and lending in Indian country.
SR–485

APRIL 2

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings to examine airline ticketing practices.
SD–13

Daily Digest
Senate

Chamber Action

Routine Proceedings, pages S2731–S2779

Measures Introduced: Four bills and two resolutions were introduced, as follows: S. 1879–1882 and S. Res. 201 and 202. **Page S2764**

Measures Passed:

Extension of Reporting Deadline: Committee on Intelligence was discharged from further consideration of S. 1751, to extend the deadline for submission of a report by the Commission to Assess the Organization of the Federal Government to Combat the Proliferation of Weapons of Mass Destruction, and the bill was then passed. **Page S2778**

Authorization of Representation by Senate Legal Counsel: Senate agreed to S. Res. 202, to authorize representation by Senate Legal Counsel.

Pages S2778–79

Congressional Budget: Senate resumed consideration of S. Con. Res. 86, setting forth the congressional budget for the United States Government for fiscal years 1999, 2000, 2001, 2002, and 2003 and revising the concurrent resolution on the budget for fiscal year 1998, taking action on amendments proposed thereto, as follows: **Pages S2733–59**

Pending:

Murray Amendment No. 2165, to establish a deficit-neutral reserve fund to reduce class size by hiring 100,000 teachers. **Page S2733**

Sessions/Enzi Amendment No. 2166, to express the sense of Congress that the Federal Government should acknowledge the importance of at-home parents and should not discriminate against families who forego a second income in order for a mother or father to be at home with their children.

Pages S2736–42, S2757

Gregg Amendment No. 2167, to express the sense of the Senate that this resolution assumes that no immunity from liability will be provided to any manufacturer of a tobacco product. **Pages S2742–47**

Gregg/Conrad Amendment No. 2168 (to Amendment No. 2167), of a perfecting nature. **Page S2747**

Kyl Amendment No. 2169, to express the sense of the Congress regarding freedom of health care choice for medicare seniors. **Page S2747**

Conrad (for Dodd) Amendment No. 2173, to establish a deficit-neutral reserve fund for child care improvements. **Page S2754**

Conrad/Lautenberg/Bingaman/Reed Amendment No. 2174, to ensure that the tobacco reserve fund in the resolution protects public health. **Pages S2754–57**

Conrad (for Moseley-Braun) Amendment No. 2175, to express the sense of the Senate regarding elementary and secondary school modernization and construction. **Page S2755**

Conrad (for Boxer) Amendment No. 2176, to increase Function 500 discretionary budget authority and outlays to accommodate an initiative promoting after-school education and safety. **Page S2755**

Brownback Amendment No. 2177, to express the sense of the Senate regarding economic growth, Social Security, and Government efficiency.

Pages S2757–58

Burns Amendment No. 2178, to express the sense of the Senate regarding the use of agricultural trade programs to promote the export of United States agricultural commodities and products. **Pages S2758–59**

A unanimous-consent time-agreement was reached providing for further consideration of Amendment No. 2166, listed above, on Tuesday, March 31, 1998, with a vote to occur thereon. **Page S2779**

Messages From the House: **Page S2764**

Statements on Introduced Bills: **Pages S2764–73**

Additional Cosponsors: **Pages S2773–74**

Amendments Submitted: **Pages S2774–76**

Notices of Hearings: **Pages S2776–77**

Authority for Committees: **Page S2777**

Additional Statements: **Pages S2777–78**

Adjournment: Senate convened at 12 noon, and adjourned at 6:33 p.m., until 9:30 a.m., on Tuesday, March 31, 1998. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record, on page S2779.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Governmental Affairs: Committee concluded hearings on the nominations of Elaine D. Kaplan, of the District of Columbia, to be Special Counsel, Office of Special Counsel, and Ruth Y. Goldway, of California, to be a Commissioner of the Postal Rate Commission, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Bills Introduced: 21 public bills, H.R. 3581–3601; and 3 resolutions, H. Con. Res. 254–255, and H. Res. 401 were introduced. **Page H1776**

Reports Filed: Reports were filed as follows:

H.R. 2574, to consolidate certain mineral interests in the National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection (H. Rept. 105–471);

H.R. 1151, to amend the Federal Credit Union Act to clarify existing law and ratify the longstanding policy of the National Credit Union Administration Board with regard to field of membership of Federal credit unions, amended (H. Rept. 105–472);

H. Res. 402, providing for consideration of H.R. 3579, making emergency supplemental appropriations for the fiscal year ending September 30, 1998 (H. Rept. 105–473); and

