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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. RADANOVICH).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 16, 1998.

I hereby designate the Honorable GEORGE P. RADANOVICH to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 75. Concurrent resolution expressing the sense of the Congress that States should work more aggressively to attack the problem of violent crimes committed by repeat offenders and criminals serving abbreviated sentences.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill and a concurrent resolution of the House of the following titles:

H.R. 1853. An act to amend the Carl D. Perkins Vocational and Applied Technology Education Act.

H. Con. Res. 284. Concurrent resolution revising the congressional budget for the United States Government for fiscal year 1998, establishing the congressional budget for the United States Government for fiscal year 1999, and setting forth appropriate budgetary levels for fiscal years 2000, 2001, 2002, and 2003.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 629) ''An Act to grant the consent of the Congress to the Texas Low-Level Radioactive Waste Disposal Compact,'' disagreed to by the House and agree to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. THURMOND, Mr. HATCH, and Mr. LEAHY to be the conferees on the part of the Senate, with instructions.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 1853) ''An Act to amend the Carl D. Perkins Vocational and Applied Technology Education Act,'' and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JEFFORDS, Mr. COATS, Mr. GREGG, Mr. FRIST, Mr. DEWINE, Mr. ENZI, Mr. HUTCHINSON, Ms. COLLINS, Mr. WARNER, Mr. MCCONNELL, Mr. KENNEDY, Mr. DODD, Mr. HARKIN, Ms. MIKULSKI, Mr. BINGAMAN, Mr. WELLSTONE, Mrs. MURRAY, and Mr. REED to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the resolution (H. Con. Res. 284) ''A concurrent resolution revising the congressional budget for the United States Government for fiscal year 1998, establishing the congressional budget for the United States Government for fiscal year 1999 and setting forth appropriate budgetary levels for fiscal years 2000, 2001, 2002, and 2003,'' and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. DOMENICI, Mr. GRASSLEY, Mr. NICKLES, Mr. GRAMM, Mr. BOND, Mr. GORTON, Mr. GREGG, Ms. SNOWE, Mr. ABRAHAM, Mr. FRIST, Mr. GRAMS, Mr. SMITH or Oregon, Mr. LAUTENBERG, Mr. HOLLINGS, Mr. CONRAD, Mr. SARBANES, Mrs. BOXER, Mrs. MURRAY, Mr. WYDEN, Mr. FEINGOLD, Mr. JOHNSON, and Mr. DURBIN to be the conferees on the part of the Senate.

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 Oregon (Mr. BLUMENAUER) for 5 minutes.

BRINGING OUR EDUCATION SYSTEM INTO THE 21ST CENTURY

Mr. BLUMENAUER. Mr. Speaker, an important step was taken last week in our efforts to assure that America's schools and libraries share in the full power of the Internet. The Federal Communications Commission made its E-rate decision on Friday June 12. To their great credit the commissioners withstood tremendous pressure to end the program and decided to continue funding the discounted rate, the E-rate, but at a reduced level from what was anticipated. The new funding level is an almost 50 percent reduction from what schools and libraries anticipated and planned for based on what the Congress had previously decided.

Organizations from around the country are understandably disappointed. Thirty thousand schools and libraries took Congress at its word and submitted significant effort through their applications to the FCC. But in fairness I think the FCC did the best it could with this difficult situation.

There are several reasons why the political climate has become so charged. Yes, there is considerable confusion, but the solution is clearly not to end or put a hold on the program. We must

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recognize that much of this controversy is manufactured based on misunderstanding.

It is a misunderstanding about the origin of the program. It did not come from the FCC, it was not an invention of the Vice President, although he was clearly an advocate for Internet access to schools and libraries. This is an element that was part of the Telecommunications Act of 1996 passed by a Republican controlled Congress and supported with overwhelming bipartisan votes.

There is some confusion over whether adding subsidies into the telephone rate is actually a new idea. In fact it is not. The E-rate is simply an expansion of the existing universal service program which has been around for 60 years and which was an important tool to assure that rural America had telephone service at affordable rates.

There is some confusion as to the actual cost that is borne by the phone companies, although it is quite clear that as a result of the benefits of deregulation the phone companies have saved in the neighborhood of $3 billion as a result of deregulation to date, far more than is contemplated by keeping Congress' commitment to our schools and libraries.

There appears to be some confusion over this surcharge on the telephone bills. Is this simply an effort to recoup some of the costs of the E-rate, or are they trying to layoff some of those costs that the phone companies have, in fact, borne since 1934?

There is confusion over what the E-rate can be used for. It is, in fact, very narrowly drafted to include only a few services, not new computers and the so-called goldplating.

There is even confusion on the part of some as to whether or not this program is needed. Well, the allegation is made that most of our schools are already hooked up to the Internet. This, of course, misses the point completely since those connections in the vast majority of cases are simply to an administrator, a principal's office. Fully three-quarters of our classrooms are yet to be hooked up to the Internet.

We in Congress need to make sure that we fulfill this commitment.

I agree that legislation may be needed, but that is why I have introduced a Truth in Billing Act, H.R. 4018, to have a GAO study to clarify exactly what the telephone companies have saved, how much has been passed on to consumers and what additional costs, if any, have resulted from the Telecommunications Act. We in Congress will provide that information to those who need it in order to make the informed decisions. And under my legislation companies that want to put extra line item charges on the telephone bills could do so, but they would also have to fully disclose all the savings that have resulted.

This is not a debate about over whether or not phone bills are going to go high, because in fact telephone bills are at their lowest point in history as a result of deregulation. What this debate is about is whether we as a Nation are going to meet the commitment we made to share the benefits of the deregulated telecommunication industry with the education system and our libraries and keep the commitment to those 30,000 schools and libraries.

CAMPAIGN FINANCE REFORM

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

Mr. PAUL. Mr. Speaker, campaign finance reform has been a major topic for months on the House floor and, I understand, will continue to be a major debate. The last time the Congress has passed any major reforms dealing with campaigning was in the 1970s, and every problem that we had back then we have today, only it is much worse. Today, in order to comply with the law, we fill out tens of thousands of pages of forms, there is total misunderstanding of what the rules and regulations are, there are numerous fines being levied against many Members and many candidates, there are many inaccuracies put into the record mainly because a lot of people cannot even understand the rules and regulations, and I would not be surprised if just about everybody who ever filled out a financial reform at one time or the other inadvertently had some inaccuracies. All the challenges to these records have always been done by opponents and usually politicized, and it has not been motivated for the best of reasons.

New reforms are now being proposed, and I predict they will be no more successful than the numerous rules and regulations that we imposed on candidates in the 1970s. The reason I say this is that we are treating a symptom and not the cause. The symptom, of course, is very prevalent. Everybody knows there is a lot of big money that influences politics. I understand that there is $100 million a month spent by the lobbyists trying to influence our votes on the House floor and hundreds of millions of dollars trying to influence our elections. So some would conclude, therefore, that is the case, we have to regulate the money, the money is the problem.

But I disagree. Money is not the problem. The basic problem is that there is so much to be gained by coming to Washington, lobbying Congress and influencing legislation. The problem is not that we have too much freedom. The problem is that we have too much government, and if we think that just more regulations and more government will get rid of the problem, we are kidding ourselves. What we need is smaller government, less influence of the government on everything that we do in our personal lives as well as our economic lives. The Congress is always being involved.

Not only domestically, but Congress is endlessly involved in many affairs overseas. We are involved by passing out foreign aid, getting involved in programs like the IMF and World Bank. We are interfering in internal affairs militarily in over a hundred countries at the present time. So there is a tremendous motivation for people to come here and try to influence us. They see it as a good investment.

More rules and regulations, I believe, will do one thing if the size of government is not reduced. What we will do is drive the influence under ground. That is a natural consequence as long as there is an incentive to invest.

Under the conditions that we have today the only way we can avoid the influence is not ourselves, we, the Members of Congress, being a good investment. We should be independent, courageous and do the things that are right rather than being influenced by the money. But the rules and the regulations will not do very much to help solve this problem. Attacking basic fundamental rights would certainly be the wrong thing to do, and that is what so much of this legislation is doing. It is attacking the fundamental right to speak out to petition the government to spend one's money the way he sees fit, and this will only make the problems much worse.

Mr. Speaker, government is too big, our freedoms are being infringed upon, and then we come along and say those individuals who might want to change even for the better, they will have their rights infringed upon.

There are many groups who come to Washington who do not come to buy influence, but they come to try to influence their government, which is a very legitimate thing. Think of the groups that come here who want to defend the Second Amendment. Think of the groups that want to defend right to life. Think of the groups that want to defend the principles of the American Civil Liberties Union and the First Amendment. And then there are groups who would defend property rights, and there will be groups who will come who will be lobbyist types and influential groups, and they want to influence elections, and they may be adamantly opposed to the United Nations and interference in foreign policies overseas. They have a legitimate right to come here.

Sometimes I wonder if those individuals who are now motivated to put more regulations on us might even fear the fact that some of the good guys, some of the good groups who are coming here to influence Washington to reduce the size of government are no longer able to.

CBO'S INDEPENDENCE THREATENED BY PARTISAN POLITICS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from

Texas (Mr. BENTSEN) is recognized during morning hour debates for 5 minutes.

Mr. BENTSEN. Mr. Speaker, I rise today to point out a case of unfortunate and blatant hypocrisy on the part of the majority. The Congress created the Congressional Budget Office 23 years ago so that the House and Senate would have an impartial and independent source for budget forecast. Since its creation the Congress under both Republican and Democratic control and divided control between the House and Senate has respected the CBO's independence. In return for that independence CBO has served the Congress well by providing us with honest estimates of the budgetary effects of spending and taxing proposals.

Today that independence is threatened by partisan politics. Just last week the gentleman from Georgia, Speaker GINGRICH, and the Republican leadership threatened the CBO because their budget forecasts do not square with the irresponsible budget resolution passed by the House. Truth be known, Houdini could not create the magic budget forecast necessary to make this budget resolution work. In his letter to the CBO Speaker GINGRICH and the House leadership wrote that ''CBO's low estimates have been consistently wrong and wrong by a country mile.''

If the estimates were not changed, Congress then must review the structure and funding for the CBO in this appropriations cycle if CBO did not conform its estimates to the majority's budget resolution. The majority is seeking to abandon fiscal discipline by using ever larger surpluses to pay for tax cuts we cannot afford while making draconian cuts in nondefense discretionary spending and allowing the national debt to continue to grow, putting Social Security at peril. In fact, this bullying reminds me of the old adage, that, ''if you don't like the message, shoot the messenger.'' This is typically what dictators and strong men do when they take power. They terrorize those most likely to question their programs: professors, newspapers and religious leaders.

But is it not ironic, 3 years ago the new Republican leadership demanded that the President agree to use CBO estimates to score his budget?

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The White House, on the other hand, wanted to use the estimates of the Office of Management and Budget.

The Speaker and the Republican leadership were so adamant about using the CBO, that they refused to pass appropriations bills, leading to 2 government shutdowns. Instead of having an honest and straightforward accounting, the Republican leadership would rather threaten the CBO.

Mr. Speaker, I want to read a few statements of what the Republican leaders said a few years ago in contrast to statements made last week.

Last week Speaker GINGRICH wrote, ''We are deeply concerned about the increasing evidence that the CBO is utterly unable to predict consistent and future revenues or even the fiscal year implications of changes in budget policy.''

But on November 15, 1995, Speaker GINGRICH demanded that the President ''agree to two principles, that the budget shall be balanced in 7 years and that the scoring will be honest numbers based on the Congressional Budget Office.''

On November 20, 1995, the Committee on Rules Chairman, the gentleman from New York (Mr. SOLOMON), said about balancing the budget with CBO scoring, ''We will do it within 7 years as estimated by the CBO. There is no wiggle room there. No smoke and mirrors. We will do it with realistic figures.''

On that same day, the majority whip and the gentleman from Texas (Mr. DELAY) said the goal, ''Is to achieve a balanced budget no later than fiscal year 2002 as estimated by the CBO. Very real. Very meaningful.''

Why is it that 3 years ago CBO estimates were, quote, ''honest,'' ''realistic,'' ''meaningful,'' ''no smoke and mirrors,'' and today they are being attacked by the Republican leadership? Is it possible that the policies being put forth by the majority today are not honest, realistic, meaningful, and the budget numbers are fudged with blue smoke and mirrors?

Mr. Speaker, this is more than a case of hypocrisy. This is about responsible governing and responsible policymaking at which the leadership has proven not very adept. Manipulating budgetary estimates will allow both parties to abandon fiscal discipline. Without maintaining a course of fiscal discipline, the Congress' hard work since 1990 will be compromised. Federal budget surpluses will be short-lived and we will return to deficit spending and an increasing national debt.

CBO keeps our policy proposals honest through rigorous analysis and scoring. For the sake of fiscal discipline and trying to reduce our enormous Federal debt, we should let the CBO do its work without interference from partisan politics.

MARRIAGE TAX ELIMINATION ACT

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

Mr. WELLER. Mr. Speaker, 2 weeks ago this House of Representatives did something that many said could not be done. I remember when I came to Congress, there were those that said we could not balance the budget and lower taxes for the middle class at the same time. Well, we did that last year with the bipartisan budget agreement, and 2 weeks ago, the House passed the second balanced budget in over a generation.

What was significant about that balanced budget is it was a balanced budget that not only spent less, but it taxed less; and of course, when it made taxes lower for middle class families, it made elimination of the marriage tax penalty the centerpiece and the number 1 priority.

I thought I would take a few minutes today to talk about why elimination of the marriage tax penalty is so important for middle class Americans throughout this country. I think a series of questions really best illustrate why the marriage tax penalty should be eliminated, and that is, do Americans feel that it is fair that our Tax Code imposes a higher tax on marriage? Do Americans feel that it is fair that 21 million average, married, working couples pay on the average $1,400 more in higher taxes just because they are married; that a married couple pays higher taxes than an identical couple with identical income that lives together outside of marriage? Do Americans feel that it is right, or is it fair, that the only way to avoid the marriage tax penalty is to file for divorce?

It is clear that the marriage tax is not only unfair, it is wrong; and really, it is immoral that our Tax Code punishes our society's most basic institution, the institution of marriage. Let me remind my colleagues again that 21 million married, working couples pay on the average $1,400 more in higher taxes.

I have an example of a couple in Joliet, Illinois, in the south suburbs of Chicago that I have the privilege of representing, and let me just give an example here of how the marriage tax penalty works. Usually the way it works is the husband and wife get married, they both work; when they file their taxes, they file jointly and it pushes them into a higher tax bracket. In this case we have a machinist at Caterpillar, and Caterpillar makes the heavy earth-moving equipment, and their biggest plant is right in Joliet in my district.

We have a machinist who works there, and he makes $30,500 a year in annual income as a machinist at Caterpillar. After we factor in the standard exemption and deduction for which he qualifies, he is going to be taxed at a rate of 15 percent. Now, say across town he meets a gal, she is a school teacher in the Joliet public schools, and she has an identical income of $30,500.

Now, if she stayed single, she would be taxed at 15 percent. But under our Tax Code when they marry, they file jointly, even after we factor in for this couple the standard deductions and exemptions for this married couple, this machinist and school teacher in Joliet, Illinois, they end up paying more in taxes just because they got married. In fact, this couple, this machinist and school teacher pays the average marriage tax penalty of $1,400, just because they got married.

Now our Tax Code actually says, stay single and live together outside of marriage. It is to your financial advantage. That, of course, we believe is just wrong.

Mr. Speaker, if we think about it, $1,400 for this couple in Joliet, Illinois is real money, real money, as I say, for real people. That is because $1,400 is one year's tuition at Joliet Junior College; it is 3 months' day care at a local day care center.

Now, we have proposed a solution for eliminating the marriage tax penalty, and the Marriage Tax Elimination Act, also known as Weller-McIntosh II, is legislation which is simple. It eliminates the marriage penalty and of course it is very simple and does not complicate the Tax Code.

What we propose to do is to double the standard deduction. In this case, by doubling the standard deduction, it would help that machinist and school teacher, and also we double the brackets in the Marriage Tax Elimination Act. Right now, if one is married or if one is single, one pays 15 percent on just less than the first $25,000 in income; but if one is married, one only has a 15 percent rate up to about $41,000.

Clearly, what our legislation does is essentially double the bracket for married couples to exactly that of singles. That is fair; that is a simple way of eliminating the marriage penalty. The Marriage Tax Elimination Act doubles relief for married couples by doubling the standard deduction as well as doubling the brackets to eliminate the marriage penalty.

That is simple legislation. I think it is pretty important as we work to make elimination of the marriage tax penalty the centerpiece of this year's budget and, hopefully, the President will join with us and make it a bipartisan effort.

Remember in 1997 the President embraced the Republican proposal for a $500-per-child tax credit. We made it a bipartisan effort and we succeeded, and 3 million children in Illinois now qualify for that, providing $1.5 billion in higher take-home pay for Illinois families in the coming year because of the $500-per-child tax credit.

Elimination of the marriage penalty is the centerpiece of the House budget that we passed this past week. The elimination of the marriage tax penalty should be a number one priority as we finalize the budget this year.

Mr. Speaker, I rise today to highlight what is arguably the most unfair prevision in the U.S. Tax code: the marriage tax penalty. I want to thank you for your long term interest in bringing parity to the tax burden imposed on working married couples compared to a couple living together outside of marriage.

I would also like to commend the leadership of House budget Chairman Kasich for including elimination of the marriage tax penalty as a top priority in his budget resolution. The Republican House Budget Resolution will save a penny on every dollar and use those savings to relieve families of the marriage penalty and restore a sense of justice to every man and woman who decides to get married.

Many may recall in January, President Clinton gave his State of the Union Address outlining many of the things he wants to do with the budget surplus.

A surplus provided by the bipartisan budget agreement which: cut waste; put America's fiscal house in order; and held Washington's feet to the fire to balance the budget.

While President Clinton paraded a long list of new spending totaling at least $46–$48 billion in new programs—we believe that a top priority should be returning the budget surplus to America's families as additional middle-class tax relief.

This Congress has given more tax relief to the middle class and working poor than any Congress of the last half century.

I think the issue of the marriage penalty can best be framed by asking these questions: Do Americans feel its fair that our tax code imposes a higher tax penalty on marriage? Do Americans feel its fair that the average married working couple pays almost $1,400 more in taxes that a couple with almost identical income living together outside of marriage? is it right that our tax code provides an incentive to get divorced?

In fact, today the only form one can file to avoid the marriage tax penalty is paperwork for divorce. And that is just wrong!

Since 1969, our tax laws have punished married couples when both spouses work. For no other reason than the decision to be joined in holy matrimony, more than 21 million couples a year are penalized. They pay more in taxes than they would if they were single. Not only is the marriage penalty unfair, it's wrong that out tax code punishes society's most basic institution. The marriage tax penalty exacts a disproportionate toll on working women and lower income couples with children. In many cases it is a working women's issue.

Let me give you an example of how the marriage tax penalty unfairly affects middle class married working couples.

For example, a machinist, at a Caterpillar manufacturing plant in my home district of Joliet, makes $30,500 a year in salary. His wife is a tenured elementary school teacher, also bringing home $30,500 a year in salary. If they would both file their taxes as singles, as individuals, they would pay 15%.

MARRIAGE PENALTY EXAMPLE IN THE SOUTH SUBURBS

	Machinist	School teacher	Couple	Weller/McIntosh II
Adjusted Gross Income	$30,500	$30,500	$61,000	$61,000
Less Personal Exemption and Standard Deduction	6,550	6,550	11,800	13,100 (Singles 2)
Taxable Income	23,950 (.15)	23,950 (.15)	49,200 (Partial .28)	47,900 (.15)
Tax Liability	3,592.5	3,592.5	8,563	7,185

Marriage Penalty: $1378; *Relief: $1378. Weller-McIntosh II Eliminates the Marriage Tax Penalty.*

But if they chose to live their lives in holy matrimony, and now file jointly, their combined income of $61,000 pushes them into a higher tax bracket of 28 percent, producing a tax penalty of $1400 in higher taxes.

On average, America's married working couples pay $1,400 more a year in taxes than individuals with the same incomes. That's serious money. Millions of married couples are still stinging from April 15th's tax bit and more married couples are realizing that they are suffering the marriage tax penalty.

Particularly if you think of it in terms of: A down payment on a house or a car; one years tuition at a local community college; or several months worth of quality child care at a local day care center.

To that end, Congressman DAVID MCINTOSH and I have authored the Marriage Tax Penalty Elimination Act.

The Marriage Tax Penalty Elimination Act will increase the tax brackets (currently at 15% for the first $24,650 for singles, whereas married couples filing jointly pay 15% on the first $41,200 of their taxable income) to twice that enjoyed by singles; the Weller-McIntosh proposal would extend a married couple's 15% tax bracket to $49,300. Thus, married couples would enjoy an additional $8,100 in taxable income subject to the low 15% tax rate as opposed to the current 28% tax rate and would result in up to $1,053 in tax relief.

Additionally the bill will increase the standard deduction for married couples (currently $6,900) to twice that of singles (currently at $4,150). Under the Weller-McIntosh legislation the standard deduction for married couples filing jointly would be increased to $8,300.

Our new legislation builds on the momentum of their popular H.R. 2456 which enjoyed the support of 238 cosponsors and numerous family, women and tax advocacy organizations. Current law punishes many married couples who file jointly by pushing them into higher tax brackets. It takes the income of the families' second wage earner—often the woman's salary—at a much higher rate than if that salary was taxed only as an individual. Our bill already has broad bipartisan cosponsorship by Members of the House and a similar bill in the Senate also enjoys widespread support.

It isn't enough for President Clinton to suggest tax breaks for child care. The President's child care proposal would help a working couple afford, on average, three weeks of day care. Elimination of the marriage tax penalty would give the same couple the choice of paying for three months of child care—or addressing other family priorities. After all, parents know better than Washington what their family needs.

We fondly remember the 1996 State of the Union address when the President declared emphatically that, quote ''the era of big government is over.''

We must stick to our guns, and stay the course.

There never was an American appetite for big government.

But there certainly is for reforming the existing way government does business.

And what better way to show the American people that our government will continue along

the path to reform and prosperity than by eliminating the marriage tax penalty.

Ladies and Gentleman, we are on the verge of running a surplus. It's basic math.

It means Americans are already paying more than is needed for government to do the job we expect of it.

What better way to give back than to begin with mom and dad and the American family—the backbone of our society.

We ask that President Clinton join with Congress and make elimination of the marriage tax penalty . . . a bipartisan priority.

Of all the challenges married couples face in providing home and health to America's children, the U.S. tax code should not be one of them.

Lets eliminate The Marriage Tax Penalty and do it now!

Mr. Speaker, I include the following for the RECORD.

Do Americans feel that it's right to tax a working couple more just because they live in holy matrimony?

Is it fair that the American tax code punishes marriage, our society's most basic institution?

WELLER-MCINTOSH II MARRIAGE TAX COMPROMISE

Weller-McIntosh II, H.R. 3734, the Marriage Tax Penalty Elimination Act presents a new, innovative marriage penalty elimination package which pulls together all the principle sponsors of various legislative proposals with legislation. Weller-McIntosh II will provide equal and significant relief to both single and dual earning married couples and can be implemented immediately.

The Marriage Tax Penalty Elimination Act will increase the tax brackets (currently at 15% for the first $24,650 for singles, whereas married couples filing jointly pay 15% on the first $41,200 of their taxable income) to twice that enjoyed by singles; the Weller-McIntosh proposal would extend a married couple's 15% tax bracket to $49,300. Thus, married couples would enjoy an additional $8,100 in taxable income subject to the low 15% tax rate as opposed to the current 28% tax rate and would result in up to $1,215 in tax relief.

Additionally the bill will increase the standard deduction for married couples (currently $6,900) to twice that of singles (currently at $4,150). Under the Weller-McIntosh legislation the standard deduction for married couples filing jointly would be increased to $8,300.

Weller and McIntosh's new legislation builds on the momentum of their popular H.R. 2456 which enjoyed the support of 238 cosponsors and numerous family, women and tax advocacy organizations. Current law punishes many married couples who file jointly by pushing them into higher tax brackets. It taxes the income of the families' second wage earner—often the woman's salary—at a much higher rate than if that salary was taxed only as an individual.

MARRIAGE PENALTY EXAMPLE IN THE SOUTH SUBURBS

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Marriage Penalty: $1378; *Relief: $1378. Weller-McIntosh II Eliminates the Marriage Tax Penalty.*

The repeal of the Marriage tax was part of the Republican's 1994 ''Contract with America,'' but the legislation was vetoed by President Clinton.

GAMBLING IS DESTROYING OUR YOUNG PEOPLE

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

Mr. WOLF. Mr. Speaker, I just read today in The New York Times on the front page an article entitled, ''Those Seductive Snake Eyes: Tales of Growing Up Gambling.''

The bad news is that gambling in this country is growing. The worst news is that the gambling addiction is growing fastest among young people. The article says,

> There is a growing concern among experts on compulsive gambling about the number of youths who, confronted with State lotteries, the growth of family-oriented casinos, and sometimes lax enforcement of wagering laws, gamble at an earlier and earlier age and gamble excessively.

The story quotes a recent Harvard Medical School study which was conducted by Dr. Howard Shaffer which found that the rate of problem gambling among adolescents is more than twice the rate for adults. Twice the rate of adults, and these people are going to soon be adults.

The article is shocking. It cites stories of young people who have hit the bottom at a very young age, and all because of gambling.

One young man got hooked on gambling as a teenager. The problem was so bad his parents had to put locks on all the rooms and closets in the house so he would not run out and sell the family's belongings to gamble. He has been to prison twice for credit card fraud and writing false checks. Later in the article he talks about how he first got interested in gambling. When he was growing up, he used to help his grandmother pick lottery numbers at a neighborhood store, and then he used to go gambling with her on trips to Atlantic City. He would wait for her outside the casinos peering into the windows wishing that he could play.

The New York Times piece said that at one high school in the northeast U.S., kids said they knew a fellow student who was a professional bookie who booked bets right there at the high school. Amazingly, that school set up a mock casino as part of its prom night festivities. The school principal said the students had no problems with the various games. They knew them all well and apparently needed no coaching.

This is a problem everywhere in America, all over this country. According to the article, an LSU University study conducted last year found that among Louisiana young people age 18 to 21, 1 in 7 were, and I quote, ''problem gamblers, some of them pathological, youths with a chronic and progressive psychological disorder characterized by an emotional dependence on gambling and loss of control over their gambling.''

Everyone in this country is worried about tobacco use among teenagers, and I am too, but we have another problem, Mr. Speaker, that all of us have to address, and that is the problem of gambling in this country.

I hope the country wakes up, although I believe the country is far ahead of the Congress and far ahead of the elected officials, because every time gambling is on a referendum, they vote it down. But I hope the governors wake up, all of them who are trying to ply gambling and raise money by lotteries, I hope they wake up.

Lastly, I hope this Congress wakes up. And I will tell my colleagues, nobody in this Congress who cares about people and talks about these problems ought to be taking any political activity money from the gambling interests, because if my colleagues will read this story in today's New York Times to see how this is ruining our young people, how then can one rationalize that one has taken money from the gambling interests?

Mr. Speaker, I urge all of my colleagues, I plead with my colleagues, read today's New York Times and see what is happening to our young people.

DEFENDING THE INTEGRITY OF THE CENSUS BUREAU

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, I applaud my colleague from the other side of the aisle, the gentleman from Virginia (Mr. WOLF), for his very important statement. He is absolutely correct.

Today I rise to defend the integrity of the Census Bureau. Repeatedly, in an argument over a fair and accurate census, the opponents of accuracy have suggested that they would support the use of modern technology if they could be assured that the process would not be manipulated for political purposes.

Perhaps Jim Hubbard, the representative of the American Legion said it best at last week's meeting of the Secretary's Census 2000 Advisory Committee. He said that the only way that the census numbers could be manipulated

would be if the professionals in the Census Bureau did it. He went on to say that he did not believe that that was possible.

Mr. Hubbard is absolutely right, and the opponents of an accurate census should be ashamed of themselves for attacking the Census Bureau like that. Never in the almost 100 years of the Census Bureau has there been a breach in the integrity of that organization.

Just after Pearl Harbor, the President of the United States asked the Census Bureau for a list of the names and addresses of Japanese living in America. The Census Bureau refused. During the 1970s, President Nixon did not like the fact that the rate of poverty was increasing during his administration, and put pressure on the Census Bureau to change the numbers. The Census Bureau refused.

The reputation of the Census Bureau is unassailable, and the opponents of an accurate census do themselves and the country a disservice to suggest otherwise.

Today, the Atlanta Journal tries to make this case once again. They admit that scientific methods will make the census more accurate. They acknowledge that if the count shows a population shift that favors one party or the other, it should stand. But then they claim that only the most optimistic could believe that the numbers would not be manipulated by the politicians.

□ 1300

On that, they are dead wrong. Anyone who has any knowledge of how a census works, and how the plans for 2000 work, know that the only ones who could manipulate the numbers are the professionals in the field or in the headquarters of the Census Bureau. There is not now, and there has never been, any evidence to suggest that those professionals would abandon their professional scientific judgment.

As my Members are all aware, I am sure, my colleagues and I have been destroying, sacrificing the American forests, my colleague, the gentleman from Florida (Mr. MILLER) and I have, in defense of our positions on the census. He is fond of circulating editorials attacking the census and I have sent out literally dozens in suppport of a fair and accurate census.

Mr. Speaker, I hope that today the gentleman resists the temptation to use the Atlanta Journal editorial for a partisan battle, but rather joins me in defense of the professionals at the Census Bureau. The Atlanta Journal suggests that only the ''blissful optimistic'' could believe that the census process is protected from political manipulation by the professionals at the Census Bureau. I hope that the gentleman from Florida (Mr. MILLER) will join me in telling the Atlanta Journal that the professionals at the Census Bureau are our best hope of a census that is free of politics and as accurate as possible, regardless of how our battle turns out.

PRESIDENT SHOULD CANCEL TRIP TO CHINA

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

Mr. ROHRABACHER. Mr. Speaker, I know that all of us are committed, along with the gentlewoman from New York (Mrs. MALONEY) to a fair census. I am glad to hear that she did not mention the words ''census sampling,'' because of course we know that what that really means is guesstimating.

Many people who are talking about the census nowadays are the same ones who suggested that we have a thing called the ''Motor-Voter Bill'' in California, which as we found out was nothing more than the ''Illegal Alien Voter Registration Act.'' So we are all dedicated to an accurate census. That is why we want people specifically counted as they always have been in the past.

Mrs. MALONEY of New York. Mr. Speaker, will the gentleman yield?

Mr. ROHRABACHER. I yield to the gentlewoman from New York.

Mrs. MALONEY of New York. Mr. Speaker, the gentleman mentioned that the sampling technique is guessing, yet the National Academy of Sciences has come out with a report that was ordered really by President Bush saying that it is the most scientific method, most accurate method to count Americans.

Mr. ROHRABACHER. Mr. Speaker, it is called guesstimating.

Mrs. MALONEY of New York. Mr. Speaker, that is what the gentleman calls it. They call it ''accuracy.''

Mr. ROHRABACHER. Mr. Speaker, reclaiming my time, we do not need some pointy-headed intellectual at some university, who may or may not be an ultra liberal receiving some kind of a grant for study, to tell me that it is more scientific to guesstimate who lives over there, rather than to walk over there and count each person individually as has been the case in every past census.

Mr. Speaker, every time we change these rules and allow these standards what we end up with is the average American gets hurt. And what we did with motor-voter is we permitted massive numbers of illegal aliens to vote and degrade the voting of the American population.

Mr. Speaker, back to the issue of the day, however. Yesterday, human rights activists came to the United States Capitol and I was privileged to join them in underscoring the support for the people of Tibet, especially in light of the President's upcoming visit to Communist China.

Mr. Speaker, many concerns were raised yesterday, and today we finally got the answer to those concerns of yesterday. In a letter published in today's Washington Post, the Communist Chinese Ambassador to the United States claims all the uproar about Tibet is simply based on misunderstandings, misunderstandings of the facts. And he gave us a couple of misconceptions here in his letter to the Washington Post today. This is the Communist Chinese Ambassador.

Misconception number one is that China actually occupies Tibet. That this was a region that was liberated peacefully through an agreement reached between the Central Government and the local government in 1951. Those are his words.

Misconception number two, that there are a great number of Han Chinese who have immigrated to Tibet. He claims some professionals from the coastal areas do go to Tibet to offer expertise to develop the local economy, but after completing their tenure most return home.

And finally there is a misconception that the Tibetan culture and religion are being destroyed. When we have this type of honest dialogue, or the level of honesty in this dialogue, it makes us wonder why our President of the United States is going there to represent the people of the United States to try to give us hope that there is any type of an agreement with gangsters who make a mockery of the truth like that.

In fact, what we have got today in Communist China with the President's upcoming visit, here he has chosen the 10th anniversary of the massacre of the democracy movement in Tiananmen Square to go visit these gangsters, even though the human rights record has not improved, even though the belligerence of Communist China is in evidence in its smuggling of technologies of mass destruction to volatile parts of the world, even Libya and Iran.

Today in the Capital City's other newspaper, the Washington Times, there is a headline story about the Communist Chinese sending weapons of mass destruction technology to Libya and Iran, these terrorist states. Mr. Speaker, I quote this article, ''Libyan leader Moammar Gadhafi has said that he would like to have a missile system capable of attacking New York.''

Mr. Speaker, this is not the time to enter into a discussion with these type of gangsters who control the government in China. I would suggest, especially when we have evidence that American companies have been using American technology to upgrade Communist Chinese missiles, that this is bad enough, and now we hear that they are using American technology that could be shifted to terrorists like Gadhafi in Libya who would be even more likely to use this technology to kill millions of Americans.

Mr. Speaker, I suggest that the President is not watching out for the best interests of our country and he should cancel his trip to China.

YOUTH IN ACTION

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

Mr. METCALF. Mr. Speaker, over the recess I had opportunity to visit Youth in Action in Mount Vernon, Washington, which is a city in my district. Youth in Action was created in Washington State to encourage school age children living in multifamily housing to participate in afterschool programs.

While most parents would like to spend more time with their children, many parents are unable to do so because of their demanding jobs. The Youth in Action program provides adult supervision and engages children in activities while parents are at work.

More importantly, these adults serve as positive role models to children whose parents are not able to be present. Our children are not the sole beneficiaries. Our communities also benefit with lower crime rates, decreased vandalism, and reduction in property damage. Programs such as Youth in Action help encourage children to excel and be active in positive situations at an early age.

Mr. Speaker, it is during these formative years that we can have the most influence on these children by instilling values and building positive character traits.

Mr. Speaker, I would like to commend Youth in Action for providing this essential service to children of our community, children who may need inspiration.

E-RATE IS TAX ON AMERICANS' PHONE BILLS

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

Mr. SCARBOROUGH. Mr. Speaker, earlier this hour a friend of mine came to the floor and was talking about his support for the E-Rate system, the E-Rate tax. He was also talking about confusion surrounding that program.

While I certainly respect the gentleman's opinions and understand his viewpoints, I have got to tell my colleagues there should not be a whole lot of confusion surrounding the E-Rate tax, or the Gore tax as it is more commonly called. If there is, it is because there was a backroom deal between Vice President GORE and a bureaucrat for the FCC.

Mr. Speaker, there should not be confusion, but there may be because of the tax increase on the phone bill of all Americans which was passed on to them secretly by the Vice President and bureaucrats and not by elected officials in this Chamber.

It certainly violates all notions of fair play and constitutional limits that are passed on the Federal Government. There may be confusion because the FCC used heavy-handed tactics to try and stop phone companies from telling their consumers that a 5 percent tax had been passed on to every one of their phone bills secretly. Certainly, that does add confusion.

Now, what the Gore tax does is through the telecommunications bill it misinterprets, or interprets very loosely, a provision that they believe allows the FCC to demand that telecommunication companies increase taxes on phone bills by 5 percent and then passes that money on to a new Federal bureaucracy program.

We have heard, and we will hear throughout this debate, that this tax is about the children. That it is about helping the children. And since I have been in Washington, D.C., I have found that there is not much that we pass on this floor that somebody does not say is about helping the children. Children, children, children. That is all we hear about.

Well, I say if this tax increase on every American's phone bill is so important for the children, then why do we not invite the Vice President and our tax-and-spend friends on the left to come down to this Chamber and debate, fairly and openly for all Americans to see, the issues involved here?

America is not about passing tax increases on to all Americans through a bureaucracy, or for an administration official to decide that, gee, this is a really good program, let us tax all Americans and not tell them about it.

What America is supposed to be about, what this Chamber, the People's House, is supposed to be about, the epicenter of freedom and democracy across the world, it is supposed to be about a fair and free, open debate.

Over 200 years ago, Thomas Jefferson was talking about the promise and the dream of America and what would make the American Republic. What Thomas Jefferson talked about was the fair marketplace of ideas and the free marketplace of ideas where Americans from all sides of an issue could come together and debate the issues that affected Americans.

Mr. Speaker, regrettably, this tax increase on the phone bill of all Americans has not been done openly in this Chamber, but rather has been done in the backrooms of the White House and in bureaucracies across Washington, D.C. When the telephone companies went to the bureaucrats and said we are going to start telling our consumers about this 5 percent tax that has been passed on to them, they met resistance. The bureaucrats said, ''You cannot do that.'' And so now they are debating that issue back and forth.

Because of this reason, because of the backroom deals, today I have introduced a bill called the ''E-Rate Tax Moratorium Act of 1998.'' It is going to do a few simple things. The first thing it is going to do is it is going to stop the bureaucrats at the FCC from demanding that phone companies tax Americans.

The second thing it is going to do is it is going to stop the FCC from demanding that the telecommunications companies participate in the future in paying more money into this new bureaucracy. It does not destroy this bureaucracy that supposedly is supposed to help children. It does not stop the head of this new bureaucracy from talking $200,000 a year, not that that is something that we would not necessarily like to do away with.

□ 1315

But, instead, it puts a moratorium on it, and it says wait a second, you all passed this in a manner that the GAO said was illegal. You broke laws. You hiked taxes on every single American with a telephone without doing it in a fair and open democratic debate. Let us just put a freeze on it and take up the issue later.

Mr. Speaker, I ask my colleagues to join in a moratorium on the Gore tax.

RECESS

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

Accordingly (at 1 o'clock and 16 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. EWING) at 2 p.m.

PRAYER

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

Surround us, O God, with the spirit of unity as we cherish together our purposes and our aspirations. We know, gracious God, that you unite us in our common creation and give us solidarity in our shared aspirations. You have also given us individual minds with which to think, hearts with which to care, and hands with which to work. We honor the authentic disagreements we have with each other even as we honor each other in our shared objectives and purposes. Help us to hold high, O God, our noble tasks to your glory and honor. In your name, we pray. 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 gentlewoman from Oregon (Ms. FURSE) come forward and lead the House in the Pledge of Allegiance.

Ms. FURSE 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.

PRIVATE CALENDAR

The SPEAKER pro tempore. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

MARGARITO DOMANTAY

The SPEAKER pro tempore. The Clerk called the bill (H.R. 375) for the relief of Margarito Domantay.

There being no objection, the Clerk read the bill, as follows:

H.R. 375

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

SECTION 1. SATISFACTION OF CLAIM AGAINST THE UNITED STATES.

The Secretary of the Treasury shall pay, out of any funds in the Treasury not otherwise appropriated, to Petty Officer Margarito Domantay, United States Navy (retired), of Tampa, Florida, the amount of retired pay that he would have received for the period beginning on June 8, 1979, and ending on March 12, 1985, had he been initially retired in the grade of E–5, second class (rather than the grade of E–4, third class, in which he was mistakenly retired due to administrative error).

SEC. 2. LIMITATION ON AGENT AND ATTORNEY FEES.

It shall be unlawful for an amount exceeding 10 percent of the amount paid pursuant to section 1 to be paid to, or received by, any agent or attorney for any service rendered in connection with the claim described in such section. Any person who violates this section shall be guilty of an infraction, and shall be subject to a fine in the amount provided in title 18, United States Code.

With the following committee amendment in the nature of a substitute:

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

SECTION 1. PAYMENT OF CLAIM AGAINST THE UNITED STATES FOR ERRONEOUS COMPUTATION OF RETIRED PAY.

The Secretary of the Treasury shall pay, out of any funds in the Treasury not otherwise appropriated, to Petty Officer Margarito Domantay, United States Navy (retired), of Tampa, Florida, the sum of $6,386.30, such amount representing the amount of retired pay (with interest) that Petty Officer Domantay would have received for the period beginning on June 8, 1979, and ending on March 12, 1985, had that retired pay been properly computed based upon pay grade E–5 second class (rather than pay grade of E–4, third class, with which such retired pay was computed due to administrative error).

SEC. 2. LIMITATION ON AGENT AND ATTORNEY FEES.

It shall be unlawful for an amount exceeding 10 percent of the amount paid pursuant to section 1 to be paid to, or received by, any agent or attorney for any service rendered in connection with the claim described in such section. Any person who violates this section shall be guilty of an infraction, and shall be subject to a fine in the amount provided in title 18, United States Code.

Mr. SENSENBRENNER (during the reading). Mr. Speaker, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

The committee amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NURATU OLAREWAJU ABEKE KADIRI

The Clerk called the bill (H.R. 1949) for the relief of Nuratu Olarewaju Abeke Kadiri.

There being no objection, the Clerk read the bill, as follows:

H.R. 1949

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

SECTION 1. PERMANENT RESIDENT STATUS FOR NURATU OLAREWAJU ABEKE KADIRI.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act, Nuratu Olarewaju Abeke Kadiri shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Nuratu Olarewaju Abeke Kadiri enters the United States before the filing deadline specified in subsection (c), she shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees within 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Nuratu Olarewaju Abeke Kadiri, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 203(a) of the Immigration and Nationality Act or, if applicable, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 202(e) of such Act.

With the following committee amendment in the nature of a substitute:

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

SECTION 1. PERMANENT RESIDENT STATUS FOR NURATU OLAREWAJU ABEKE KADIRI.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act, Nuratu Olarewaju Abeke Kadiri shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Nuratu Olarewaju Abeke Kadiri enters the United States before the filing deadline specified in subsection (c), she shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees within 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Nuratu Olarewaju Abeke Kadiri, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 203(a) of the Immigration and Nationality Act or, if applicable, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 202(e) of such Act.

(e) DENIAL OF PREFERENTIAL IMMIGRATION TREATMENT FOR CERTAIN RELATIVES.—The natural parents, brothers, and sisters of Nuratu Olarewaju Abeke Kadiri shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Mr. SENSENBRENNER (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

The committee amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore. This concludes the call of the Private Calendar.

DOLLARS TO THE CLASSROOM ACT

(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, I rise today to ask Members to help our Nation's children learn and teachers teach by supporting H.R. 3248, the Dollars to the Classroom Act. This bill will send at least 95 cents of every Federal dollar for 30 K-through-12 education programs to our children's classrooms. That

means that over $3 billion a year will be taken from the grasp of bureaucrats and put into the hands of a teacher who knows your child's name.

Mr. Speaker, that means that every classroom in America will get over $500 more per year. Instead of paying for reports, studies, and layers of bureaucracy, our tax dollars should be used to pay for teachers' salaries, textbooks, computers, microscopes and maps. That is what this bill does.

Last October the Dollars to the Classroom resolution, sense of the House resolution, passed overwhelmingly. Now, in 1998, we must put rhetoric into action by passing the Dollars to the Classroom Act into law before our children return to school next fall.

INTERNATIONAL MONETARY FUND IS NOT A LOAN PROGRAM

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

Mr. TRAFICANT. Mr. Speaker, Japan is beating the White House like a drum. Check this out: Japan lets the yen hit rock bottom, making Japanese products lower than a Dolly Parton wonder bra, forcing Japan's Asian rivals to dial 911 for Uncle Sam, who has already given $120 billion from the International Monetary Fund to bail out Korea, Thailand, and Indonesia. And, you guessed it, the White House says, they need it and the White House wants $18 billion more for IMF.