H. Res. 403, providing for consideration of H.R. 10, to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial service providers (H. Rept. 105–474). **Page H1776**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Petri to act as Speaker pro tempore for today. **Page H1701**

Recess: The House recessed at 1:02 p.m. and reconvened at 2:00 p.m. **Page H1704**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Casper, Wyoming National Historic Trails Interpretive Center: H.R. 2186, to authorize the Secretary of the Interior to provide assistance to the National Historic Trails Interpretive Center in Casper, Wyoming; **Pages H1707–09**

Rhinoceros and Tiger Conservation Reauthorization Act: H.R. 3113, to reauthorize the Rhinoceros and Tiger Conservation Act of 1994; **Pages H1710–11**

Consolidation of Mineral Interests in Billings County, North Dakota: S. 750, to consolidate certain mineral interests in the National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection—clearing the measure for the President; **Pages H1711–13**

Blackhawk Helicopters for Colombian National Police: H.R. 398, amended, urging the President to expeditiously procure and provide three UH–60L Blackhawk utility helicopters to the Colombian National Police solely for the purpose of assisting the Colombian National Police to perform their responsibilities to reduce and eliminate the production of illicit drugs in Colombia and the trafficking of such illicit drugs, including the trafficking of drugs such as heroin and cocaine to the United States. Agreed to amend the title; **Pages H1713–20**

Iran Missile Protection Act: H.R. 2786, amended, to authorize additional appropriations for the Department of Defense for ballistic missile defenses and other measures to counter the emerging threat posed to the United States and its allies in the Middle East and Persian Gulf region by the development and deployment of ballistic missiles by Iran. Agreed to amend the title; **Pages H1721–26**

Illegal Foreign Contributions Act: H.R. 34, amended, amend the Federal Election Campaign Act of 1971 to prohibit individuals who are not citizens of the United States from making contributions or expenditures in connection with an election for Federal office (passed by yea and nay vote of 369 yeas to 43 nays with 1 voting present, Roll No. 82); **Pages H1739–48, S1764–65**

Campaign Reporting and Disclosure Act: H.R. 3582, to amend the Federal Election Campaign Act of 1971 to expedite the reporting of information to

the Federal Election Commission, to expand the type of information required to be reported to the Commission, to promote the effective enforcement of campaign laws by the Commission (passed by a yea and nay vote of 405 yeas to 6 nays with 1 voting ''present'', Roll No. 84). **Pages H1754–64, H1766**

Suspensions Failed: The House failed suspend the rules and pass the following measures:

Campaign Reform and Election Integrity Act of 1998: H.R. 3581, to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election for Federal office (failed to pass by a yea and nay vote of 74 yeas to 337 nays with 1 voting ''present'', Roll No. 81); and **Pages H1726–39, H1764**

Paycheck Protection Act: H.R. 2608, to protect individuals from having money involuntarily collected and used for political activities by a corporation or labor organization (failed to pass by a yea and nay vote of 166 yeas to 246 nays with 1 voting ''present'', Roll No. 83). **Pages H1748–54, H1765–66**

Recess: The House recessed at 3:34 p.m. and reconvened at 6:00 p.m. **Page H1721**

Funeral Committee: Pursuant to H.Res. 395, the Chair announced the Speaker's appointment of Representatives Skeen, Gingrich, Redmond, Sensenbrenner, Johnson of Connecticut, Barton of Texas, Gallegly, McNulty, Paxon, Rohrabacher, Mica, Ehlers, Shadegg, and Campbell to the Committee to attend the funeral of the late Honorable Steven Schiff. **Page H1721**

Committee Resignation: Read a letter from Representative Berry wherein he resigned from the Committee on Small Business. **Page H1767**

Recess: The House recessed at 11:12 p.m. and reconvened at 12:48. **Page H1770**

Amendments: Amendment ordered printed pursuant to the rule appears on page H1777.

Quorum Calls—Votes: Four yea and nay votes developed during the proceedings of the House today and appear on pages H1764, H1764–65, H1765–66, and H1766. There were no quorum calls.

Adjournment: Met at 12:30 p.m. and adjourned at 12:50 a.m. on Tuesday, March 31.

Committee Meetings

OVERSIGHT—USDA DEBT COLLECTION

Committee on Government Reform and Oversight: Subcommittee on Government Management, Information, and Technology held an oversight hearing on USDA Debt Collection. Testimony was heard from Linda Calbom, Director, Civil Audits, GAO; and the following officials of the USDA: Sally Thompson, Chief Financial Officer; Keith Kelly, Administrator, Farm Service Agency; Wally B. Beyer, Administrator, Rural Utilities Service; and Jan E. Shadburn, Administrator, Rural Housing Service.