Beam me up, Mr. Speaker. Let us tell it like it is. This International Monetary Fund does not look like a loan program to me. It is starting to look like international welfare, and Japan is cashing the food stamps while they laugh all the way to the bank with our dollars.

You think about that, and I yield back the 207 points of fright on Wall Street.

THE PRESIDENT MUST CALL FOR AN END TO CHINA'S NOTORIOUS LABOR CAMPS

(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, in 1997 then-President Ronald Reagan signaled an end to the Cold War when he called upon Soviet leader Mikhail Gorbachev to tear down the Berlin Wall. The time has come for President Clinton to make a similar call to the Communist Chinese.

Next week President Clinton will have a landmark opportunity to call for human rights reforms in Communist China. He will have a historic opportunity, and millions of Americans hope and pray that he will not squander it.

The President will be greeted in Tiananmen Square. This is the same site where 9 years ago the world watched as the Chinese Government brutally crushed the prodemocracy demonstration and killed or jailed thousands of Chinese citizens.

As the world's only true leader, America cannot abdicate its responsibility to call for an end to China's human rights abuses. At every turn, President Clinton must call on the Chinese Government to respect the rights of Chinese citizens to assemble and to freely express themselves. The President must speak for the conscience of the civilized world and call for an end to China's notorious labor camps.

The time has come for the U.S. to exercise its leadership and moral authority, and I sincerely hope that President Clinton doesn't waste it.

REFORMERS ON BOTH SIDES OF THE AISLE SHOULD VOTE FOR COVERDELL LEGISLATION

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

Mr. ROGAN. Mr. Speaker, the Federal Government should support success and condemn failure. Yet, when it comes to education for our children, the government does exactly the opposite. The special interests in Washington defend the status quo even for failing schools, and then when it comes to initiatives from the States that do work, Washington bureaucrats condemn them.

Our children are the ones who daily are being shortchanged. Congress has a chance to change all of that with a vote tomorrow on education IRAs. It gives parents more control over their children's education and it gives less control to special interests.

This is not a tough choice. The education of our children is too important to let special interest politics get in the way.

I urge reformers on both sides of the aisle to support the Coverdell legislation when it comes before this House tomorrow.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

HOUSE OF REPRESENTATIVES,
Washington, DC, June 15, 1998.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on June 15, 1998 at 4:01 p.m. and said to contain a message from the President whereby he transmits to the Congress a report required by Condition (4)(A) of the resolution of advice and consent to ratification of the Chemical Weapons Convention.

With warm regards,

ROBIN H. CARLE,
Clerk.

COST-SHARING ARRANGEMENTS UNDER CONVENTION ON PROHIBITION OF DEVELOPMENT, PRODUCTION, STOCKPILING AND USE OF CHEMICAL WEAPONS AND THEIR DESTRUCTION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations:

To the Congress of The United States:

Attached is a report to the Congress on cost-sharing arrangements, as required by Condition (4)(A) of the resolution of advice and consent to ratification of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, adopted by the Senate of the United States on April 24, 1997.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *June 15, 1998.*

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. 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 5 p.m. today.

CONGRESSIONAL GOLD MEDAL TO NELSON ROLIHLAHLA MANDELA

Mr. CASTLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3156) to present a congressional gold medal to Nelson Rolihlahla Mandela.

The Clerk read as follows:

H.R. 3156

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

SECTION 1. FINDINGS.

The Congress finds the following:

(1) Nelson Mandela has dedicated his entire life to the abolition of apartheid and the creation of a true democracy in the Republic of South Africa and has sacrificed his own personal freedom for the good of everyone.

(2) For nearly 30 years as a political prisoner, Nelson Mandela never compromised his political principles, was a source of strength and education for other political prisoners, and refused offers of freedom in exchange for a renunciation of his personal and political beliefs.

(3) After his release from prison, Nelson Mandela continued to pursue his goal of a free South Africa, and was elected and subsequently inaugurated as State President of the Republic of South Africa on May 10, 1994, at the age of 75 years.

(4) Nelson Mandela's dedication to freedom did not cease once the apartheid laws were

lifted, as he then focused his efforts toward reconciliation by creating the Truth and Reconciliation Commission, chaired by the Archbishop Desmond Tutu.

(5) Nelson Mandela is the recipient of many awards and accolades, including the Nobel Peace Prize (which he accepted with then-State President F.W. de Klerk in 1993), and more than 50 honorary degrees from universities around the world.

(6) Millions of individuals of all races and backgrounds in the United States and around the world followed Nelson Mandela's example and fought for the abolition of apartheid in the Republic of South Africa and in this regard the Congress recognizes Amy Elizabeth Biehl, an American student who lost her life in the struggle to free South Africa from racial oppression, and the spirit of forgiveness and reconciliation displayed by her parents, Peter and Linda Biehl.

(7) Nelson Mandela is a prime example of how to work to heal the wounds of racism.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The President is authorized to present, on behalf of the Congress, a gold medal of appropriate design to Nelson Rolihlahla Mandela in recognition of his life-long dedication to the abolition of apartheid and the promotion of reconciliation among the people of the Republic of South Africa.

(b) DESIGN AND STRIKING.—For the purpose of the presentation referred to in subsection (a), the Secretary of the Treasury (hereafter in this Act referred to as the ''Secretary'') shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

SEC. 3. DUPLICATE MEDALS.

Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck under section 2 at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

SEC. 4. NATIONAL MEDALS.

The medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

SEC. 5. FUNDING AND PROCEEDS OF SALE.

(a) AUTHORIZATION.—There is hereby authorized to be charged against the United States Mint Public Enterprise Fund an amount not to exceed $30,000 to pay for the cost of the medals authorized by this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals under section 3 shall be deposited in the United States Mint Public Enterprise Fund.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Delaware (Mr. CASTLE) and the gentlewoman from California (Ms. WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Delaware (Mr. CASTLE).

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

Mr. Speaker, this afternoon I rise in support of H.R. 3156, the bill to award a Congressional Gold Medal to Nelson Mandela, a man who is the linchpin of stability and democracy in Africa. I use the term advisedly because a linchpin is inserted at the end of a shaft to keep the wheel from coming off. It is an apt metaphor for the role of Mr. Mandela and South Africa at this point in the history of that troubled continent. Subsequent speakers will detail this Nobel Laureate's manifold accomplishments and the international recognition he has received since his release from nearly 30 years' imprisonment on Robben Island.

H.R. 3156 complies with Committee on Banking and Financial Services' rules regarding the authorization of gold medals. Although a committee markup was not held, 293 Members are cosponsors. There is no known opposition from Members of Congress or the United States Mint.

Mr. Speaker, this legislation is the product of the hard work of my esteemed colleague, the gentleman from New York (AMO HOUGHTON).

Mr. Speaker, I yield the balance of my time to the gentleman from New York (Mr. HOUGHTON) and ask unanimous consent that he may be permitted to yield blocks of time to others who may wish to speak to this bill.

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

There was no objection.

Mr. HOUGHTON. Mr. Speaker, I yield myself such time as I may consume, and thank the gentleman from Delaware (Mr. CASTLE) for yielding me this time.

I would like to talk about this bill, H.R. 3156. I think it is a very important bill because it attacks an important issue in our society and one of the most exemplary men who lives today.

This is a bipartisan bill. Beside me is the gentleman from New York (Mr. GILMAN) of the Committee on International Relations. He and the gentleman from Indiana (Mr. LEE HAMILTON), who is the minority member of that committee, have been endorsing it; the gentleman from Georgia (Mr. NEWT GINGRICH), the Speaker; the gentleman from Missouri (Mr. GEPHARDT); the gentlewoman from California (Ms. MAXINE WATERS); the gentleman from Ohio (Mr. STEVE CHABOT); the gentleman from South Carolina (Mr. MARK SANFORD); the gentleman from New York (Mr. CHARLIE RANGEL); the gentleman from California (Mr. TOM CAMPBELL); the gentleman from New Jersey (Mr. DON PAYNE); the gentleman from Nebraska (Mr. DOUG BEREUTER); the gentleman from Florida (Mr. ALCEE HASTINGS); the gentleman from Georgia (Mr. JOHN LEWIS), importantly the gentleman from Georgia (Mr. LEWIS); the gentleman from Washington (Mr. JIM MCDERMOTT); the gentleman from New Jersey (Mr. BOB MENENDEZ); and Mr. RON DELLUMS, among others. And I think, as the gentleman from Delaware (Mr. CASTLE) said, there are almost 300 people that have signed on to this.

The Congressional Gold Medal is really very, very special. It was awarded first to George Washington in 1776, and then to a variety of other people, Jonas Salk, Robert Frost, Walt Disney, Mary Lasker, Frank Sinatra, Billy Graham, Mother Teresa, and Colin Powell. Nelson Mandela is really an appropriate addition to this esteemed list.

The simple yet important bill we propose here today recognizes Mr. Mandela because of several features: one, his ending of racism in that important country of South Africa, in Africa; promoting democracy and also encouraging this extraordinary concept of truth and reconciliation.

Also, I would like to mention, Mr. Speaker, that Peter and Linda Biehl of La Quinta, California, are also recognized by the bill. Some of you may remember, this is an extraordinary family, whose daughter Amy was killed in one of the districts in South Africa trying to help and encourage in the teaching of young black children.

□ 1415

There is no recrimination, there is no nastiness, there is no retribution there. They actually testified in front of Bishop Tutu's Truth and Reconciliation Committee and really represent everything that I am sure Mr. Mandela would have liked to have seen if he had been there by an example of his life.

The timing of this bill is pretty important. Today is called Youth Day. And Youth Day really represents an extraordinary day in 1976 when there was the student riots in Soweto and the ensuing deaths of many people.

Also, it just so happens, 2 days from now, on the 18th of June, will be Mr. Mandela's 80th birthday.

Now, let me also give credit to people who stood beside us as we were proposing this legislation. And sometimes we do not hear about them. There is the Fulbright Association, the Young Women's Christian Association, the Results Group, the Catholic Relief Services, the American Committee on Africa, the Education on Africa, African-American Institute, and Senator AL D'AMATO.

Let me try to encapsulate briefly what this medal means to me personally. First of all, it means great courage. Here is a man at the peak of his life representing everything that was good in South Africa, who was thrown into jail and stayed there almost unknown for 27 years. He came out of jail and, without any sense of violence or recrimination, started the process of healing the country, which ultimately ended up in his election as president.

I can remember myself personally going into Soweto in 1985 at Christmas time, and it was one of the most terrifying experiences. I had been in World War II, but this was pretty terrifying. Some of these southern Rhodesians that had come down as police, the apartheid police, ransacking their car, practically stripping them bare to see if they concealed any weapons. This was the type of country that he came back to try to reconcile.

He also has been associated with another hero, a great hero, which is Bishop Desmond Tutu, who has been in charge of the Truth and Reconciliation Committee.

Another thing that I think of with Mr. Mandela is here is a man who is really putting this nation back on track. As President Clinton has said

many times, freedom means nothing unless you can do something with it. He said this when he was over in South Africa in the presence of Nelson Mandela about a month ago.

He is really trying to knit together the economy so that the people who have been waiting for generations to be able to have meaningful jobs can get those jobs. It is not easy. We are trying to help. But he represents sort of an economic hope of job security, which nobody heretofore has represented.

Another reason is that this is pretty important for the continent of Africa. As my colleagues know, we cannot pick up the paper, whether it is the story of Nigeria or the Sudan or anything, without realizing the terrorism and horrifying examples that are taking place over there. Here is a man defying all the elements of dictatorship, striding ahead, representing the best that country has to offer.

Mr. Speaker, I really think that from my own standpoint, and I really sort of echo the feelings of my friends I hope, the world needs heroes and here is the genuine hero. I was reading something by the historian Daniel Boorstin the other day and it said,

> We are overwhelmed by the instant moment. We have lost our sense of history. We have lost interest in the real examples which alone can help us share standards for the humanity of the future. Everything that we do in America is based on the lives of people, some of whom we do not know, have never met, and never will. When we try to find out how those people have lived, we are really trying to find out how we ourselves live and what we are all about.

This is what Mr. Mandela is. Mr. Speaker, I am in awe of this man. Obviously, that is clear from what I said. There is no more fitting use of this great award than to give it to one of the world's great leaders. I thank my colleagues very much for letting me express myself here.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. GILMAN), chairman of the Committee on International Relations.

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

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

Mr. Speaker, I am pleased to rise today in strong support of H.R. 3156, a bill to present a Congressional Gold Medal to Nelson Mandela.

I want to thank my colleague and good friend the gentleman from New York (Mr. HOUGHTON), a member of our Committee on International Relations, for introducing this bill and working so diligently to bring the measure to the floor at this time.

Mr. Speaker, Nelson Mandela is an international treasure. As the president of South Africa, Nelson Mandela is the embodiment of national reconciliation. His vision, his humility, and magnanimity have enabled South Africa to overcome the most bitter of social divisions.

Nelson Mandela was oppressed by apartheid for decades. He was jailed for more than a quarter of a century as a political prisoner. In his autobiography, Long Walk to Freedom, Nelson Mandela says,

> It was during those long and lonely years that my hunger for the freedom of my own people became a hunger for the freedom of all people, white and black. I knew as well as I knew anything that the oppressor must be liberated just as surely as the oppressed. A man who takes away another man's freedom is a prisoner of hatred, he is locked behind the bars of prejudice and narrow-mindedness. I am not truly free if I am taking away someone else's freedom, just as surely as I am not free when my freedom is taken away from me. The oppressed and the oppressor alike are robbed of their humanity.

Mr. Speaker, Nelson Mandela's words transcend South Africa and the fight against apartheid. They apply in Kosovo, to Bosnia, to Cambodia, to Afghanistan, to Rwanda, to Ireland, and any other place that is torn by ethnic, racial, or religious strife.

Nelson Mandela's words of national reconciliation are a strong echo of those said by President Abraham Lincoln in his first inaugural address in 1861. Lincoln spoke directly to those who would secede from the Union,

> We are not enemies but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battlefield and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature.

Mr. Speaker, the better angels of our nature are personified in Nelson Mandela. It is entirely appropriate that we honor him with the Congressional Gold Medal. Accordingly, I urge my colleagues to support this measure that has been offered by the gentleman from New York (Mr. HOUGHTON).

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

Mr. Speaker, I am very pleased that we are here on the floor today considering legislation to award the Congressional Gold Medal to Nelson Mandela. It is a distinct honor to rise in support of this bill as the ranking Democrat on the Subcommittee on Domestic and Independent National Monetary Policy of the House Committee on Banking and Financial Services.

I would like to commend the gentleman from New York (Mr. HOUGHTON) for introducing this bill and his tireless work and commitment to see it become law.

Mr. Speaker, I take personal pride as a member of the Congress of the United States of America today and the work that I have been involved in for so many years because of Nelson Mandela and all of those brave men and women in South Africa who decided they would put their lives on the line to dismantle the unconscionable racist apartheid by the South African regime at that time.

I can recall getting interested in this issue. I was asked to serve on the Board of Trans-Africa here in Washington D.C., headed by Randall Robinson. I was then a member of the California State Assembly. And because of my involvement on that board, I carried the divestment legislation for the State of California, divesting all of our pension funds from businesses that were doing business in South Africa.

Well, that work carried me all over the United States of America and, of course, to South Africa at the appropriate time. We had the opportunity to work with Members of Congress. We had the opportunity to travel all over the country to universities and colleges organizing students. We had the opportunity to offer our legislation as a model to other legislators who wanted to carry divestment legislation. We were carrying divestment legislation at the state level. We had brave members of Congress; i.e., Ron Dellums, and others who were carrying the sanctions legislation here in Congress.

We worked. We organized. We worked with Walter Sisulus. We worked with Mbeke. We worked with members of the ANC. We embraced the ANC when it was unpopular to do so because of the policy that they had embraced and the approach that they were taking to get rid of apartheid. It was some of the most important work that I have done in my entire career.

My divestment legislation was signed into law, and I think I am prouder of that legislation than any other legislation that I have carried either there or here in the Congress of the United States.

I traveled to South Africa when we first lifted the ban, when they first lifted the ban on the ANC and met with leaders from around the world as we talked about the work of the ANC. And of course, I traveled to South Africa on any number of cases, up to the point of time when Nelson Mandela was inaugurated to become the president of South Africa.

The work that Nelson Mandela did, the time that he served in prison, the years that he spent in isolation on Robben Island was really the most motivational experience any human being could have. To see him dedicated to the proposition that they would be free no matter how powerful, no matter how overwhelming that regime was, was a lesson to all of us who were involved on a day-to-day basis in the civil rights movement, involved on a day-to-day basis trying to get justice right here in our own country. We cried with those who were involved in that struggle.

When Nelson Mandela walked out of that prison, we stayed up all night and we danced the tutu. When he came to the United States following his release, I had the opportunity to produce him at the arena in Los Angeles, where we had 90,000 people who came and enjoyed his speech and a lot of cultural activity.

Again, I stand here today so pleased and proud to join with all of the Members who are principal coauthors and

who are just supportive of the idea that he deserves this recognition.

Mr. Speaker, I will close my comments simply by saying, we could not do a better thing here in this Congress than give recognition to this gentleman who showed us all what it means to be a human being that is committed to justice and equality for all.

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

Mr. HOUGHTON. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Speaker, I thank the gentleman from New York for yielding.

Mr. Speaker, I rise in strong support of H.R. 3156, legislation providing for the awarding of a Congressional Gold Medal to South African President Nelson Mandela.

I want to first take a moment to express my appreciation to my friend and distinguished colleague from New York (Mr. HOUGHTON). I am pleased to join him as an original cosponsor. I thank him for working so hard to gather 291 cosponsors to this bill, and that is no small task.

□ 1430

I want to commend both the gentleman from New York (Mr. HOUGHTON) and Bob Van Wicklin of his staff for their extraordinary efforts in this matter. Nelson Mandela has earned this honor. He clearly deserves it. He has spent his entire life engaging in a struggle for freedom, battling those forces who would deny democracy to millions of South Africans and standing firm against forces who would continue indefinitely institutional racism.

Mr. Speaker, it is fitting that we bestow this honor on President Mandela as he spends his final year in public service, the culmination of a lifetime of work on behalf of his countrymen. I am pleased to support this legislation, and I hope that we pass it overwhelmingly.

Ms. WATERS. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Ms. KILPATRICK).

(Ms. KILPATRICK asked and was given permission to revise and extend her remarks.)

Ms. KILPATRICK. Mr. Speaker, I thank my ranking member and distinguished chairperson of the Congressional Black Caucus for yielding me this time.

Mr. Speaker, I want to add my support and congratulations for this Congress being keen enough to honor one of the finest gentlemen in our world today, Mr. Nelson Mandela, with a Congressional Gold Medal. As has been said already, he served over 30 years in one of the most horrible prisons in the world. He saw many of his fellow men and freedom fighters assassinated and die during that time. Nelson Mandela is certainly a role model for all of us to follow. Freedom, dignity and strength for all of us. I, too, worked on the sanctions bill in Michigan as we served in the Michigan legislature and am happy that the sanctions movement in this country made it possible not only for President Mandela to be free but to give all who suffer inhumanity a reason to live.

Mr. Speaker, let us pass with pride and dignity the Congressional Gold Medal for President Nelson Mandela.

Mr. Speaker, I rise today in reverence, honor, and true respect not only for this legislation, but for the ideals and goals of President Nelson Mandela. A Congressional Gold Medal is woefully inadequate for the faith in God, the dedication to freedom, and the willingness to work with his former oppressors for the good of the world that is manifest in the person of President Mandela. Every person who has ever dedicated her or his life to human rights needs to look no further than to President Mandela as a penultimate example of service to humankind.

As we move toward a new millennium, it is stunning to remember that President Mandela spent most of the last 50 years in prison at Robben Island, underground evading the South African police, or was fighting the various injustice and oppression that was apartheid. Before President Mandela was sentenced to life in prison at Robben Island, his statement from the dock in the Rivonia Trial ends with these words:

> I have fought against white domination, and I have fought against black domination. I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal for which I am prepared to die.

For 27 years, President Mandela was at Robben Island Prison, a maximum security prison on a small island off the coast near Cape Town, South Africa; at Pollsmoor Prison in Cape Town and in December 1988 he was moved to the Victor Verster Prison near Paarl from where he was eventually released. President Mandela repeatedly and flatly rejected various offers made by his jailers for release upon his acceptance of second-class citizenship for him and his people. As President Mandela often said, ''prisoners cannot enter into contracts. Only free men can negotiate.'' His refusal to negotiate on anything less than an equal basis forged the fight for President Mandela, his wife Winnie, and his people in Africa and throughout the world.

Freedom rung on February 11, 1990 when President Mandela was released from active captivity. Mind you, I said ''active captivity,'' as the spirit of President Mandela was never held captive. In 1991, at the first national conference of the African National Conference (ANC) held inside South Africa after being banned for decades, Nelson Mandela was elected President of the ANC while his lifelong friend and colleague, Oliver Tambo, became National Chairperson of the ANC. This day was fought for through the numerous protests and dedication of many organizations and individuals, specifically my colleagues of the Congressional Black Caucus, who continually and tirelessly put pressure upon Congress to adopt legislation that would ban trade and commerce with the then-oppressive government of South Africa.

Dr. Martin Luther King, Jr. once said that ''the true measure of a man is not where he stands during times of comfort and convenience, but where he stands during time of crisis and controversy.'' By Dr. King's words, President Mandela has set a standard that all Members of Congress should at least strive to attain. President Mandela, despite being chased like an animal in the streets of South Africa, beaten like a dead horse during inhuman and inhumane captivity over a quarter of a century, and being considered a banned person in the spoken and written word, never wavered in his devotion to democracy, equality and understanding. Despite terrible provocation, he has never answered racism with racism or hate with hate. His life continues to be an inspiration, in South Africa and throughout the world, to all who are oppressed and deprived, to all who are opposed to oppression and deprivation.