WTO-DISPUTE SETTLEMENT BODY

Committee on International Relations and Oversight: Subcommittee on International Economic Policy and Trade held a hearing on WTO-Dispute Settlement Body. Testimony was heard from Alan Larson, Assistant Secretary, Bureau of Economic and Business Affairs, Department of State; Susan G. Esserman, General Counsel, Office of the U.S. Trade Representative; and public witnesses.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS

Committee on Rules: Granted, by a recorded vote of 8 to 4, a modified closed rule providing one hour of general debate on H.R. 3579, Emergency Supplemental Appropriations for fiscal year 1998 equally divided and controlled between the chairman and ranking minority member of the Committee on Appropriations. The rule waives points of order against consideration of the bill for failure to comply with clause 2(1)(6) of rule XI (requiring a three-day layover of the committee report), clause 7 of rule XXI (requiring the three-day availability of relevant printed hearings and reports on general appropriations bills), or section 306 of the Budget Act of 1974 (prohibiting consideration of legislation within the jurisdiction of the Budget Committee unless reported by that committee). The rule provides an additional 30 minutes of debate on the provision of the bill (Title III) relating to the prohibition on the use of funds for military operations against Iraq equally divided between Mr. Skaggs and an opponent. The rule provides that the bill shall be considered as read. The rule provides that the amendments printed in part 1 of the Rules Committee report shall be considered as adopted. The rule waives points of order against the bill, as amended, for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in a general appropriations bill) or clause 6 of rule XXI (prohibiting reappropriations). The rule makes in order the amendment printed in part 2 of the Rules Committee report and provides that such amendment may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question. All points of order are waived against the

amendment. Finally, the rule provides one motion to recommit, with or without instructions. Testimony was heard from Chairman Livingston, Neumann, Tiahrt, Chambliss, Coburn, Kim, Obey, Skaggs, Pelosi, Frank of Massachusetts, Clayton, Klink, Bishop, and Jackson-Lee of Texas.

FINANCIAL SERVICES ACT

Committee on Rules: Granted, by voice vote, a modified closed rule on H.R. 10, Financial Services Act of 1997, providing two hours of general debate equally divided between the chairman and ranking minority member of the Committee on Banking and Financial Services and one hour equally divided between the chairman and ranking minority member of the Committee on Commerce. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute printed in part 1 of the report of the Committee on Rules be considered as an original bill for the purpose of amendment and that it shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute. The rule provides that no amendment to the amendment in the nature of a substitute shall be in order except those printed in part 2 of the Rules Committee report, which may only be offered in the order printed in the report, may only be offered by the Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All points of order are waived against the amendments printed in the report. The rule allows the Chairman of the Committee of the Whole to postpone recorded votes and reduce to five minutes the voting time on any postponed question, provided that the voting time on the first in any series of questions is not less that fifteen minutes. Finally, the rule provides one motion to recommit, with or without instructions. Testimony was heard from Chairman Leach, Representatives McCollum, Roukema, Baker, Bachus, Campbell, Metcalf, Sessions, Oxley, LaFalce, Vento, Barrett of Wisconsin, Bentsen, Dingell, and Clyburn.

COMMITTEE MEETINGS FOR TUESDAY, MARCH 31, 1998

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, and Related Agencies, to hold hearings on proposed budget estimates for fiscal year 1999 for the Commodity Futures Trading Commission and the Food and Drug Administration, 10 a.m., SD–138.

Subcommittee on Commerce, Justice, State, and the Judiciary, to hold hearings on proposed budget estimates for fiscal year 1999 for the Department of Justice's counterterrorism programs, 10 a.m., SD–192.

Subcommittee on Foreign Operations, to hold hearings on proposed budget estimates for fiscal year 1999 for foreign assistance programs, focusing on the Caspian energy program, 10:30 a.m., SD–124.

Committee on Armed Services, Subcommittee on Strategic Forces, to resume hearings on proposed legislation authorizing funds for fiscal year 1999 for the Department of Defense and the future years defense program, focusing on strategic nuclear policy and related matters, 9:30 a.m., SR–222.

Committee on Commerce, Science, and Transportation, Subcommittee on Surface Transportation and Merchant Marine, to hold hearings on S. 1802, authorizing funds for fiscal years 1999 through 2001 for the Surface Transportation Board, Department of Transportation, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources, to hold hearings on S. 1100, to amend the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, the legislation approving such covenant, and S. 1275, to implement further the Act (Public Law 94–241) approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, 9:30 a.m., SH–216.