In a life that is the veritable symbol of the triumph of the human Nelson Mandela accepted the 1993 Nobel Peace Price on behalf of all South Africans who suffered and sacrificed so much to bring peace to the land of all of our mothers and fathers. It is my hope that when we award this Congressional Gold medal, we remember why we were elected to Congress in the first place: to concern ourselves not with the next election, but for making our country and our world better for the next generation. President Mandela demands nothing less from all of us—Democrat or Republican, Christian, Jewish, or Muslim, black or white. President Mandela has taught us the lesson of principles. It is time for Congress to collectively follow our teacher's courageous and superb guidance.

Mr. HOUGHTON. Mr. Speaker, I yield 2 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, I am pleased to rise in strong support of H.R. 3156, to present a Congressional Gold Medal to Nelson Mandela. I want to thank the gentleman from New York (Mr. HOUGHTON) who has worked so hard on this for introducing the measure which I have cosponsored. I also want to thank his staff person, Bob Van Wicklin, for the work he has done on it, too. It does not happen without good staff. I also want to take note of the strong bipartisan support for this legislation.

Mr. Speaker, Nelson Mandela is a true hero, a role model for people all over the world who struggle for human rights, to the millions who still lack basic freedoms, and to many of us in this body. There is indeed something about this man. He exudes an aura of dignity, self-confidence, commitment, determination, of conviction of his views.

Nelson Mandela spent his adult life fighting for the freedom of his people, never wavering in his belief in the inherent dignity of all persons, regardless of color or creed. This is a lesson which he taught to colleagues in the African National Congress, to fellow political prisoners, and now to all South Africans. He never compromised his beliefs or his principles, no matter what reward was offered in return.

I can remember being involved with the Aspin Institute on a congressional project on South Africa which was during apartheid and then post-apartheid.

Therefore, meeting with Nelson Mandela, and before that, actually meeting in a place where we had members of the Conservative Party, members of the National Party, members of the ANC who met with us individually with guards. They could not come into the same room together. Now look at what has happened. Nelson Mandela was released, Nelson Mandela was sworn in as the President of South Africa, and apartheid is no more. What a great man.

As President, Nelson Mandela has continued to lead his people in the struggle for human rights and a democratic society. Importantly, he has also recognized the importance of societal reconciliation as a necessary component of this struggle. He is still a leader for millions of Americans and others who admire his leadership and his devotion to equal rights, and I am pleased that this Congress will recognize his work by presenting him with a Congressional Gold Medal.

I urge support for H.R. 3156.

Ms. WATERS. 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 thank the gentlewoman from California for yielding me this time and I want to thank the gentleman from New York. The two of us had an opportunity to be in South Africa last year.

I will say to my colleagues that this could not be a more deserving honor than to honor President Nelson Mandela. As one of his daughters said often that she grew up without a father who then returned and became the father of a nation, I would simply say for all of us in America, we recognized that this fatherhood was sacrificing and tender and caring and strong. That is why Nelson Mandela can stand on the African continent and be respected by all of the nations and all of the people.

It gives me great delight that we would come to this body and honor him. I am so very proud to be from a city like Houston and a State like Texas who knew immediately through the leadership of our respective black caucuses that we would divest our investments from South Africa. I salute the late Congressman Mickey Leland and the former council member Ernest McGowan who paid tribute by making sure that Texas stood strong. This is a great honor. He is a great friend. I thank the gentleman from New York for his leadership. Together we will recognize one of the greatest persons in the history of the world, President Nelson Mandela.

Mr. HOUGHTON. Mr. Speaker, I yield 3 minutes to the gentlewoman from Oregon (Ms. FURSE).

Ms. FURSE. Mr. Speaker, I want to thank the gentleman from New York (Mr. HOUGHTON) for yielding me this time and also for putting this wonderful effort together. Once in a while leadership just jumps up and this is the time, and we thank the gentleman so much for doing this.

Mr. Speaker, I was a South African, and I can speak from experience how total was apartheid, how brutal was the regime. I was privileged while in South Africa to participate in the struggle against apartheid and then later in my life as an American citizen to work with individuals and organizations to assure that the boycott against the apartheid regime continued. Throughout my life, Nelson Mandela has been a beacon, a beacon for peace, for justice, for reconciliation. Like Gandhi, like Martin Luther King, Jr., he rose from personal pain to become a hope for all of us. But Members do not really need to hear my words, because President Mandela himself describes himself and his humility, the humility of this man who spent 27 years in jail, 27 years for the crime of believing in democracy. How does he describe himself?

He says, ''I was simply the sum of all those African patriots who had gone before me. That long and noble line ended and now began again with me. I was pained that I was not able to thank them and that they were not able to see what their sacrifices had wrought.''

He said, ''The policy of apartheid created a deep and lasting wound in my country and my people. But it had another unintended effect, and that was that it produced the Oliver Tambos, the Walter Sisulus, the Chief Luthulis, the Yusuf Dadoos, the Bram Fischers, the Robert Sobukwes, men of such extraordinary courage, wisdom, and generosity that their like may never be known again.''

He said, ''Perhaps it requires such depth of oppression to create such heights of character. My country is rich in the minerals and gems that lie beneath its soil, but I have always known that its greatest wealth is its people, finer and truer than the purest diamonds. It is from those comrades in the struggle that I learned the meaning of courage.''

He said, ''I never lost hope that this great transformation would occur. I always knew that deep down in every human heart there is mercy and generosity. No one is born hating another person because of the color of their skin. No one is born hating another person because of their background or their religion. People must learn to hate. And if they can learn to hate, they can be taught to love, for love comes more naturally to the human heart than its opposite. Even in the grimmest times in prison, I would see a glimmer of humanity in one of the guards, perhaps just for a second, but it would reassure me. Man's goodness is a flame that can be hidden but never extinguished.''

Mr. Speaker, I would like to join with my colleagues in supporting the award of the Congressional Gold Medal to President Nelson Mandela of South Africa.

Ms. WATERS. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. RODRIGUEZ).

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

Mr. RODRIGUEZ. Mr. Speaker, I am proud to join this bipartisan group of my colleagues to recognize Nelson Mandela and to award him the Congressional Gold Medal as President of the Republic of South Africa.

As this is President Mandela's last year as President, I am encouraged that we will move as quickly as possible so that he will be able to receive this as President of South Africa.

Nelson Mandela sacrificed the prime years of his life, risking everything in the struggle against apartheid. He loves his country, he loves his fellow man, always striving to serve his people. His story is an inspiration to all of us. He loved everyone, regardless of color, class or creed.

I have been especially moved by the profound patience and mercy exhibited by President Mandela. When he came to power, he did not express feelings of anger or revenge. Rather, President Mandela convened a panel to address the brutality that was existing, the murders and apartheid as it existed.

We also take this moment to honor the work and sacrifice of American student Amy Biehl. I ask Members to join me in this effort.

Ms. WATERS. 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, I too am honored to speak on H.R. 3156 which authorizes the presentation a Congressional Gold Medal to the President of South Africa, President Nelson Mandela.

Mr. Speaker, I recall once watching the movie Dances With Wolves, and Kevin Costner was this young army lieutenant who learned to live with the Sioux Nation. In this one particular scene the Indian medicine man was walking along the river when this Indian chief turned to Mr. Costner and said that his whole life's ambition was to become a true human being.

To my colleagues and friends, Nelson Mandela truly fits the description of this Indian chief's life ambition. He was a true human being. After being tortured and imprisoned for some 30 years, this man holds no sense of bitterness or malice against his enemies. Here is a man, Mr. Speaker, and he truly deserves this award.

Mr. HOUGHTON. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Speaker, I thank the gentleman for yielding me this time and I thank him for bringing this measure to the House floor.

Mr. Speaker, if we stop and think about it, our Founding Fathers built

our country on a simple concept called freedom. Freedom is the ingredient that they willed for every human soul. Freedom is not something that Nelson Mandela saw for almost 30 years of his life, yet after getting out of jail, rather than constructing a life built around bitterness or built around revenge, he constructed a life built around freedom, around the simple idea of one man, one vote, around the idea of democracy. For that he deserves both our praise and this Congressional Medal of Honor.

Ms. WATERS. Mr. Speaker, I yield 1 minute to the gentlewoman from North Carolina (Mrs. CLAYTON).

□ 1445

Mrs. CLAYTON. Mr. Speaker, I thank the gentlewoman from California (Ms. WATERS) for her leadership, and I thank the leaders of this bipartisan effort to present the Congressional Gold Medal to Nelson Mandela, the President of South Africa.

Mr. Speaker, among the leaders in the world today there is no one more deserving of our recognition and acknowledgment for this award than Nelson Mandela. The Congressional Gold Medal is an appropriate way to express our sense of honor, our sense of respect for the man who through his pain, his commitment and sacrifice brought pride and democracy to millions of South Africans and also was a symbol of what it meant to be free throughout the world. He became the symbol which ultimately led to the dismantling of apartheid in that country.

Mr. Speaker, apartheid means apartness. Those who supported and stood for the apartheid regime in South Africa would have maintained a system which constitutionally mandated that black South Africa live separately, differently, unlike others and apart from white South Africans. Nelson Mandela refused to accept that condition. He gave more than a quarter of a century of his life in opposition to this condition. I am delighted to join my friends in this award.

PARLIAMENTARY INQUIRY

Ms. WATERS. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore (Mr. EWING). The gentlewoman will state her inquiry.

Ms. WATERS. Mr. Speaker, I would like to inquire as to the number of minutes left, and also I would like to inquire as to whether or not Members who have wanted to be here and had signed up, who probably are in travel, if they will have an opportunity to enter their statements into the RECORD.

The SPEAKER pro tempore. The Chair would assume that all Members will be given the usual opportunity to insert their statements in the RECORD, and the gentlewoman from California (Ms. WATERS) has 10 minutes remaining, and the gentleman from New York (Mr. HOUGHTON) has 1 minute remaining.

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

Mr. Speaker, recently, when the President traveled to Africa, of course one of the most important stops on that trip was South Africa, where we had an opportunity not only to see and talk with Nelson Mandela, but of course young Thabo Mbeki and others who were involved in the anti-apartheid movement. One of the most interesting things about the conversation and the proceedings involving the President of the United States and Nelson Mandela was Nelson Mandela's ability to talk straight talk to the President. There was discussion about the Africa trade bill, and Nelson Mandela was able to raise the kinds of questions that many leaders would not have been able to raise. Easily, and I think as we watched him in the way that he did that, we all concluded that Nelson Mandela had earned the right to ask anybody any questions he would like to ask them, to reserve the right to disagree and to reserve the right to give advice and to talk in ways that very few people get to do on the international stage.

And of course we all recognize that he earned this right because he put his life on the line, the 27 years that he had served much of that time in isolation, the fact that he had contracted tuberculosis while he was in prison, the fact that he sacrificed his family literally for the movement, the fact that he gave his life at a very early age when he first helped to organize the youth movement of the ANC, the fact that he was in the leadership of the protests that were called that are now identified as the famous Sharpville riots where so many lives were lost; all of this on the world stage where people began to rally all over the world and where they developed friends from all over the world who contributed money, who contributed time, who engaged their government all because of the leadership of one man who exercised more power from imprisonment than most of us exercise with all of the freedoms that we have.

I stand here today, and it just so happens that I brought with me a replica of the ballot that was used when Nelson Mandela was elected President of South Africa. Not only is it a beautiful ballot, but it is an instructive ballot. It is a ballot that was designed to make sure that the average person could understand who they were voting for, what parties they were voting for and the face of the persons they were voting for. Here it is, and I keep this as one of my most prized mementos to remind me not only of the struggle of Nelson Mandela and the ANC and Walter Sisulu and Mr. Mbeki and all of the brave warriors that have been involved in the liberation of South Africa, but also to remind me of my own responsibility not only to be the best person that I can possibly be, but to challenge myself on a daily basis about my responsibility to freedom and justice.

To be on the cutting edge of this kind of work is not easy, and certainly we do not gain a lot of friends, but in the final analysis we stand here today with special recognition for Nelson Mandela even though many in our own country were opposed to what he was doing who said that we were going to bring down Wall Street with divestment and sanctions, who said that we were not mindful of the fiduciary responsibility of those who had great portfolios that we were asking to divest from businesses that were doing business in South Africa.

We are honored to be able to honor him today, and we are honored to have lived in a time where we witnessed the fall of a mighty powerful regime that was dedicated to the proposition that it was going to suppress and that it was going to deny and it was going to marginalize and not allow human beings to realize their full potential. This brilliant leader, this President of South Africa, stepped forward from imprisonment not bitter. He stepped forward with an approach that said when we rule it will be a nonracist, a nonsexist government that recognizes every human being, that everybody is important to this government and to this Nation.

If there was one thing that I could end up concluding about Nelson Mandela, it is if there is anybody that ever walked on God's Earth who could be considered a saint, it is Nelson Mandela. This man is still smiling. This man is still understanding that it is important to respect every human being on Earth. Everything that he has sacrificed, everything that he has given up, all of his trials and his tribulations are not for naught. He anointed through his work many people who never thought they would be inspired and motivated to be about the business of freedom. I am very pleased that I stand here today with Democrats and Republicans alike bestowing this honor on a man that a few years ago no one would have believed would have ever become President of South Africa. I am very pleased that there are those who say today, if only I had known, I wish I could have done more, I wish I could have understood better. I am very pleased to stand here today understanding that those who worked hard in the vineyard, those who had to educate, those who had to organize can say today my work was not in vain and how proud I am to have been a part of one of the most important movements in the history of this world.

As we watch the reconciliation hearings that are going on, we are learning an awful lot. We are learning that people on both sides made mistakes and that they are coming forward in this healing process to talk about those mistakes. I shuddered as I listened to some of the testimony. I shuddered as I listened to some of the plots and some of the recognition and some of the admissions, people who killed, people who experimented with all kind of

poisons, people who were describing how anthrax was experimented with. I shudder to think about the lives that were lost.

To tell my colleagues the truth, even though I was working in this movement and spent 7 years in the California State legislature on the legislation before it was passed, I never really thought I would see the day when South Africa would become a democracy, where South Africa would truly emerge with Nelson Mandela as President. I really did believe that blood would flow in the streets before that would have happened. How lucky we are to have our faith and our hope not only restored in all human beings, but to be instilled with the kind of pride that one can only gain from having experienced this movement, from having experienced these kind of human beings.

We think, some of us think, we have had it tough, some of us who think about what has happened here in America, and some of us who look at what happened just recently in Jasper, Texas, and we talk about how bad it has been and how bad it may be. But I want to tell my colleagues the warriors who helped to move South Africa all have stripes on their backs, the Sisulus and the Mbekis spent all 25 and 30 years in prison and came out and did this work, and while I am disgusted with just what happened to Mr. Byrd, Jr., in Jasper, Texas, and while I am disgusted with the copycat actions that have taken place since that time, and while I know the history of my foreparents here in America, and I understand what slavery is all about, and I understand what racism is all about, and I understand what discrimination is all about, as bad as it was, it does not measure up to what was going on in South Africa and the number of lives that have been lost.

And so I take this time on the floor of Congress today not only to gloat and to enjoy and to commend and to brag a little bit, but to simply say I guess I am proud to be an American today, and I hope that all of the Members of Congress will somehow be stronger and better because we move today to join hands across the aisle to recognize a man that perhaps could not have been recognized a few years back. I hope that we are resolved in our work to be just a little bit better and to confront any thoughts of racism and discrimination that we may harbor. I hope that we will not sit in a back room or we will not be involved in any shape, form or fashion in supporting racism ever again in our lives.

It is never too late to change.

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

Mr. HOUGHTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. LEACH).

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

Mr. LEACH. Mr. Speaker, I rise in strong support of this bill.

Thank you, Mr. Speaker. I rise today in support of H.R. 3156, a bill to present a congressional gold medal to one of the towering figures of the 20th century, Nelson Mandela.

President Mandela is one of the most remarkable individuals of our time. His extraordinary personal devotion and sacrifice on behalf of multi-racial democracy in South Africa is an inspiration not only to the people of South Africa, but the United States and the world. President Mandela is a powerful symbol of courage, determination, hope, and perhaps above all, the uplifting power and majesty of mankind's enduring search for right in a world too often overwhelmed by wrongs.

As many Members recall, the struggle for a free South Africa presented a troubling philosophical dilemma for two conservative administrations in Washington. While the first Republican presidency chose to risk war rather than compromise principles to end extremist apartheid—slavery—the last two Republican administrations preferred to work with rather than against the former white-led government in Pretoria in an effort to help abolish apartheid in as civil and bloodless a way as possible. Fortunately, Washington found in F.W. de Klerk an establishment leader with the courage to change and in Nelson Mandela a uniquely martyred aspirant. Together in competitive combination they produced a unusually civilized political phenomenon—evolutionary revolution.

While economic sanctions seldom work, it was my view and that of our former colleague Ron Dellums and others that the U.S. had no ethical or political alternative except to embrace sanctions. Ending apartheid in this century was as great a moral imperative as ending slavery was in the last. Nonetheless, too often we forget the distinction between governments and their people, and too often sanctions aimed at punishing governments punish people.

One of the important models of U.S. policy is thus to understand why sanctions were not only appropriate but proved workable in South Africa. The key, it seems to me, is that they were overwhelmingly supported by the majority of the South African populace and their leaders such as Nelson Mandela.

Nelson Mandela led a revolution from prison, and, to the astonishment of the world, succeeded without irreparable violence.

For a victim of racism to champion multiculturalism rather than reverse racism reflects a largeness of spirit that merits the appreciation not only of his country but the community of nations, most particularly this one. I therefore urge support for this very symbolic legislation.

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

Mr. Speaker, I want to thank my colleagues very much for this debate. Mr. Speaker, this has been a wonderful debate, a wonderful expression of sentiments, feelings about people in this country. As I listened to it, Mr. Mandela is not only bringing South Africans together but I have a feeling he is bringing all of us together.

One other point: I am told that all great ideas ultimately degenerate into work. There was a great deal of enthusiasm, but also there was a great deal of work involved, and I want to thank Robert Van Wicklin for all he has done.

GENERAL LEAVE

Mr. HOUGHTON. Mr. Speaker, I ask unanimous consent for all Members to have five legislative days to be able to revise and extend their remarks on H.R. 3156.

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

There was no objection.

Mr. GEPHARDT. Mr. Speaker, I rise today to urge support for the passage of H.R. 3156, a bill which would authorize the President to present, on behalf of Congress, a Congressional gold medal to President Nelson Mandela of South Africa in recognition of his lifetime dedication to the abolition of apartheid and the promotion of freedom and justice for all the people of his nation. I can think of no person who deserves such an honor more than Nelson Mandela.

In the face of great adversity and suffering extreme personal hardship and sacrifice, President Mandela led the struggle to bring an end to the insidious policy of apartheid and to establish in its place a flourishing multi-racial, multi-ethnic democracy in South Africa. His steadfast dedication to these goals continues to galvanize and serve as an inspiration to those around the world who are struggling for freedom, justice, and democracy today.

Moreover, President Mandela's commitment to the people of South Africa did not end with the lifting of apartheid. Since assuming the presidency in 1994, he has strived to further the process of healing and reconciliation of all of South Africa's people. Bearing no malice for the injustice and mistreatment he suffered under apartheid, he has sought to bring South Africans of all races and cultures together in a spirit of peace, humility, and reconciliation. The strength of South Africa's emerging pluralism today is a testament to President Mandela's integrity, courage and leadership. His vision serves as a model across the world.

It is for this reason that I am a proud original co-sponsor of this measure. It is more an honor than a privilege to urge the bestowal upon Nelson Mandela of one of our nation's highest honors. I hope all Members will join me in recognizing Nelson Mandela by supporting this measure before us today.

Mr. PAYNE. Mr. Speaker, I rise in support of the Nelson Mandela Congressional Gold Medal Award sponsored by my colleague, AMO HOUGHTON—the gentleman from New York. I know of no person that deserves to receive this award than President Nelson Mandela.

I have had the opportunity of meeting with President Mandela on several occasions. The most moving experience, no matter how many times I go there, is visiting the notorious Robben Island where Mandela spent 27 of his years in solitary confinement in the maximum security prison. He had to pick rocks with a small hammer every single day. It takes a very strong man to endure this type of treatment and come out of prison and forgive, become the President and lead his country out of apartheid era to one of rebirth.

And I will be visiting South Africa next month to discuss with him a telecommunications project and satellite systems to go to townships in rural area facilitated by the Discovery Channel. I can truly say that he is thoughtful, yet punctual and disciplined man. The years in jail reinforced habits that were already entrenched. With a standard working

day of at least 12 hours, time management is critical.

Let me say that I am very disturbed by the recent finding by the Truth and Reconciliation Commission. Rensburg, a researcher at the Roodeplaat Research Labatories (RRL), which produced chemical and biological weapons for the apartheid security forces, said his boss Andre Immelman told him of a plan to poison Mandela. The secret document contained statements saying and I quote, ''Mandela must be in a relatively weak physical condition so that he can not operate as a leader for long.'' This lethal poison thallium was to be placed in the form of chocolates and other foods. If he had taken this—if he did not die—he would have had severe brain damage. I can not imagine any man having to endure this horrific treatment.

President Mandela says his greatest pleasure, in his most private moment, is watching the sun set with the music of Handel, Tchaikovsky or African chorus playing. Locked up in his cell during daylight hours, deprived of music, both these simple pleasures were denied him for decades. In a life that symbolizes the triumph of the human spirit over man's inhumanity against man, let us make this simple gesture to the President of the Nation.

Ms. EDDIE BERNICE JOHNSON of Texas. I rise today in support of H.R. 3156, a bill that would give the President of the Republic of South Africa, Mr. Nelson Mandela, the Congressional Gold Medal.

Led by Rep. AMO HOUGHTON, Speaker of the House NEWT GINGRICH and minority leader DICK GEPHARDT, this bill would bestow the Nation's highest civilian honor on a much deserving candidate. It is an honor to be among the cosponsors of this bill.

Mr. Speaker, since the first gold medal was given to George Washington in 1776 more than one hundred medals have been awarded.

Most recently we awarded the gold medal to Mother Teresa, The Rev. Billy and Ruth Graham and Greek Orthodox Patriarch Bartholomew. These honorable people along with all the recipients of the Congressional Gold Medal have been instrumental in the development of the societies and communities that span across the seven seas, helping to shape, the world as we know it. Nelson Mandela has lived his life within the confines of this longstanding tradition that the gold medal represents.

Mr. Speaker, Nelson Mandela has made it his purpose in life to rid his beloved native land of the evil constraints of apartheid while empowering his fellow citizens with a democratic society. For three decades, Mr. Mandela was imprisoned for his efforts yet he never compromised his beliefs or relinquished his commitment to freeing South Africa from its racist torment. This was made obviously clear when he became the father of the nation that incarcerated him.

Mr. Speaker, he is a rare human being who emerged from prison to become president.

Mr. Speaker, this will be Nelson Mandela's final year in office. Along with my colleagues, I feel that honoring him at this time would be most appropriate.

Ms. McCARTHY of Missouri. Mr. Speaker, today I rise to pay tribute to one of the greatest leaders of our era, President Nelson Rolihlaha Mandela

Nelson Mandela's lifelong struggle to abolish apartheid in South Africa earned him the Nobel Peace Prize in 1993, the Presidency of his country and worldwide acclaim. Nelson Mandela spent twenty-seven years in prison because he believed in the equality of all, sacrificing his own personal liberty for his convictions.

The Congressional Gold Medal is a fitting tribute to this most deserving leader. Following his ascendancy to the Presidency of his nation, President Mandela signed into law the South Africa's new constitution which includes sweeping human rights and anti-discrimination guarantees. Nelson Mandela has never wavered in his devotion to democracy and equality. Despite terrible provocation, he has never responded in kind to the scourge of racism. His life has been an inspiration, in South Africa and throughout the world, to all who are oppressed and deprived and to all who are opposed to oppression and deprivation.

I hope that we all examine our souls and understand our responsibility to make our own nation as tolerant of diversity as Mr. Mandela has worked to make South Africa; not just for the sake of our own generation, but the generations to come.

Mr. LEWIS of Georgia. Mr. Speaker, I am pleased to join my colleagues in honoring one of the great heroes and leaders of this century, Nelson Mandela. President Mandela should be an inspiration to us all—despite unbelievable pain, defeat and suffering, he did not become bitter. Despite almost 30 years in prison, Nelson Mandela did not give up hope. He did not get lost in a sea of despair.

Instead, he turned his suffering into something meaningful. He believed in the power of possibility and of hope. He came out of jail willing to work with his jailers, willing to being the healing of his country.

Because of his leadership and his example, the future of South Africa holds promise. The country must meet many difficult challenges, but they meet them led by a man who has shown tremendous courage and compassion.

Nelson Mandela takes us closer to what Dr. Martin Luther King, Jr. used to call the Beloved Community, a community based on justice, hope and compassion—a community at peace with itself.

President Mandela, I honor you and I hope that we in this country and all over the world can learn from you and your example.

Mr. LAFALCE. Mr. Speaker, this afternoon Members of the House are rising to explain to our colleagues and the American public why it is fitting for the House of Representatives to award a Congressional Gold Medal to the President of South Africa, the Honorable Nelson Mandela. At the same time, a delegation of South African government officials is at work in our nation's capital. The delegation has just concluded two days of meetings in New York and has traveled to Washington, D.C. to explore how the South African government can work with their nation's financial community to foster community development in their homeland.

As one would expect, the racial composition of that delegation is mixed, drawn from the black and white populations within South Africa. It is a delegation of individuals working together for their government and the people of their nation. Would this delegation, different in race but together in spirit and purpose, be possible today if it were not for the life-long efforts of Nelson Mandela? Perhaps, but not likely.

Others more familiar with President Mandela's life journey from a prison cell to the Office of the President of South Africa will speak eloquently about the man we honor. I rise simply to say I believe it is most appropriate to honor a man who is the recipient of the 1993 Noble Peace Price and a man who will soon step down as President of South Africa when his term expires in April of 1999.

H.R. 3156 was introduced by Congressman AMO HOUGHTON. It is co-sponsored by a majority of the House, including Speaker GINGRICH and Minority Leader GEPHARDT. The Congressional Gold Medal is our nation's highest civilian honor presented to just over 100 individuals in our nation's history. Nelson Mandela will join people like Thomas Edison, Robert Frost, Winston Churchill and, most recently, Mother Teresa as Congressional Gold Medal recipients.

I extend my gratitude to my colleagues on the Banking Committee, notably Chairman LEACH and the Chairman and Ranking Member of the Domestic and International Monetary Policy Subcommittee, Congressman CASTLE and Congresswoman WATERS, respectively, for their efforts in bringing this bill to the floor today. I urge my colleagues to support H.R. 3156 and ask you to join with me to congratulate Nelson Mandela for his life's work.

Mr. HAMILTON. Mr. Speaker, I rise in strong support of H.R. 3156, and I commend our colleague AMO HOUGHTON for his initiative, leadership, and hard work in garnering some 290 cosponsors of the bill and in bringing it before the House. I am pleased to be an original cosponsor of this bill to give the Congressional Gold Medal to Nelson Mandela, because he is one of the great leaders of our time.

Nelson Mandela stands out about all else for his espousal of policies of reconciliation and his vision of the future. This is remarkable for a man who, for most of his adult life, was a prisoner of apartheid, spending 27 years in prison, including 18 on Robben Island.

In the past four years, Nelson Mandela has striven to bring South Africa's races together. While seeking to improve the lives of South Africa's disadvantaged, a majority of the population, Nelson Mandela continued to address the concerns of all South Africans. By leading a government of national unity, Mandela successfully practiced a policy of inclusiveness, and reached out to a broad range of South African society.

President Mandela led South Africa through its historic transition, culminating in his election as president in 1994. During his presidency, the government has focused on improving health care, education, and housing for South Africa's disadvantaged population. President Mandela's government also implemented market-oriented economic policies that have maintained international confidence in South Africa's stability.

In addition, Mr. Mandela, having announced from the beginning that he would serve only one term, stepped down last December as head of the African National Congress, clearing the way for his successor who will be chosen in next year's elections.

In 1993, Nelson Mandela was awarded the Nobel Peace Prize which recognized his efforts and accomplishments in opposing apartheid and in diminishing the gap between blacks and whites in South Africa. It is a fitting tribute to this great leader that he receive the Congressional Gold Medal.

Mr. Speaker, I again commend Mr. HOUGHTON on his work on this legislation and I urge the House to pass this resolution.

Mr. CONYERS. Mr. Speaker, we are here today to ask that the United States Congress award its highest distinction to Nelson Mandela, a man who fought for freedom for the people of South Africa, and became a beacon of hope for people all around the world. When on trial for the crime of fighting against apartheid, he said these famous words:

> I have fought against white domination, and I have fought against black domination. I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and achieve. But if needs be, it is an ideal for which I am prepared to die.

When, after a quarter century of imprisonment, Nelson Mandela was inaugurated President of South Africa in 1994, he did not disappoint the millions of people who believed in him. He embarked on the hard path of reconciliation and healing, rather than the easy road of revenge and divisiveness.

I and many of my colleagues had the honor of working with President Mandela when we voted to impose sanctions on the old South Africa, and many of us were able to meet with him again when we traveled to the new South Africa with the President. Mr. Speaker, there is no one who fought more or gave up more for the ideals of justice and equality which Americans hold dear. And therefore, I believe that there is no one more worthy of receiving the honor of a Congressional Gold Medal.

Ms. LEE. Mr. Speaker, I rise today in strong support of H.R. 3156, the bill to award the Congressional Gold Medal to President Nelson Mandela.

As one of the most gentle, charismatic, and dynamic leaders in history, the life of Nelson Mandela stands as source of strength for all who have experienced and oppression, and an inspiration to those ho continue the struggle to overcome injustice and discrimination against others.

After suffering conditions that would cause most to lash out in pain and anger, this remarkable peaceful man never countered racism with hatred. Despite spending nearly three decades of his life imprisoned, Nelson Mandela never wavered in his commitment to peace, freedom, and social and economic justice not only for the people of South Africa, but globally. In this way, he provides for us a profound example of the ability of the human spirit to rise up and triumph over evil forces.

Many in this chamber may be aware of the pivotal role that my predecessor, The Honorable Ronald V. Dellums, played in proposing sanctions against the apartheid regime of South Africa, which helped to bring its downfall. The sanctions were ultimately instrumental in the release of Nelson Mandela from prison and the successful transition of the country to a truly non-racial democracy.

On May 10, 1994, as an international poll observer in South Africa, I had the humbling and incredible experience to witness the first free, peaceful, democratic elections which chose this extraordinary human being as President. There is no more appropriate and fitting leader to lead the people of South Africa into their bright and hopeful future. In the past four years, under the leadership of Nelson Mandela, South Africa has grown substantially stronger and healthier, and stands as a world leader in its own right.

I am proud and pleased to join with my colleagues today in support of H.R. 3156. It is fitting at this moment in our history to recognize and honor the President of South Africa, His Excellency Nelson Rolihlahla Mandela, with the Congressional Gold Medal.

Mr. LAFALCE. Mr. Speaker, this afternoon Members of the House are rising to explain to our colleagues and the American public why it is fitting for the House of Representatives to award a Congressional Gold Medal to the President of South Africa, the Honorable Nelson Mandela. At the same time, a delegation of South African government officials is at work in our nation's capital. The delegation has just concluded two days of meetings in New York and has traveled to Washington, D.C. to explore how the South African government can work with their nation's financial community to foster the community development in their homeland.

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Mr. LEACH. Mr. Speaker. I rise today in support of H.R. 3156, a bill to present a congressional gold medal to one of the towering figures of the 20th century, Nelson Mandela.

President Mandela is one of the most remarkable individuals of our time. His extraordinary personal devotion and sacrifice on behalf of multi-racial democracy in South Africa is an inspiration not only to the people of South Africa, but the United States and the world. President Mandela is a powerful symbol of courage, determination, hope, and perhaps above all, the uplifting power and majesty of mankind's enduring search for right in a world too often overwhelmed by wrongs.

As many Members recall, the struggle for a free South Africa presented a troubling philosophical dilemma for two conservative administrations in Washington. While the first Republican presidency chose to risk war rather than compromise principles to end extremist apartheid—slavery—the last two Republican administrations preferred to work with rather than against the former white-led government in Pretoria in an effort to help abolish apartheid in as civil and bloodless a way as possible. Fortunately, Washington found in F.W. de Klerk an establishment leader with the courage to change and in Nelson Mandela a uniquely martyred aspirant. Together in competitive combination they produced an unusually civilized political phenomenon—evolutionary revolution.

While economic sanctions seldom work, it was my view and that of our former colleague Ron Dellums and other leaders outside Congress such as Randall Robinson that the U.S. had no ethical or political alternative except to embrace sanctions. Ending apartheid in this century was as great a moral imperative as ending slavery was in the last. Nonetheless, too often we forget the distinction between governments and their people, and too often sanctions aimed at punishing governments punish people. One of the most important models of U.S. policy is thus to understand why sanctions were not only appropriate but proved workable in South Africa. The key, it seems to me, is that they were overwhelmingly supported by the majority of the South African populace and their legitimate though unelected leaders such as Nelson Mandela.

Nelson Mandela led a revolution from prison and, to the astonishment of the world, succeeded without unleashing either irreparable violence or counter-productive retribution.

For a victim of racism to champion multiculturalism rather than reverse racism reflects a largeness of spirit that merits the appreciation not only his country but the community of nations, most particularly this one. I therefore urge support for this very symbolic legislation.

Mr. HOUGHTON. 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 Delaware (Mr. CASTLE) that the House suspend the rules and pass the bill, H.R. 3156.

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.

FASTENER QUALITY ACT AMENDMENTS

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3824) amending the Fastener Quality Act to exempt from its coverage certain fasteners approved by the Federal Aviation Administration for use in aircraft, as amended.

The Clerk read as follows:

H.R. 3824

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

SECTION 1. AMENDMENT.

Section 15 of the Fastener Quality Act (15 U.S.C. 5414) is amended—

(1) by inserting ''(a) TRANSITIONAL RULE.—'' before ''The requirements of this Act''; and

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

''(b) AIRCRAFT EXEMPTION.—

''(1) IN GENERAL.—The requirements of this Act shall not apply to fasteners specifically manufactured or altered for use on an aircraft if the quality and suitability of those fasteners for that use has been approved by the Federal Aviation Administration, except as provided in paragraph (2).

''(2) EXCEPTION.—Paragraph (1) shall not apply to fasteners represented by the fastener manufacturer as having been manufactured in conformance with standards or specifications established by a consensus standards organization or a Federal agency other than the Federal Aviation Administration.''.

SEC. 2. DELAYED IMPLEMENTATION OF REGULATIONS.

The regulations issued under the Fastener Quality Act by the National Institute of Standards and Technology on April 14, 1998, and any other regulations issued by the National Institute of Standards and Technology pursuant to the Fastener Quality Act, shall not take effect until after the later of June 1, 1999, or the expiration of 120 days after the Secretary of Commerce transmits to the Committee on Science and the Committee on Commerce of the House of Representatives, and to the Committee on Commerce, Science, and Transportation of the Senate, a report on—

(1) changes in fastener manufacturing processes that have occurred since the enactment of the Fastener Quality Act; and

(2) any changes in that Act that may be warranted because of the changes reported under paragraph (1).

The report required by this section shall be transmitted to the Committee on Science and the Committee on Commerce of the House of Representatives, and to the Committee on Commerce, Science, and Transportation of the Senate, by February 1, 1999.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. BARCIA) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3824.

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

There was no objection.

□ 1500

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

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

Mr. SENSENBRENNER. Mr. Speaker, the Fastener Quality Act was signed into law in 1990. It required all threaded metallic fasteners of one-quarter inch diameter or greater that reference a consensus standard to be documented by a National Institute of Standards and Technology's certified laboratory. Although the legislation has been on the books for over 8 years, concerns over the bill's impact on the economy have delayed its implementation of final regulations. NIST regulations are slated to go into effect on July 26 of this year.

H.R. 3824 amends the Fastener Quality Act by exempting fasteners produced or altered to the standards and specifications of aviation manufacturers from the new regulations. Exempting the proprietary fasteners of aviation manufacturers from the Fastener Quality Act makes sense, considering aviation manufacturers are already required by law to demonstrate to the FAA that they have a quality control system which ensures that their products, including fasteners, meet design specifications. Subjecting the proprietary fasteners of aviation manufacturers to a second set of Federal regulations is redundant and unnecessary. In fact, the FAA has stated that doing so may even undermine the current level of aviation safety.

In addition to the Fastener Quality Act's impact on aviation manufacturing, several questions have been raised about the Act's effect on other industries. For instance, the automotive industry projects costs of compliance through the motor vehicle industry could be greater than $300 million a year without necessarily enhancing vehicle safety.

Furthermore, since 1990, the scope of the Fastener Quality Act seems to have grown. Originally intended to ensure public safety, today, if the NIST regulations are to be implemented, even garden hose fasteners such as those produced by Sheboygan Screw Products, Incorporated, in my district could be forced to comply with the additional burdens of the Act. I am not sure what dangers faulty garden hose fasteners may cause, but I am sure that preventing the public from being susceptible to hose failures will be expensive.

Mr. Speaker, H.R. 3824 addresses the concerns by, first, delaying the regulations issued by NIST under the Fastener Quality Act on this subject until after June 1, 1999. Second, requiring the Secretary of Commerce to transmit to Congress a report on changes in fastener manufacturing processes that have occurred since the enactment of the Fastener Quality Act and recommend any changes to the act that may be warranted because of those changes.

Delaying NIST regulations until next year gives us the opportunity to take a closer look at the Fastener Quality Act, especially considering it was crafted over 8 years ago. As Chairman of the Committee on Science, I have pledged to hold additional hearings on this issue in the coming months. We may find that changes in the fastener manufacturing products have diminished the need for further regulations in this area, or even that this act should be repealed.

H.R. 3824 was reported by the Committee on Science on May 13, 1998. It has wide bipartisan support and it has been endorsed by several business organizations, including the United States Chamber of Commerce. Original cosponsors of this legislation include the gentlewoman from Maryland (Mrs. MORELLA) and the gentleman from Utah (Mr. COOK).

In addition, I wish to thank the gentleman from Virginia (Mr. DAVIS); the gentleman from Michigan (Mr. BARCIA); the gentleman from Ohio (Mr. TRAFICANT); the gentleman from Pennsylvania (Mr. DOYLE); the gentleman from Illinois (Mr. HASTERT); the gentleman from Tennessee (Mr. GORDON) the gentleman from Illinois (Mr. PORTER); the other gentleman from Illinois (Mr. WELLER); and the third gentleman from Illinois (Mr. MANZULLO) for endorsing this bill and helping promote its speedy passage. I would also like to thank the Committee on Commerce chairman, the gentleman from Virginia (Mr. BLILEY) and the ranking member, the gentleman from Michigan (Mr. DINGELL), as well as the Committee on Transportation and Infrastructure chairman, the gentleman from Pennsylvania (Mr. SHUSTER) and the ranking member, the gentleman from Minnesota (Mr. OBERSTAR), for discharging the bill to enable its passage before the July 26 regulatory deadline.

Mr. Speaker, at this point I would insert our committee's exchange of correspondence into the RECORD, and I strongly urge all of my colleagues to support this common sense regulation.

COMMITTEE ON COMMERCE,
Washington, DC, June 3, 1998.

Hon. F. JAMES SENSENBRENNER, Jr.,
Chairman, House Committee on Science,
Washington, DC.

DEAR JIM: On May 13, 1998 the Committee on Science ordered reported H.R. 3824, a bill amending the Fastener Quality Act of 1990 (15 U.S.C. §5401 et al.) to exempt from its coverage certain fasteners approved by the Federal Aviation Administration for use in aircraft. As you know, the Committee on Commerce was named as an additional committee of jurisdiction and has had a longstanding interest in the issue of fastener quality and the Fastener Quality Act. This interest goes back to the 100th Congress, at which time the Committee undertook an investigation of counterfeit and substandard fasteners. This investigation resulted in the issuance of a unanimously approved Subcommittee report entitled ''the Threat from Substandard Fasteners: Is America Losing Its Grip?'' which ultimately led to the approval by our respective committees of the Fastener Quality Act of 1990.

H.R. 3824, as ordered reported, would amend the Fastener Quality Act in two ways. First, the bill exempts fasteners approved for use in aircraft by the Federal Aviation Administration from the requirements of the Act. Secondly, it delays implementation of the final regulations until the Secretary of Commerce and the Congress have had an opportunity to consider developments in manufacturing and quality assurance techniques since the law was enacted.

Because of the important and timely nature of these amendments to the Fastener Quality Act, I recognize your desire to bring this legislation before the House in an expeditious manner. I also understand that you

have agreed to address several technical issues raised by this Committee in a manager's amendment to be offered on the Floor. Therefore, with that understanding, I will waive consideration of the bill by the Commerce Committee. By agreeing to waive its consideration of the bill, the Commerce Committee does not waive its jurisdiction over these provisions. In addition, the Commerce Committee reserves its authority to seek conferees on these and any other provisions of the bill that are within the Commerce Committee's jurisdiction during any House-Senate conference that may be convened on this legislation. I would seek your commitment to support any request by the Commerce Committee for conferees on amendments to the Fastener Quality Act or related legislation.

I would appreciate your including this letter as a part of the Committee's report on H.R. 3824 and as part of the record during consideration of this bill by the House.

Sincerely,

TOM BLILEY,
Chairman.

COMMITTEE ON SCIENCE,
Washington, DC, June 4, 1998.

Hon. THOMAS J. BLILEY, Jr.,
Chairman, House Committee on Commerce, Washington, DC.

DEAR CHAIRMAN BLILEY: Thank you for your letter of June 3 regarding H.R. 3824, the recently passed Science Committee amendments to the Fastener Quality Act (FQA) of 1990 (15 U.S.C. §5401 et seq.).

I appreciate your willingness to work with us to examine the need to amend the FQA.

As you note in your letter, the Committees on Commerce and Science have long shared jurisdiction over FQA. By agreeing to the expeditious consideration of H.R. 3824 on the House floor, the Committee on Commerce does not waive any of its jurisdictional rights. Should the Committee on Commerce seek conferees on provisions of the bill within its jurisdiction, I will support such a request.

The Committee on Science will include this exchange of letters within the report of the Science Committee and will work with you to ensure that the technical amendments to the bill requested by your Committee are included in the bill when H.R. 3824 is brought before the full House for its consideration.

I look forward to continuing to work with you on this and other matters.

Sincerely,

F. JAMES SENSENBRENNER, Jr.,
Chairman.

COMMITTEE ON SCIENCE,
Washington, DC, June 4, 1998.

Hon. BUD SHUSTER,
Chairman, House Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for helping expedite consideration of H.R. 3824, the recently passed Science Committee amendments to the Fastener Quality Act (FQA) of 1990 (15 U.S.C. §5401 et seq.), by agreeing not to request a sequential referral on the bill. I agree that through this action the Committee on Transportation and Infrastructure does not waive any of its jurisdictional rights associated with the bill.

Additionally, the Committee on Science will include this exchange of letters within the report of the Science Committee.

I look forward to continuing to work with you on this and other matters.

Sincerely,

F. JAMES SENSENBRENNER, Jr.,
Chairman.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, June 5, 1998.

Hon. F. JAMES SENSENBRENNER, Jr.,
Chairman, Committee on Science, Washington, DC.

DEAR MR. CHAIRMAN: I understand that the Committee on Science recently ordered reported H.R. 3824, a bill amending the Fastener Quality Act to exempt from its coverage certain fasteners approved by the Federal Aviation Administration for use in aircraft.

In recognition of your Committee's desire to move this legislation expeditiously through the House of Representatives, the Committee on Transportation and Infrastructure agrees to waive its referral of the bill. However, this action should not be construed as waiving or otherwise diminishing the Committee on Transportation and Infrastructure's jurisdiction over the bill or issues associated with H.R. 3824. In addition, should a conference on H.R. 3824 or a similar measure become necessary, I would ask you to support the Committee on Transportation and Infrastructure being represented on the conference committee. Finally, I ask that you make this letter a part of the Committee on Science's report on the bill.

Once again, it has been a pleasure working with you and your staff, and I look forward to seeing H.R. 3824 scheduled for Floor consideration very soon.