Committee on Finance, business meeting, to mark up proposed legislation to amend the Internal Revenue Code of 1986 to restructure and reform the Internal Revenue Service, 10 a.m., SD–215.

Committee on Labor and Human Resources, to hold hearings to examine issues relating to charter schools, 10 a.m., SD–430.

Committee on Veterans' Affairs, to hold hearings to examine tobacco-related compensation and associated issues, 10 a.m., SD–106.

Special Committee on Aging, to hold hearings to examine the effect on seniors of policy changes to home health care provisions under Medicare, focusing on the Interim Payment System, venipuncture, and surety bonds, 10 a.m., SD–628.

NOTICE

For a listing of Senate committee meetings scheduled ahead, see pages E522–23 in today's Record.

House

Committee on Appropriations, Subcommittee on Commerce, Justice, State, and Judiciary, on Immigration and Naturalization Service, 10 a.m., 2358 Rayburn, on the U.S. Trade Representative, 2 p.m., and the International Trade Administration, 3 p.m., H–309 Capitol.

Subcommittee on Foreign Operations, on Congressional and Public Witnesses, 9:30 a.m., H–144 Capitol.

Subcommittee on Interior, on National Park Service, 10 a.m., and on National Forest Service, 1:30 p.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, and Education, on Vocational and Adult Education, Special Education and Rehabilitative Services, 10 a.m., and on Educational Research and Improvements and the Office of Inspector General, 2 p.m., 2358 Rayburn.

Subcommittee on VA, HUD and Independent Agencies, on NASA, 10 a.m., 2359 Rayburn.

Committee on Banking and Financial Services, Subcommittee on Domestic and International Monetary Policy, hearing to examine the increase in counterfeiting using personal computers, 10 a.m., 2128 Rayburn.

Committee on the Budget, Task Force on Budget Process, hearing on Joint Budget Resolution (Should the Budget be a Law?), 9 a.m., 210 Cannon.

Committee on Commerce, Subcommittee on Telecommunications, Trade, and Consumer Protection, hearing on reauthorization of the FCC, 10 a.m., 2123 Rayburn.

Committee on Education and the Workforce, Subcommittee on Oversight and Investigations, hearing on American Work Project: Workplace Competitive Issues, 2 p.m., 2175 Rayburn.

Committee on Government Reform and Oversight, hearing on FEC Enforcement Actions: Foreign Campaign Contributions and Other FECA Violations, 10 a.m., 2154 Rayburn.

Committee on International Relations, hearing on U.S. Counter-Narcotics Policy Towards Colombia, 2 p.m., 2172 Rayburn.

Subcommittee on International Operations and Human Rights, hearing on the Betrayal of Srebrenica: Why did the Massacre Happen? Will It Happen Again?, 10 a.m., 2172 Rayburn.

Committee on Rules, to consider H.R. 2400, Building Efficient Surface Transportation and Equity Act of 1998, 1 p.m., H–313 Capitol.

Committee on Science, Subcommittee on Basic Research and the Subcommittee on Technology, joint oversight hearing on Domain Names Systems: Where Do We Go From Here? 2 p.m., 2318 Rayburn.

Subcommittee on Energy and Environment, oversight hearing on Electricity Deregulation: Implications for Research and Development and Renewable Energy, 10 a.m., 2325 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, hearing on Proposals for a Water Resources Development Act of 1998, 9:30 a.m., 2318 Rayburn.

Committee on Ways and Means, Subcommittee on Oversight, on the 1998 Tax Return Filing Season and the IRS Budget for Fiscal Year 1999, 2 p.m., 1100 Longworth.

Subcommittee on Trade, hearing on Free Trade Area of the Americas, 2:30 p.m., B–318 Rayburn.

Permanent Select Committee on Intelligence, executive, hearing on Human Intelligence and Covert Action, 6 p.m., H–405, Capitol.

Next Meeting of the SENATE

9:30 a.m., Tuesday, March 31

Senate Chamber

Program for Tuesday: Senate will resume consideration of S. Con. Res. 86, Congressional Budget.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

9:30 a.m., Tuesday, March 31

House Chamber

Program for Tuesday, Consideration of H.R. 3579, Emergency Supplemental Appropriations for fiscal year 1998 (modified closed rule, 1 hour of general debate); and

Consideration of H.R. 10, Financial Services Act of 1997 (modified closed rule, 2 hours of general debate).

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