With warm personal regards I am

Sincerely,

BUD SHUSTER,
Chairman.

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

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

Mr. Speaker, I would like to thank the Committee on Science leadership, especially the gentleman from Wisconsin (Mr. SENSENBRENNER); the ranking Democratic Member, the gentleman from California (Mr. BROWN); and the chairwoman of the Subcommittee on Technology (Mrs. MORELLA); as well as the gentleman from Michigan (Mr. DINGELL), the principal author of the Fastener Quality Act, for their diligence in bringing House Resolution 3824 to the floor on an expedited basis.

Through today's action, we in the House are showing that we are ready and willing to do our part in making these corrections, and we hope that the Senate will find a way to bring their bill to the floor as soon as possible. We on the House side stand ready to do all that is necessary to clear this legislation for the President in advance of the July 4th district work period.

It is clear from our subcommittee hearing, and from extensive conversations we have had with a cross-section of manufacturing companies, that it would be unwise to allow regulations implementing the Fastener Quality Act to go into effect without a careful review of how that act relates to the current state of manufacturing. In fact, the automobile industry has estimated that they will incur more than $300 million in annual compliance costs should this legislation fail to be signed by the President before the July 26 implementation date.

The primary purpose of the Fastener Quality Act was to avoid disasters caused by the counterfeiting of bolts by unscrupulous manufacturers. Unlike the proprietary fasteners of auto or aircraft manufacturers, many of these fasteners were not easily traceable from their end use back to their manufacturer.

However, while it has been argued that an increasingly competitive marketplace has made the Fastener Quality Act unnecessary, we know of no current study showing the extent to which protections, other than the Fastener Quality Act, are now in place to prevent a recurrence of the old problem. In fact, many of the countries that exported defective fasteners in the 1980s are currently in economic turmoil and their current economic situation may cause them to once again exhibit unscrupulous behavior and flood American markets with counterfeit fasteners.

Therefore, I feel the study contained in the act is necessary to give us the assurance that the problem is permanently under control before we relax the act for nonproprietary fasteners.

Mr. Speaker, I strongly urge my colleagues to support this legislation.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 4 minutes to the distinguished gentlewoman from Maryland (Mrs. MORELLA), who is the chair of the subcommittee that helped develop this bill.

Mrs. MORELLA. Mr. Speaker, I rise today as an original cosponsor of H.R. 3824 and a very strong proponent of its speedy enactment. I want to very much thank the Committee on Science chairman the gentleman from Wisconsin (Mr. SENSENBRENNER); the ranking member the gentleman from California (Mr. BROWN); and indeed the ranking member on the Subcommittee on Technology (Mr. BARCIA). We have all worked together very closely on this bill, because it is important.

Last month, the Subcommittee on Technology held a hearing to examine the 1990 Fastener Quality Act in aviation manufacturing. There was wide agreement by the aviation industry, the FAA, and NIST, that passage of the aviation exemption found in H.R. 3824 would save aviation manufacturers and their consumers money, while enhancing public safety.

In addition to addressing issues raised about the Fastener Quality Act's impact on the aviation industry, I am pleased that H.R. 3824 also includes an amendment that I offered during the Committee on Science's markup of the legislation, in cooperation with the Subcommittee on Technology's ranking member, the gentleman from Michigan (Mr. BARCIA), to delay the implementation of the Fastener Quality Act's regulations on all other industries until June of 1999, or 120 days after the Secretary of Commerce issues a report on changes needed to the law, whichever is later.

Under the amendment, the Secretary of Commerce is required to submit to

Congress a report on the improvements that have taken place over the last 9 years and the manner in which fasteners are manufactured. Based on these improvements and any other relevant information derived from the Secretary's review, or the Committee on Science's hearing record, the Secretary must make recommendations to Congress on how best to alter the 1990 act. Mr. Speaker, it is my expectation that the Secretary will find that substantive and important changes to the act are needed in order to ensure that our Nation's economy does not suffer from outdated regulations.

Following the Secretary's report, Congress will have 120 days to act on the recommended changes or proposed alternative provisions. To ensure that we are ready when the time comes, the Subcommittee on Technology will begin to hold hearings this summer on the need to further revise the Fastener Quality Act.

Without the delay in implementation of the regulations, several industries, including the automotive manufacturing industry, may suffer production delays that will impede product delivery and increase costs. As we all know, increases in production costs result in job lay-offs and higher prices charged to consumers.

Over the next year, I look forward to continuing my work with the automotive manufacturers, the fastener manufacturers, and countless other businesses, both large and small, which are impacted by the Fastener Quality Act. Working together, I am certain that we can remove the act's most burdensome and redundant provisions without in any way jeopardizing public safety.

The General Aviation Manufacturers of America, Aerospace Industries Association of America, American Automobile Manufacturers Association, the Association of International Automobile Manufacturers, the National Air Transportation Association, and the U.S. Chamber of Commerce, and others, have all endorsed H.R. 3824, and indeed, it has bipartisan support from the Committee on Science, and I am pleased the Committee on Commerce has passed it forward. I urge all of my colleagues to support this very important legislation.

I reiterate my thanks to Chairman SENSENBRENNER, Ranking Member BROWN, my Technology Ranking Member BARCIA and my appreciation to our capable staffs. On the majority side, thanks to Jeff Grove, Richard Russell, Mike Bell, and Barry Beringer, and on the minority side, Jim Turner and Rob Ryan.

Mr. BARCIA. Mr. Speaker, I too would like to compliment the gentlewoman from Maryland (Mrs. MORELLA) for her bipartisan approach towards solving this particular problem, but in general also the very fair and impartial fashion that she conducts business before our Subcommittee on Technology, and that also is extended to the chairman of the full committee the gentleman from Wisconsin (Mr. SENSENBRENNER), who I consider certainly a privilege to be able to work with both of those, as well as the ranking Democrat, the outstanding gentleman from California (Mr. BROWN).

Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. KILDEE), a good friend and colleague of mine from my home State.

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

Mr. Speaker, as cochairman of the Congressional Automotive Caucus, I rise in support of H.R. 3824, the Fastener Quality Act Amendments of 1998. Mr. Speaker, I proudly represent a district with strong ties to the automotive industry. Automakers are committed to quality, and recent history proves quality is the number 1 concern for workers, management, and suppliers. This commitment has not only improved sales, but it has improved pride.

Few can deny the changes in the auto industry over the past decade. Faced with increasing competition overseas, the Big Three have worked hard to improve efficiency and service. I am concerned that dedicated workers be valued and protected during times of change. I am also impressed with innovative developments in inventory and supply.

One innovation is QS–9000, a quality assurance system that provides high-quality parts to the auto industry. Furthermore, it ensures safety by mandating consistent, measurable production standards.

The National Institute of Standards and Technology has interpreted FQA to require lot testing of fasteners supplied to the auto industry, and implementation of this requirement is set to begin later this summer. Unfortunately, a shortage of certified laboratories currently exists, threatening to delay parts supply to vehicle assembly lines nationwide. With passage of H.R. 3824, this implementation will be postponed, and a near-term crisis can be avoided.

Mr. Speaker, working together, government and industry will continue to ensure quality and safety. At the same time, we will promote the long-term health of an industry that produces high-quality vehicles and high-quality jobs.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Minnesota (Mr. GUTKNECHT), a member of the Committee on Science.

Mr. GUTKNECHT. Mr. Speaker, I want to thank first of all the gentleman from Wisconsin (Mr. SENSENBRENNER) for yielding me this time, and for his leadership on this. I also want to say a special ''thank you'' to the gentlewoman from Maryland (Mrs. MORELLA) for her leadership on this issue.

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I rise in support of H.R. 3824, but I want to talk just for a few moments about the history and how the United States got into this business.

About 10 years ago, there was a walkway at a hotel down in Kansas City that collapsed. Many believed that the reason was faulty fasteners. It is interesting that that was the motivation of getting us into the business of regulating the manufacture of fasteners. The truth of the matter is when the final study was done, it was not the result of faulty fasteners even in the first place.

Mr. Speaker, let me just read a paragraph from a letter from Mr. Bruce Josten from the United States Chamber of Commerce. This is the middle paragraph:

''The Fastener Quality Act sought to ensure the quality of industrial fasteners by requiring uniform inspections and testing by the National Institute of Standards and Technology accredited laboratories. Despite its enactment in 1990, its emanating regulations have not been implemented due to the enormous difficulty in fulfilling the Act's requirements and its attendant burdens and costs to manufacturers, particularly small businesses and consumers.''

Mr. Speaker, that is what a lawyer would say, and what I would say, is a $20 solution to a $2 problem. And frankly I am delighted that we have this bill before us today. I think it is a good step in the right direction. But even better news is that the chairman of the Committee on Science and the chairwoman of the Subcommittee on Technology have agreed that this is a good starting point and that we ought to have hearings to talk about repealing this legislation altogether.

When this bill was first introduced eight years ago, the National Institute of Standards and Technology opposed this bill, and they oppose it still.

So this is a step in terms of common sense. I support the bill, and I do support having additional hearings geared towards ultimately eliminating this needless regulation.

Mr. BARCIA. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. BROWN), the very distinguished former chair of the House Committee on Science, as well as the current ranking member of that committee, who of course has a very long period of service in terms of science issues on the committee.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Speaker, I thank the distinguished gentleman from Michigan (Mr. BARCIA) for being so generous in yielding time to me. I was only going to make a short 1-minute statement, so now I will have to speak for the whole 5 minutes, I guess.

Mr. Speaker, let me first confirm what the gentleman from Michigan (Mr. BARCIA) has said earlier about the high degree of cooperation that we have enjoyed in the committee from the gentleman from Wisconsin (Mr. SENSENBRENNER), chairman of the full committee, and the gentlewoman from

Maryland (Mrs. MORELLA), chairman of the subcommittee. It has been a pleasure to work with both of these distinguished Members in connection with this bill.

I will confess that I have not been particularly deeply involved in the drafting of this legislation but, of course, I fall back on the fact that 10 years ago I was deeply involved and that qualifies me to say anything I wish today.

Mr. Speaker, I rise in support of H.R. 3824 because I feel that it is the only practical short-term solution to the problem of revisiting the Fastener Quality Act. Our committee record on these revisions of the Fastener Quality Act was developed rapidly and is of necessity fairly narrow in scope. This effort was triggered, of course, by the announcement already referred to by the National Institute of Standards and Technology that the long-delayed regulations to implement the Fastener Quality Act would take effect on July 26, 1998, and the universal agreement that the law should be changed to exempt certain aircraft industry fasteners from the Act's coverage. Therefore, time was of the essence if the Congress was to intervene legislatively in advance of that date.

The committee scheduled just one panel of witnesses which was largely drawn from the aerospace community, and with the exception of one witness from the National Institute of Standards and Technology, did not have the expertise to discuss the impact of the Fastener Quality Act beyond aircraft manufacture.

The committee became aware that the auto industry, and perhaps other manufacturers, also faced potential adverse impacts from the scheduled July implementation of the Fastener Quality Act regulations.

Mr. Speaker, the original Fastener Quality Act was based on extensive investigative, legislative and judicial records of defective fasteners, largely of overseas origin, which had turned up in tanks, submarines, aircraft carriers, planes of all types, bridges, and even nuclear power plants.

Of course, as the gentleman from Minnesota (Mr. GUTKNECHT) mentioned, there was considerable public attention given to the quality of fasteners by such events as the Kansas City bridge failure. I have forgotten exactly what it was that caused that failure, but it at least focused attention on the problem of fasteners.

The Committee on Energy and Commerce conducted an 18-month investigation during the 100th Congress, including five open and two closed hearings. It also involved numerous Federal Agencies and resulted in dozens of criminal prosecutions, civil actions and debarments. The situation cried out for legislative action.

We face a much different situation in 1998 than we did in 1990. Eight years have passed since the Act was put in place without implementing regulations. The problems now seem much less daunting. During the 1990s, some industries had developed their own quality assurance systems which appeared to provide protections to the public comparable to those under the Fastener Quality Act, but at less cost. Even NIST, the agency charged with regulating fasteners, seems to have some second thoughts about the breadth of the Act, but no one had done a careful analysis either of the extent to which the Fastener Quality Act is still necessary and still serves its original purpose.

The committee solution is the best possible under the circumstances. The delay will permit the Secretary of Commerce to study the extent to which the problems being addressed still exist, including the potential for defective fasteners from overseas once again penetrating the U.S. markets. It will also permit the Secretary to get an expert opinion on the degree of compatibility between the Fastener Quality Act and modern business practice and to make suggestions on how to update the Act.

Mr. Chairman, I urge my colleagues to vote in favor of this important legislation.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Speaker, I am privileged to represent the fastener capital of the United States, Rockford, Illinois. There are more fastener manufacturers per capita in Rockford than any other city in the Nation.

The implementation of the Fastener Quality Act is of key importance to the livelihood of northern Illinois, but its impact reaches far beyond our congressional district. In fact, a disruption in the supply of fasteners to our industry would be the equivalent of a nationwide trucking or rail strike.

With the release of the latest set of regulations by the National Institute of Standards and Technology last April, I surveyed the fastener manufacturers in northern Illinois for their input, listening to people such as the Pearson family who have been manufacturing fasteners for years and have been wrestling with the Fastener Quality Act.

Mr. Speaker, let me review for the benefit of my colleagues the results this survey: 54 percent of the fastener manufacturers still do not know which fasteners are covered by the Fastener Quality Act; 46 percent of the fastener manufacturers are so small they cannot afford to adopt the expensive quality assurance system, even though they have their own system of testing and ensuring quality. Thus, the April regulations permitting larger companies which use QAS to become Fastener Quality Act certified means nothing to these small fastener manufacturing firms; 92 percent, almost every one of the fastener manufacturers in Illinois, still do not know what they have to do to fully comply with the Fastener Quality Act regulations.

Finally, every fastener manufacturer in the Sixteenth Congressional District agreed there will not be enough labs up and running on July 26 to certify products coming off the assembly line as Fastener Quality Act approved.

That is why I am pleased to join my colleagues, the gentleman from Wisconsin (Chairman SENSENBRENNER) and the gentlewoman from Maryland (Mrs. MORELLA), chairwoman of the Subcommittee on Technology, in cosponsoring and strongly supporting H.R. 3824. I recommend and strongly urge my colleagues to vote for it.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. COOK), a member of the Committee on Science.

Mr. COOK. Mr. Speaker, I rise in support of H.R. 3824, the Fastener Quality Act amendments.

Mr. Speaker, as a freshman Congressman one of my overriding desires is to cut government waste, duplication of effort, and bureaucracy, which is exactly what this bill does.

H.R. 3824 ensures that America's manufacturing economy and American consumers are not harmed by outdated or unnecessary regulations. The bill will help business be more competitive with foreign manufacturers while keeping safety standards for consumers that we have come to expect.

The Fastener Quality Act was intended to make structures more safe and it was a good idea. Unfortunately, it set up two government bureaucracies with the same regulation to oversee manufacturing of nuts, bolts, studs and screws.

For example, aviation manufacturers are already subject to the Federal quality assurance programs of the Federal Aviation Administration and, therefore, the fasteners they manufacture already meet or exceed the quality standards of the Fastener Quality Act. Requiring another government agency other than the FAA to certify aviation industry nuts, bolts, studs, and screws would be a waste of taxpayers' dollars. It would create an enormous duplication of effort and would create significantly higher airline ticket prices.

In the motor vehicle industry, the safety of fasteners is assured and monitored by the National Highway Transportation Safety Administration in compliance with the National Traffic and Motor Vehicle Safety Act. Auto manufacturers already have ample incentive and regulation to use the highest quality fasteners possible.

The auto industry has concluded that the annual cost of duplicative regulations would be $317 million, which would be directly passed on to consumers, yet automobiles would be no safer because current Federal regulations and recall authority ensure a high level of safety.

Manufacturers have made tremendous strides in improving the safety of their products, not because of some

government bureaucracy mandates but because a market-driven economy rewards well-built products.

Mr. Speaker, I urge my colleagues to vote for H.R. 3824, which will reduce unnecessary regulation.

Mr. HOBSON. Mr. Speaker, I was surprised when several of my constituents contacted me about a little-known law passed eight years ago which has not yet been implemented. The original intent of this law, the Fastener Quality Act of 1990, was to regulate and test certain critical nuts, bolts, and similar fasteners. Yet, eight years later, the National Institute for Standards and Technology (NIST), which is the agency responsible for implementing this law, has not done so. In the years that this law languished, the fastener industry and other regulatory federal agencies have taken steps to meet and surpass the original safety goals of the 1990 law. Unfortunately, this late attempt to impose these new requirements unnecessarily duplicates superior quality efforts already underway in the industry and the regulatory community.

Originally, the law was supposed to cover a specific number of critical fasteners used in such things as public buildings, bridges, and airliners. NIST since has expanded the scope of the original law to cover nearly half of all nuts, bolts, and other fasteners made or used in this country.

For example, an employer in my district supplies fasteners to the automotive industry. They are a certified QS 9000 facility, which means they meet strict quality standards and continually test their product at all stages of the manufacturing process. They meet the standards set by their customers and those set by the National Highway Traffic Safety Administration, which already regulates safety standards for these products. Under this 1990 law, they are additionally required to employ another separate, specially accredited lab to test their products, over and above the steps the company is already taking to ensure the safety and quality of their product.

This employer meets the standards provided for by their customer, the industry, and the industry safety regulator, in addition to maintaining a certified QS 9000 facility and providing for continual in-process testing of their products. Application of this 1990 law does not meet the demands of today's manufacturing processes, and would impose additional and costly requirements that duplicate these efforts and do not increase the public safety. Additionally, there are not enough accredited labs to do this testing. In my district, this means this same employer would have to shut down for six months until an accredited laboratory is available to duplicate the strong quality control efforts already being made by this manufacturer.

The legislation we are considering today requires the Secretary of Commerce to first study this issue and report to Congress on the best way to address the public safety intent of the original legislation in light of changes in manufacturing processes since passage of the original act. Mr. Speaker, H.R. 3824 will provide Congress the opportunity to rationally address the public safety aspect to fasteners in the context of today's modern manufacturing processes without imposing duplicative, unnecessary, or confusing new programs on responsible American manufacturers. I urge my colleagues to support this common-sense legislation.

Mr. BLILEY. Mr. Speaker, I rise in strong support of H.R. 3824, a bill amending the Fastener Quality Act. The Committee on Commerce was named as an additional committee of jurisdiction on this bill and has had a longstanding interest in the issue of fastener quality and the Fastener Quality Act. This interest goes back to the 100th Congress, at which time the Committee undertook an investigation of counterfeit and substandard fasteners. This investigation resulted in the issuance of a unanimously approved Subcommittee report entitled ''The Threat from Substandard Fasteners: Is America Losing Its Grip?'' which ultimately led to the approval by our respective committees of the Fastener Quality Act of 1990.

H.R. 3824, as reported, would amend the Fastener Quality act in two ways. First, the bill exempts fasteners approved for use in aircraft by the Federal Aviation Administration from the requirements of the Act. Secondly, it delays implementation of the final regulations until the Secretary of Commerce and the Congress have had an opportunity to consider developments in manufacturing and quality assurance techniques since the law was enacted.

While the Commerce Committee was generally pleased with the legislation reported by the Science Committee, we asked for several technical clarifications in the Manager's amendment under consideration today. First, we asked that language be clarified to ensure that all regulations issued pursuant to the Fastener Quality Act be place don hold until the Secretary of Commerce can deliver his report to Congress. Secondly, we asked that the report be delivered to both the Science Committee and the Commerce Committee directly so that we can continue our cooperative role in protecting American consumers from substandard fasteners. I appreciate Chairman SENSENBRENNER's willingness to listen to the concerns of Members of the Commerce Committee.

Due to Chairman SENSENBRENNER's cooperation and the need to ensure enactment of this legislation prior to the July 26 effective date of the current regulations, the Commerce Committee has chosen not to exercise its right to a referral. I have been assured by Chairman SENSENBRENNER of his continued cooperation through this process, and look forward to working with him should this legislation be the subject of a House-Senate conference committee.

Mr. Speaker, I strongly support H.R. 3824, and urge my colleagues support this bill as well.

Mr. PORTER. Mr. Speaker, I rise today in support of H.R. 3824, a bill to amend the Fastener Quality Act of 1990. I am pleased that a proposed rule to implement this Act has been repeatedly delayed over the last few years. The proposed rule's effectiveness remains unproven and it would impose tremendous costs on industry which would, in turn, be passed on to the consumer. In my judgment, compliance with the proposed rule would not only result in a loss of jobs and productivity, but also would seriously interrupt deliveries to numerous industry sectors for which fasteners are an integral part of their product. These major industries, the aerospace, automotive, and heavy industries, should be strengthened, not weakened, by our laws. I am greatly concerned about the financial costs that would be borne by these industries to implement regulations, the effects of which have not been ascertained.

For this reason, I strongly support passage of H.R. 3824 to ensure that the implementation of the Fastener Quality Act rule be delayed by one year. During this time the Commerce Secretary and the National Institute of Standards & Technology would be required to review current law and regulations and recommend changes to make regulations consistent with current industry practices. I believe that a thorough review of current policies will reveal duplicitious regulations. The reports submitted to Congress as a result of H.R. 3824 would take into account technological advances that have occurred since the passage of the Fastener Quality Act in 1990 and precipitate the necessary changes to ensure its effectiveness as intended by Congress. I urge my colleagues to support the passage of this bill.

Mr. BROWN of California. Mr. Speaker, we have no further speakers, and I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. EWING). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 3824, as amended.

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

A motion to reconsider was laid on the table.

□ 1530

TELEMARKETING FRAUD PREVENTION ACT OF 1997

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 1847) to improve the criminal law relating to fraud against consumers.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Telemarketing Fraud Prevention Act of 1997''.

SEC. 2. CRIMINAL FORFEITURE OF FRAUD PROCEEDS.

Section 982 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating the second paragraph designated as paragraph (6) as paragraph (7); and

(B) by adding at the end the following:

''(8) The Court, in sentencing a defendant convicted of an offense under section 1028, 1029, 1341, 1342, 1343, or 1344, or of a conspiracy to commit such an offense, if the offense involves telemarketing (as that term is defined in section 2325), shall order that the defendant forfeit to the United States any real or personal property—

''(A) used or intended to be used to commit, to facilitate, or to promote the commission of such offense; and

''(B) constituting, derived from, or traceable to the gross proceeds that the defendant obtained directly or indirectly as a result of the offense.''; and

(2) in subsection (b)(1)(A), by striking ''(a)(1) or (a)(6)'' and inserting ''(a)(1), (a)(6), or (a)(8)''.

SEC. 3. PENALTY FOR TELEMARKETING FRAUD.

Section 2326 of title 18, United States Code, is amended by striking ''may'' each place it appears and inserting ''shall''.

SEC. 4. ADDITION OF CONSPIRACY OFFENSES TO SECTION 2326 ENHANCEMENT.

Section 2326 of title 18, United States Code, is amended by inserting '', or a conspiracy to commit such an offense,'' after ''or 1344''.

SEC. 5. CLARIFICATION OF MANDATORY RESTITUTION.

Section 2327 of title 18, United States Code, is amended—

(1) in subsection (a), by striking ''for any offense under this chapter'' and inserting ''to all victims of any offense for which an enhanced penalty is provided under section 2326''; and

(2) by striking subsection (c) and inserting the following:

''(c) VICTIM DEFINED.—In this section, the term 'victim' has the meaning given that term in section 3663A(a)(2).''.

SEC. 6. AMENDMENT OF FEDERAL SENTENCING GUIDELINES.

(a) DEFINITION OF TELEMARKETING.—In this section, the term ''telemarketing'' has the meaning given that term in section 2326 of title 18, United States Code.

(b) DIRECTIVE TO SENTENCING COMMISSION.—Pursuant to its authority under section 994(p) of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall—

(1) promulgate Federal sentencing guidelines or amend existing sentencing guidelines (and policy statements, if appropriate) to provide for substantially increased penalties for persons convicted of offenses described in section 2326 of title 18, United States Code, as amended by this Act, in connection with the conduct of telemarketing;

(2) submit to Congress an explanation of each action taken under paragraph (1) and any additional policy recommendations for combating the offenses described in that paragraph.

(c) REQUIREMENTS.—In carrying out this section, the Commission shall—

(1) ensure that the guidelines and policy statements promulgated or amended pursuant to subsection (b)(1) and any recommendations submitted thereunder reflect the serious nature of the offenses;

(2) provide an additional appropriate sentencing enhancement if offense involved sophisticated means, including but not limited to sophisticated concealment efforts, such as perpetrating the offense from outside the United States;

(3) provide an additional appropriate sentencing enhancement for cases in which a large number of vulnerable victims, including but not limited to victims described in section 2326(2) of title 18, United States Code, are affected by a fraudulent scheme or schemes;

(4) ensure that guidelines and policy statements promulgated or amended pursuant to subsection (b)(1) are reasonably consistent with other relevant statutory directives to the Commission and with other guidelines;

(5) account for any aggravating or mitigating circumstances that might justify upward or downward departures;

(6) ensure that the guidelines adequately meet the purposes of sentencing as set forth in section 3553(a)(2) of title 18, United States Code; and

(7) take any other action the Commission considers necessary to carry out this section.

(d) EMERGENCY AUTHORITY.—The Commission shall promulgate the guidelines or amendments provided for under this subsection as soon as practicable, and in any event not later than 120 days after the date of enactment of the Telemarketing Fraud Prevention Act of 1997, in accordance with the procedures set forth in section 21(a) of the Sentencing Reform Act of 1987, as though the authority under that authority had not expired, except that the Commission shall submit to Congress the emergency guidelines or amendments promulgated under this section, and shall set an effective date for those guidelines or amendments not earlier than 30 days after their submission to Congress.

SEC. 7. FALSE ADVERTISING OR MISUSE OF NAME TO INDICATE UNITED STATES MARSHALS SERVICE.

Section 709 of title 18, United States Code, is amended by inserting after the thirteenth undesignated paragraph the following:

''Whoever, except with the written permission of the Director of the United States Marshals Service, knowingly uses the words 'United States Marshals Service', 'U.S. Marshals Service', 'United States Marshal', 'U.S. Marshal', 'U.S.M.S.', or any colorable imitation of any such words, or the likeness of a United States Marshals Service badge, logo, or insignia on any item of apparel, in connection with any advertisement, circular, book, pamphlet, software, or other publication, or any play, motion picture, broadcast, telecast, or other production, in a manner that is reasonably calculated to convey the impression that the wearer of the item of apparel is acting pursuant to the legal authority of the United States Marshals Service, or to convey the impression that such advertisement, circular, book, pamphlet, software, or other publication, or such play, motion picture, broadcast, telecast, or other production, is approved, endorsed, or authorized by the United States Marshals Service;''.

SEC. 8. DISCLOSURE OF CERTAIN RECORDS FOR INVESTIGATIONS OF TELEMARKETING FRAUD.

Section 2703(c)(1)(B) of title 18, United States Code, is amended—

(1) by striking out ''or'' at the end of clause (ii);

(2) by striking out the period at the end of clause (iii) and inserting in lieu thereof ''; or''; and

(3) by adding at the end the following:

''(iv) submits a formal written request relevant to a law enforcement investigation concerning telemarketing fraud for the name, address, and place of business of a subscriber or customer of such provider, which subscriber or customer is engaged in telemarketing (as such term is in section 2325 of this title).''.

The SPEAKER pro tempore (Mr. EWING). Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Massachusetts (Mr. DELAHUNT) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. GOODLATTE).

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

Mr. Speaker, I rise today to urge my colleagues to support the final passage of H.R. 1847, the Telemarketing Fraud Prevention Act. This important legislation, which I introduced in January of last year, will take the strong action that is needed to step up the fight against a common enemy, the fraudulent telemarketer.

Telemarketing fraud has become a critical problem across the country, but especially in my home State of Virginia where it has made victims of countless unsuspecting folks and their families.

The tragedy of telemarketing fraud is that its perpetrators often target elderly victims who have contributed so much to society. Who are these victims? They are our veterans of World War II and Korea. They are our retired schoolteachers. They are our parents and grandparents.

Many of the victims, long-time residents of areas like the Shenandoah Valley in my district, come from a time when one's word was his or her bond, and they are often deceived by a con artist who will say whatever it takes to separate victims from their money.

It has been estimated by the FBI that nearly 80 percent of all targeted telemarketing fraud victims are elderly. Who are these people who victimize our Nation's elderly? They are white collar thugs who contribute nothing to our society but grief.

They choose to satisfy their greed by bilking others instead of doing an honest day's work. They strip victims not only of their hard-earned money, but also of their dignity. They are swindlers who con our senior citizens out of their life savings by playing on their trust, sympathy, and if that does not work, by playing on their fear.

These criminals have said that they do not fear prosecution because they count on their victims' physical or mental infirmity or the embarrassment that victims feel from being scammed that prevent them from testifying at trial.

If they are brought to trial, they are currently not deterred in engaging from telemarketing fraud because the penalties are so weak. In one example of how large a problem telemarketing fraud has become, more than 400 individuals were arrested in 1996 as a part of Operation Senior Sentinel. Retired law enforcement officers and volunteers recruited by the American Association of Retired Persons went under cover to record sales pitches from fraudulent telemarketers.

Volunteers from the 2-year-long operation discovered various telemarketing schemes. Some people were victimized by phony charities or investment schemes. Others were taken in by so-called premium promotions in which people were guaranteed one of four or five valuable prizes, but were induced to buy an overpriced product in exchange for a cheap prize. One of the most vicious scams preyed on those who have lost their money already, some telemarketers charge a substantial fee to recover money for those who had been victimized previously, and proceeded to renege on the promised assistance.

By the time the operation was over, it took the Department of Justice, the FBI, the Federal Trade Commission, a dozen U.S. Attorneys and States attorneys general, the Postal Service, the IRS, and the Secret Service to arrest over 400 fraudulent telemarketers in five States.

Clearly, telemarketing fraud is on the rise. According to Attorney General Reno, it is not uncommon for seniors to receive as many as five or more high-pressure phone calls a day.

Mr. Speaker, malicious criminal activity like this must be punished with the appropriate level of severity. H.R. 1847 will take a number of steps to raise the element of risk for fraudulent telemarketers by directing the U.S. Sentencing Commission to provide for substantially increased penalties for those convicted of telemarketing fraud offenses.

It also requires the Commission to provide an additional appropriate sentencing enhancement for cases in which a large number of vulnerable victims are affected by a fraudulent scheme or schemes. This provision will help to protect those most vulnerable in our society, including seniors and the disabled, from these malicious crimes.

Let me repeat that language from the bill, Mr. Speaker: substantially increased penalties. This language is different from the House-passed version of the bill, which included specific sentencing increases for four levels for general telemarketing fraud and eight levels for telemarketers who defraud the most vulnerable in our society.

Nevertheless, the language in the Senate-passed version was carefully chosen. A minimum increase of two levels is not substantial. The Sentencing Commission recently issued an amendment that would increase by two offense levels, the smallest increase possible, the penalties for fraud offenses that use mass marketing to carry out fraud. While their amendment was a step in the right direction, the step is much too small.

Telemarketing fraud is a serious problem that is growing even as we speak. The Sentencing Guidelines should reflect this; but even with this recent action, they do not. From the House- and Senate-passed bills, it should have been clear to the Sentencing Commission last year the kind of significant increases Congress wanted. Unfortunately, it appears that our intention was not clear.

Therefore, let me make it clear right now, along with my colleague, the gentleman from Florida, and along with the good Senator from Arizona who sponsored this legislation in the Senate, that in the next year we expect the Sentencing Commission to make the kind of substantial penalty increases that are needed to adequately address the growing crime of telemarketing fraud.

In addition to this provision, the bill would also require the Commission to provide an additional appropriate sentencing enhancement if the offense involved sophisticated means, including, but not limited to, sophisticated and concealment efforts, such as perpetrating the offense from outside the United States.

This provision will target those who set up their telemarketing fraud operations in other countries, particularly Canada, in order to evade prosecution. Of the top 11 fraudulent telemarketing company locations in 1996, four were Canadian provinces.

The bill also addresses the problem of victims who are unable to recoup any of their losses after the criminal is caught and convicted. It includes provisions to requiring criminal asset forfeiture to ensure that the fruits of telemarketing fraud crimes will not be used to commit further crimes. It also includes mandatory victim restitution language to ensure that victims are the first to receive restitution for their losses.

The bill includes conspiracy language to the list of enhanced telemarketing fraud penalties. This provision will enable prosecutors to seek our masterminds behind the boiler rooms, the places where the fraudulent telemarketers conduct their illegal activities.

Finally, the bill includes a Senate-passed provision that will help law enforcement effectively combat the problem of telemarketing fraud operations that set up boiler rooms for a few months and then simply disappear.

The provision would protect telemarketing fraud victims by providing law enforcement with the authority to more quickly obtain the name, address, and physical location of businesses suspected of telemarketing fraud. This would only be allowed if the official submitted a written request for this information relevant to a legitimate law enforcement investigation.

Mr. Speaker, the Telemarketing Fraud Prevention Act will serve as a vital tool in the Federal arsenal of weapons available to law enforcement officials in the fight against this crime. I urge my colleagues to support the passage of this important legislation.

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

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

Mr. Speaker, I commend my colleague, the gentleman from Virginia (Mr. GOODLATTE), for introducing this measure, and I am pleased to join with him in supporting it.

As the gentleman has noted, this is actually the second time the House has considered this legislation. We passed it by voice vote last July. Since then, the other body has taken up the bill, amended it, and passed it in the form in which it appears before us today. If we approve this amended bill, it will go straight to the President for his signature.

The purpose of this legislation, as articulated again by the gentleman from Virginia (Mr. GOODLATTE), is to crack down on telemarketing fraud, one of the fastest growing white collar crimes in America.

I would ask that we just pause and reflect for one moment on a single statistic that I suggest is most disturbing, and that is $40 billion. The Federal Bureau of Investigation has estimated that the amount of fraud that can be allocated to this single white collar economic crime exceeds $40 billion annually and is growing.

I dare say that if we added all of the crimes committed by violence in this country ranging from shoplifting to armed robbery, in the aggregate, it would pale in comparison in terms of economic loss to that statistic of $40 billion a year.

Even those of us who have not been victims of fraud have plenty of experience with telemarketing. What family in America has not sat down for an evening meal only to have the telephone ring and at the other end is a telemarketer selling us something. I am sure many Members like I receive a constant flow of letters complaining about being plagued by telemarketing.

Furthermore, as a woman from Martha's Vineyard in my district laments, every third call is someone trying to sell something unsolicited. For most of us, this is merely a nuisance. We may not want to hear the sales pitch, but at least we usually know when to hang up. But when the caller is a sophisticated scam artist, things are rarely so clear.

We have all heard from constituents who were tricked into contributing to nonexisting charities or conned into throwing away their hard-earned money on phony real estate scams.

One recent Federal investigation uncovered a telemarketing scheme that bilked some 100,000 Americans out of $35 million. The victims were mostly older Americans who, as my friend and colleague, the gentleman from Virginia (Mr. GOODLATTE), indicated, are the favorite targets of these criminals.

I would suggest, too, we hear much, and much of it is true, about the effort in Congress to federalize what is particularly State crimes. We hear the Chief Justice of the Supreme Court criticizing this body for the federalization of what have traditionally been State crimes. I agree with the Chief Justice. However, in this particular instance, there is a special place and a special role for the Federal Government.

I think that the gentleman from Virginia hit it on the mark when he talked about, in Canada, there is a source of telemarketing fraud that is going on. These crimes particularly are pernicious in the sense that no single jurisdiction can deal with them effectively because these scholars, if you will, in economic crime know that it is beyond the resources that exist currently at the State and local level to deal with this issue, and they can set up their operation in multiple jurisdictions and deal at the national level. This is where the Federal Government ought to allocate its resources. I am pleased that they are doing this.

As the gentleman said, seniors are especially vulnerable to telemarketing fraud because many of them are lonely, homebound, or infirm. For them, that unwanted telephone call can mean the loss of everything they have managed to save over a lifetime.

I am particularly pleased with the penalty enhancements in terms of those victims that are senior citizens. Furthermore, the fact that H.R. 1847

would permit Federal prosecutors to seek forfeiture of the proceeds of telemarketing fraud and of property used by the criminals to carry out the fraud, I think is a particularly important provision.

In these kinds of crime, forfeiture is an important tool that enables prosecutors to shut down a criminal enterprise. I am confident that, in this particular case, it absolutely has a deterrent effect. These people know what they are doing. The profit motive is so significant that they are willing to take the chance, because, historically, white collar crime and economic crime in this country have not received the kind of incarceration and sanctions that it so rightly deserves.

I and others have been working with the gentleman from Illinois (Mr. HYDE) to seek reform of some of the procedures used in Federal forfeiture cases, but I do not think there is any question, as I indicated, that forfeiture should be available in telemarketing fraud.

Again, as my friend, the gentleman from Virginia, pointed out, H.R. 1847 will also increase the penalties for telemarketing fraud by utilizing the Sentencing Commission. In this respect, I submit the Senate has substantially improved the bill. Our original version would have increased the penalties by specific amounts set forth in the legislation.

When the House considered the bill last July, I expressed reservations about that particular provision because I do not believe that Congress should usurp the role we assigned to the U.S. Sentencing Commission in prescribing appropriate sentencing ranges.

The bill before us today directs the Sentencing Commission to amend the Sentencing Guidelines to provide for substantially increased penalties for persons convicted of telemarketing fraud. I believe this is a major improvement in the bill, and I strongly support this change. I anticipate that the Sentencing Commission will listen clearly to the message intended to be sent by this body.

□ 1545

In sum, Mr. Speaker, criminals who prey on the vulnerabilities of others should be held to account. This legislation does just that. I commend the gentleman from Virginia (Mr. GOODLATTE) for his leadership on the issue and urge my colleagues to support this bill.

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

Mr. GOODLATTE. Mr. Speaker, I yield myself 30 seconds, and I do so to thank the gentleman from Massachusetts for his strong support for this legislation. He speaks from authority when he talks about this as a former prosecutor, and I very much respect his remarks and welcome them and welcome his support for this legislation.

Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SAXTON).

Mr. SAXTON. Mr. Speaker, I just rise briefly to commend both the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Massachusetts (Mr. DELAHUNT) for the great job that they have done in bringing this bill to the floor, apparently without opposition, and that is great work.

We have all heard stories from time to time of telemarketing scams that too often target, as both the gentleman from Virginia and the gentleman from Massachusetts have pointed out, our Nation's older citizens. However, yesterday, I met with a group of seniors in my district from Toms River, New Jersey, and one of my constituents brought this very issue to my attention and shared his own fears of being swindled.

Seniors are apprehensive of these predators, and with good reason. It is a horrible day when greed motivates someone to strip the hard-earned earnings and livelihood an older adult has accumulated over a lifetime. These corrupt schemes will come to an end, or at least will begin to come to an end under this bill.

I fully support the provisions of the Telemarketing Fraud Prevention Act of 1997, which protects seniors and punishes ruthless criminals.

Under this bill, the U.S. Sentencing Commission must increase its punishment level guidelines by eight levels for persons convicted of telemarketing crimes against anyone 55 years of age.

There is no excuse for behavior that victimizes those who rely on their savings to survive. These con artists must be punished for such horrendous crimes. I sincerely hope that one day soon our Nation's seniors will no longer be preyed upon by these criminals.

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

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1847, the bill under discussion.

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

There was no objection.

Mr. VENTO. Mr. Speaker, I rise in support of the Telemarketing Fraud Prevention Act. This legislation represents a positive step in combating the growing problem of consumer and telemarketing fraud. Unfortunately, illegal telemarketing often targets the elderly and the disabled, many of whom lose their life's savings to such scams.

Today telemarketing fraud is in focus. While conditions for older Americans have improved markedly since passage of the Older Americans Act of 1965, many still suffer in abusive situations ranging from financial exploitation to severe consumer and telemarketing fraud. Many seniors are faced with physical or mental disabilities, social isolation and limited financial resources which prevent them from being able to protect or advocate for themselves.

According to the Federal Trade Commission (FTC), telemarketing fraud has mushroomed into a multi-billion dollar problem in the United States. Every year, thousands of consumers lose anywhere from a few dollars to their life savings to telephone con artists. The Telemarketing Fraud Prevention Act will protect consumers from losing their hard earned income to telemarketing scams.

Specifically, HR 1847 increases the penalties against fraudulent telemarketing by increasing the recommended prison sentences for people convicted of consumer scams and deception. This legislation further increases the penalties incurred for telemarketing and consumer cams specifically targeted at older Americans.

In addition to increasing the consequences of fraudulent telemarketing, the Telemarketing Fraud Prevention Act provides the necessary tools and resources to prevent and uncover illegal schemes that are targeted at older Americans. Telephone companies would be required to provide the name, address and physical location of businesses suspected of conducting telemarketing scams. Since scam artists are relentless in their pursuit of older Americans, this measure would allow Law Enforcement Officials to move more quickly in preventing such schemes and scams from occurring.

Along with the FTC, several sources confirm that telemarketing fraud against older Americans is growing substantially. A 1996 American Association of Retired Persons (AARP) survey of people 50 years or older revealed that 57% were likely to receive calls from telemarketers at least once a week. Moreover, more than half the respondents indicated that they could not distinguish a legitimate telemarketer from a fraudulent one. It is not surprising that a fraud perpetrator would solicit an older American to attain a significant amount of money—often with a single phone call. Many senior citizens have worked diligently throughout their lives to build savings and retirement income.

Congress is moving in the right direction by addressing the growing problems of consumer and telemarketing fraud. We need to provide adequate tools for our Law Enforcement Officers to combat and respond to telemarketing fraud, to punish those who perpetrate it, and to deter others from entering the arena. The Telemarketing Fraud Prevention Act is an important step in protecting our senior citizens from deception tactics and fraudulent activities.

Mr. MCCOLLUM. Mr. Speaker, in the 104th Congress, the House of Representatives passed by voice vote an identical version of H.R. 1847, the ''Telemarketing Fraud Prevention Act.'' The Senate failed to act on that legislation before final adjournment, and Mr. GOODLATTE, a dedicated Member of the Judiciary Committee, picked up the flag and decided to advance this important issue in the 105th Congress.

Once again, due to amendments made by the Senate, the House must pass H.R. 1847, a bill which will finally give some measure of protection to this Nation's elderly who are bilked by crooked telemarketers. As the Subcommittee on Crime heard last Congress, some retirees have lost their entire savings to mail and phone scams. The Federal Trade

Commission estimates that telemarketing fraud costs consumers about $40 billion a year.

Mr. Speaker, in the hands of a fraudulent telemarketer, a phone is a dangerous weapon. They will use every trick possible to get their victims to send money. Examples of such deceptions include offering phony investment schemes, claiming to work for charitable organizations, or promising grand trips and prizes. These telephone thieves are relentless in their pursuit of someone else's hard-earned paycheck.

Although I am somewhat disappointed that the Senate chose to strike the specific level enhancements which the House passed, I am satisfied that this legislation will aid prosecutors in their efforts to track and prosecute crooked telemarketers.

Moreover, I hope that the passage of this legislation sends a loud, clear message to the U.S. Sentencing Commission: review the guidelines carefully because the current average sentence for a telemarketer is too low! These tele-predators must do time for their crimes. Telemarketing fraud may be nonviolent, but it devastates families, destroys self-esteem and costs billions overall. If the Sentencing Commission does not make some sweeping changes to the fraud provisions as a result of this legislation, Congress will revisit this issue next year.

Again, I thank my good friend from Virginia, Mr. GOODLATTE, for not allowing this issue to go unnoticed. Telemarketing fraud conceivably affects every person who owns a telephone. I was proud to support this legislation in the 104th Congress, and I was proud to support H.R. 1847 earlier this Congress, and I am extremely proud that finally we have a bi-partisan piece of legislation ready for the President's signature.

Mr. ABERCROMBIE. Mr. Speaker, today I rise in strong support of H.R. 1847, the Telemarketing Fraud Prevention Act.

H.R. 1847 increases criminal penalties for telemarketing fraud, especially telemarketing fraud targeting senior citizens. Older Americans are the targets of many fraudulent telemarketers because they are generally home more often, may be more trusting, and they may be led to look on a smooth-talking telemarketer as a friend rather than someone preying on their life savings.

The measure is a positive step forward to protecting consumers and our seniors, but we need to do more. Besides increasing penalties on fraudulent telemarketers, we need to help educate consumers of the dangers of fraudulent telemarketing. I sponsored several mail and telemarketing fraud briefings for senior citizens in my district, Honolulu, Hawaii. These educational briefings were designed to give vulnerable senior citizens a fighting chance against an industry designed to victimize them. I encourage my colleagues to work with organizations such as the AARP and educate senior citizens in their districts.

H.R. 1847 also allows law enforcement officials to prosecute individuals for conspiracy to commit telemarketing fraud. This provision allows police and prosecutors to seek out and punish organizers of telemarketing scams, who often arrange the schemes but don't actually commit the fraud themselves.

Telemarketing fraud robs Americans of an estimated $40 billion per year. The actual amount may be higher, because some consumers are too embarrassed to report that they have been defrauded or consumers fail to recognize that they have been victimized.

I urge my colleagues to support H.R. 1847 and continue to work to eliminate telemarketing and mail fraud.

Mr. GOODLATTE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time and urge a favorable vote.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and concur in the Senate amendment to H.R. 1847.

The question was taken.

Mr. GOODLATTE. 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.

ADVISORY COUNCIL ON CALIFORNIA INDIAN POLICY EXTENSION ACT OF 1997

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3069) to extend the Advisory Council on California Indian Policy to allow the Advisory Council to advise Congress on the implementation of the proposals and recommendations of the Advisory Council.

The Clerk read as follows:

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 ''Advisory Council on California Indian Policy Extension Act of 1997''.

SEC. 2. FINDING AND PURPOSE.

(a) FINDING.—Congress finds that the Advisory Council on California Indian Policy, pursuant to the Advisory Council on California Indian Policy Act of 1992 (Public Law 102–416; 25 U.S.C. 651 note), submitted its proposals and recommendations regarding remedial measures to address the special status of California's terminated and unacknowledged Indian tribes and the needs of California Indians relating to economic self-sufficiency, health, and education.

(b) PURPOSE.—The purpose of this Act is to allow the Advisory Council on California Indian Policy to advise Congress on the implementation of such proposals and recommendations.

SEC. 3. DUTIES OF ADVISORY COUNCIL REGARDING IMPLEMENTATION OF PROPOSALS AND RECOMMENDATIONS.

(a) IN GENERAL.—Section 5 of the Advisory Council on California Indian Policy Act of 1992 (106 Stat. 2133) is amended by striking ''and'' at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting ''; and'', and by adding at the end the following new paragraph:

''(8) work with Congress, the Secretary, the Secretary of Health and Human Services, and the California Indian tribes, to implement the Council's proposals and recommendations contained in the report submitted made under paragraph (6), including—

''(A) consulting with Federal departments and agencies to identify those recommendations that can be implemented immediately, or in the very near future, and those which will require long-term changes in law, regulations, or policy;

''(B) working with Federal departments and agencies to expedite to the greatest extent possible the implementation of the Council's recommendations;

''(C) presenting draft legislation to Congress for implementation of the recommendations requiring legislative changes;

''(D) initiating discussions with the State of California and its agencies to identify specific areas where State actions or tribal-State cooperation can complement actions by the Federal Government to implement specific recommendations;

''(E) providing timely information to and consulting with California Indian tribes on discussions between the Council and Federal and State agencies regarding implementation of the recommendations; and

''(F) providing annual progress reports to the Committee on Indian Affairs of the Senate and the Committee on Resources of the House of Representatives on the status of the implementation of the recommendations.''

(b) TERMINATION.—The first sentence of section 8 of the Advisory Council on California Indian Policy Act of 1992 (106 Stat. 2136) is amended to read as follows: ''The Council shall cease to exist on March 31, 2000.''

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

The Chair recognizes the gentleman from Alaska (Mr. YOUNG).

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

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

Mr. YOUNG of Alaska. Mr. Speaker, this is a relatively simple bill. It is the proposed Advisory Council on California Indian Policy Extension Act of 1997, to extend the life of the Advisory Council on California Indian Policy, ACCIP, until March 31 of the year 2000.

The ACCIP has issued 8 reports on various topics as well as an overview of California Indian history.

Some of these recommendations by the ACCIP are controversial and will not be implemented by the Congress. Other recommendations are too expensive.

However, some of the recommendations included in the 8 reports issued make good sense and should be given full consideration by the Administration and the Congress.

H.R. 3069 would add additional new duties to those provided for by Congress when the ACCIP was created in 1992. These new duties include: Working with Congress to implement its proposals; consulting with Federal departments to implement its recommendations; and presenting draft legislation to Congress.

H.R. 3069 is very important to the many Indian tribes of California. While I do not agree with each and every recommendation made by ACCIP, I think we should move forward in

the process. I urge my colleagues to support H.R. 3069.

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 am proud to support, H.R. 3069, the Advisory Council on California Indian Policy Extension Act of 1977. This bill, introduced by GEORGE MILLER, the Senior Democrat on the Resources Committee, extends the life of the Advisory Council for an additional two years. The Advisory Council was created by legislation sponsored by Congressman MILLER in the 102nd Congress.

The Council was created to specifically provide Congress with a report setting forth recommendations for remedial measures to address the special problems facing California Indians and Indian tribes. California Indians have long suffered the effects of broken treaties and the ill-conceived policy of termination and are struggling to find ways to improve education, health care, economic development, and housing needs.

Many of these problems are not solvable overnight. They will require cooperation and understanding from the federal government, the state, and between the tribes themselves. To this end, Congress created the Advisory Council in 1992 to help Congress sort through the complex web of problems unique to California Indians. The Council fulfilled its task in 1997 and provided us with its report and recommendations. These recommendations deal with land consolidation, restoration of tribes, provision of health, education, and social services, and responsibility to urban Indians.

Because the Council has acquired considerable expertise on these issues in the past four years, the bill extends its existence an additional two years so that the Council will be able to guide Congress in the implementation of the report's recommendations.

This makes good sense. We should avail ourselves of the Council's great knowledge that it has accumulated over the past six years. Their expertise should prove of invaluable assistance in helping us draft legislation to carry forward the recommendations contained in their report. They have lived up to their end of the bargain. Now it's time for us to live up to ours.

Mr. Speaker, I would be remiss if I did not give special recognition to our Democratic committee staff for their hard work and professionalism in the development of this legislation as it was authored by our senior ranking Democrat, the gentleman from California Mr. MILLER. I want to thank our minority staff counsel Mr. Chris Stearns for the excellent work he has done on this bill, and also Ms. Jessica Rae Alcorn. Both native Americans. Mr. Stearns is a member of the Navajo Nation and a graduate of Cornell University Law School; Ms. Alcorn is a member of the Assiniboime Sioux Nation, a graduate of Brigham Young University Campus in Hawaii and plans to attend law school this fall.

Mr. Speaker, as I have always said to my colleagues in the years past and even now—the salvation of Native American tribes throughout American lies in education. Mr. Stearns and Ms. Alcorn are the finest examples of the young and upcoming generation of the Native Americans who I am confident will contribute significantly to the needs of Native Americans throughout America, and to the needs of our nation.

Again I thank the gentleman from California for his leadership and foresight for activation of this Advisory Council that is sorely needed to address the needs of some 100 native American tribes that reside in California.

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

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. MILLER).

Mr. MILLER of California. Mr. Speaker, I am pleased to have brought this bill to the floor today. My bill extends by 2 years the life of the California Advisory Council on Indian Policy, which was created by legislation back in the 102nd Congress. The bill was unanimously reported out of the full Committee on Resources.

The Council was created to provide us with a report recommending remedial measures to address the special problems facing California Indians and Indian tribes. The problems include the need to restore California's terminated tribes' lost lands, and to provide tools for economic self-sufficiency, and improve health and educational needs.

Mr. Speaker, I will submit the remainder of my statement for the RECORD, but I want to thank the chairman of the committee for giving the attention of this committee to this legislation; and I also want to thank the gentleman from American Samoa (Mr. FALEOMAVAEGA) for his attention to this matter.

The Council has now submitted its report. Along the way it picked up an inordinate amount of expertise on these issues and my bill would give the Council the chance to share its invaluable knowledge with Congress and other parties as we move forward to the implementation phase.

Thus, my bill directs the Council to consult and work with Congress, the Secretaries of the Interior and Health and Human Services, the California Indian tribes, and the State in expediting the implementation of the recommendations contained in the Council's 1997 report.

This is an important measure. There are over one-hundred tribes in California. Over the course of history, those tribes lost over eighteen million acres as a result of eighteen broken treaties. California Indians own less land, have less money and funding, and less access to health care and education than tribes in other states. California also has the highest urban Indian population of any state. Yet the federal Bureau of Indian Affairs provides services to only one-sixth of the Indian population. California is also one of a handful of states that was allowed to extend state jurisdiction on Indian lands. In the 1950s, thirty-eight tribes were terminated. Fortunately, twenty-seven have been restored.

Six years ago, I spoke on the floor about the original legislation that created the Council and authorized the report. I said that "this report will provide a blueprint for the future of California Indians. We will use the recommendations of the council as we approach California Indian policy in the 1990s and on into the next century." That time has come.

And that is why I believe it is important to continue to rely on the guidance and wisdom of the Council as we review its recommendations and fashion legislation that will allow us to keep many of the promises we have made to the state's first citizens. I look forward to a new era of relations with the California tribes and urge my colleagues to support this bill.

Mr. ENSIGN. Mr. Speaker, my colleague, Mr. GIBBONS, and I rise in opposition to H.R. 3069, the Advisory Council on California Indian Policy Extension Act. This legislation would extend the Advisory Council until 2000 and encourage the Council to work with Congress and federal agencies to implement the proposals of its 1997 report. Although we understand the need for Native Americans of California to improve Indian health services, education and housing programs, we strongly disagree with some of the provisions included in the Advisory Council's initial report.

The Council suggests amendments to the Indian Gaming Regulatory Act and action by the Secretary of the Interior to facilitate Indian gaming operations and circumvent local and federal regulations in California. The track record of Indian gaming operations in California has been far from pristine. To encourage even less regulation and a decreased role of local governments would not be prudent.

We believe that providing additional federal funding to this Council, whose legislative recommendations include a lessening of oversight and local involvement, is bad fiscal policy and poor domestic policy.

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

Mr. YOUNG of Alaska. 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 gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 3069.

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.

ROGUE RIVER NATIONAL FOREST

Mr. SMITH of Oregon. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3796) to authorize the Secretary of Agriculture to convey the administrative site for the Rogue River National Forest and use the proceeds for the construction or improvement of offices and support buildings for the Rogue River National Forest and the Bureau of Land Management.

The Clerk read as follows:

H.R. 3796

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

SECTION 1. DEFINITION.

In this Act, the term ''Secretary'' means the Secretary of Agriculture.

SEC. 2. SALE OR EXCHANGE OF ADMINISTRATIVE SITE.

(a) IN GENERAL.—The Secretary, under such terms and conditions as the Secretary

may prescribe, may sell or exchange any or all right, title, and interest of the United States in and to the Rogue River National Forest administrative site depicted on the map entitled ''Rogue River Administrative Conveyance'' dated April 23, 1998, consisting of approximately 5.1 acres.

(b) EXCHANGE ACQUISITIONS.—The Secretary may provide for the construction of administrative facilities in exchange for a conveyance of the administrative site under subsection (a).

(c) APPLICABLE AUTHORITIES.—Except as otherwise provided in this Act, any sale or exchange of an administrative site shall be subject to the laws (including regulations) applicable to the conveyance and acquisition of land for National Forest System purposes.

(d) CASH EQUALIZATION.—Notwithstanding any other provision of law, the Secretary may accept a cash equalization payment in excess of 25 percent of the value of an administrative site in an exchange under subsection (a).

(e) SOLICITATIONS OF OFFERS.—In carrying out this Act, the Secretary may—

(1) use solicitations of offers for sale or exchange on such terms and conditions as the Secretary may prescribe; and

(2) reject any offer if the Secretary determines that the offer is not adequate or not in the public interest.

SEC. 3. DISPOSITION OF FUNDS.

The proceeds of a sale or exchange under section 2 shall be deposited in the fund established under Public Law 90–171 (16 U.S.C. 484a) (commonly known as the ''Sisk Act'') and shall be available, until expended, for the construction or improvement of offices and support buildings for combined use by the Forest Service for the Rogue River National Forest, and by the Bureau of Land Management.

SEC. 4. REVOCATIONS.

(a) PUBLIC LAND ORDERS.—Notwithstanding any other provision of law, to facilitate the sale or exchange of the administrative site, public land orders withdrawing the administrative site from all forms of appropriation under the public land laws are revoked for any portion of the administrative site, upon conveyance of that portion by the Secretary.

(b) EFFECTIVE DATE.—The effective date of a revocation made by this section shall be the date of the patent or deed conveying the administrative site (or portion thereof).

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

The Chair recognizes the gentleman from Oregon (Mr. SMITH).

Mr. SMITH of Oregon. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SMITH of Oregon asked and was given permission to revise and extend his remarks.)

Mr. SMITH of Oregon. Mr. Speaker, this is a very simple, straightforward piece of legislation. It exchanges 5.1 acres of the Rogue River National Forest maintenance facility in Medford for an opportunity to collocate offices of Forest Service and the Bureau of Land Management.

It is obvious that this collocation is in good order since both the Forest Service and the Bureau of Land Management support this legislation. In effect, it will save $2.1 million per year as a result of the collocation.

Mr. Speaker, it came forward to us unanimously from committee.

I would like to thank my colleagues on the House Resources Committee for bringing this legislation to the floor today.

H.R. 3796 provides an excellent example of how two federal agencies can work together to better serve the needs of the public. This legislation will allow the Secretary of Agriculture to sell or exchange the 5.1 acre Rogue River National Forest maintenance facility in Medford, Oregon and use the proceeds to expand the BLM office so that the Forest Service and the BLM can collocate.

For those of you who have not visited the Second District of Oregon, it may surprise you to know that well over half of the land in this large district is owned by the federal government. Public lands issues are extremely important to the people of my district. The people of the Second Congressional District work, live and recreate on this federal land and will greatly benefit from the ability to address their public lands needs in one central location. Currently, the local Forest Service and the BLM offices in Medford are located across town from one another. H.R. 3796 will allow these two agencies to collocate and provide more efficient service to the general public.

The site this legislation seeks to convey is the McAndrews Service Center. This facility is currently being used as an automotive shop, survey crew headquarters, road maintenance office and forest-wide support warehouse. This facility will become surplus to the Forest Service's needs should the two agencies collocate.

Conveyance of this site will allow for improvements to the joint Forest Service/BLM site that will include the addition of 20,000 square feet of office and conference space, remodeling of the current BLM office so that it fully complies with the Americans with Disabilities Act, and allow for a 5,300 square foot addition to the existing warehouse.

H.R. 3796 has the support of the Forest Service and the BLM and was drafted in response to the requests of local agency representatives looking to improve service to the public. The General Services Administration has also been a participant in discussions relating to collocation efforts and supports this proposal. The Congressional Budget Office estimates that the enactment of H.R. 3796 will result in outlay savings of $2 million in FY 1999, and will have no net effect on federal spending over the FY 1999–2003 period.

So in closing, I would again like to thank my colleagues on the House Resources Committee for bringing this legislation to the floor today, and encourage my friends here in the House to support this cost-effective and sensible example of government agencies working together.

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 rise in support of the legislation sponsored by the gentleman from Oregon (Mr. SMITH), my good friend.

The bill would authorize the U.S. Forest Service to sell its headquarters in Medford, Oregon, and dedicate the proceeds to expansion of offices currently occupied by the Bureau of Land Management. The expanded offices will provide a new home for the Forest Service.

Mr. Speaker, given the land management challenges facing both of these agencies, it makes sense to encourage coordination by having them located in joint offices. The Forest Service has requested the authority set in this bill and supports its enactment.

Mr. Speaker, I thank the good gentleman from Oregon for his sponsorship of this bill and for bringing this matter to the attention of the House. My good friend also serves as the chairman of the Committee on Agriculture and as a senior member of this committee as well.

I also want to thank the ranking member of our subcommittee, the gentleman from New York (Mr. HINCHEY), for his assistance in development of this bill; and our professional staff counsel, Mr. Jeff Petrich, for his professional contributions in the development of this legislation.

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

Mr. SMITH of Oregon. Mr. Speaker, I yield myself such time as I may consume to thank my friend very much for his positive statement and his assistance on this important piece of legislation.

Mrs. CHENOWETH. Mr. Speaker, first, I would like to recognize Representative BOB SMITH for the excellent work he put forth in the development of this bill. H.R. 3796 is a straight-forward bill that provides for the conveyance of a work center on the Rogue River National Forest in exchange for facility improvements at the Medford Bureau of Land Management (BLM) office in order to facilitate collocation of the two offices.

The McAndrews Service Center is currently owned and operated by the Rogue River National Forest. The fair market compensation received through the sale or exchange of this center would be authorized to be used for the construction or improvement of offices that the Rogue River National Forest will share with the Medford District Office of the BLM. This would be done in a manner consistent with all applicable laws.

The Forest Service and the BLM in Medford have been working cooperatively for many years. This cooperative relationship has resulted in improved customer service and consolidation of office space will provide further efficiencies and improvements in public service.

This excellent bill is a bipartisan effort and has the support of the Administration. I urge my colleagues to support H.R. 3796.

Mr. SMITH of Oregon. 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 gentleman from Oregon (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 3796.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SMITH of Oregon. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on the two bills just passed, H.R. 3069 and H.R. 3796.

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

There was no objection.

NATIONAL DROUGHT POLICY ACT OF 1998

Mr. BOEHLERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3035) to establish an advisory commission to provide advice and recommendations on the creation of an integrated, coordinated Federal policy designed to prepare for and respond to serious drought emergencies, as amended.

The Clerk read as follows:

H.R. 3035

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 ''National Drought Policy Act of 1998''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the United States often suffers serious economic and environmental losses from severe regional droughts and there is no coordinated Federal strategy to respond to such emergencies;

(2) at the Federal level, even though historically there have been frequent, significant droughts of national consequences, drought is addressed mainly through special legislation and ad hoc action rather than through a systematic and permanent process as occurs with other natural disasters;

(3) there is an increasing need, particularly at the Federal level, to emphasize preparedness, mitigation, and risk management (rather than simply crisis management) when addressing drought and other natural disasters or emergencies;

(4) several Federal agencies have a role in drought from predicting, forecasting, and monitoring of drought conditions to the provision of planning, technical, and financial assistance;

(5) there is no single Federal agency in a lead or coordinating role with regard to drought;

(6) State, local, and tribal governments have had to deal individually and separately with each Federal agency involved in drought assistance; and

(7) the President should appoint an advisory commission to provide advice and recommendations on the creation of an integrated, coordinated Federal policy designed to prepare for, mitigate the impacts of, respond to, and recover from serious drought emergencies.

SEC. 3. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the National Drought Policy Commission (hereinafter in this Act referred to as the ''Commission'').

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of 16 members. The members of the Commission shall include—

(A) the Secretary of Agriculture, or the designee of the Secretary, who shall chair the Commission;

(B) the Secretary of the Interior, or the designee of the Secretary;

(C) the Secretary of the Army, or the designee of the Secretary;

(D) the Secretary of Commerce, or the designee of the Secretary;

(E) the Director of the Federal Emergency Management Agency, or the designee of the Director;

(F) the Administrator of the Small Business Administration, or the designee of the Administrator;

(G) two persons nominated by the National Governors' Association and appointed by the President, of whom—

(i) one shall be the governor of a State east of the Mississippi River; and

(ii) one shall be a governor of a State west of the Mississippi River;

(H) a person nominated by the National Association of Counties and appointed by the President;

(I) a person nominated by the United States Conference of Mayors and appointed by the President; and

(J) six persons, appointed by the Secretary of Agriculture in coordination with the Secretary of the Interior and the Secretary of the Army, who shall be representative of groups acutely affected by drought emergencies, such as the agricultural production community, the credit community, rural and urban water associations, Native Americans, and fishing and environmental interests.

(2) DATE.—The appointments of the members of the Commission shall be made no later than 60 days after the date of the enactment of this Act.

(c) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) INITIAL MEETING.—No later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(e) MEETINGS.—The Commission shall meet at the call of the chair.

(f) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(g) VICE CHAIR.—The Commission shall select a vice chair from among the members who are not Federal officers or employees.

SEC. 4. DUTIES OF THE COMMISSION.

(a) STUDY AND REPORT.—The Commission shall conduct a thorough study and submit a report on national drought policy in accordance with this section.

(b) CONTENT OF STUDY AND REPORT.—In conducting the study and report, the Commission shall—

(1) determine, in consultation with the National Drought Mitigation Center in Lincoln, Nebraska, and other appropriate entities, what needs exist on the Federal, State, local, and tribal levels to prepare for and respond to drought emergencies;

(2) review all existing Federal laws and programs relating to drought;

(3) review State, local, and tribal laws and programs relating to drought that the Commission finds pertinent;

(4) determine what differences exist between the needs of those affected by drought and the Federal laws and programs designed to mitigate the impacts of and respond to drought;

(5) collaborate with the Western Drought Coordination Council and other appropriate entities in order to consider regional drought initiatives and the application of such initiatives at the national level;

(6) make recommendations on how Federal drought laws and programs can be better integrated with ongoing State, local, and tribal programs into a comprehensive national policy to mitigate the impacts of and respond to drought emergencies without diminishing the rights of States to control water through State law and considering the need for protection of the environment;

(7) make recommendations on improving public awareness of the need for drought mitigation, prevention, and response and on developing a coordinated approach to drought mitigation, prevention, and response by governmental and nongovernmental entities, including academic, private, and nonprofit interests; and

(8) include a recommendation on whether all Federal drought preparation and response programs should be consolidated under one existing Federal agency and, if so, identify such agency.

(c) SUBMISSION OF REPORT.—

(1) IN GENERAL.—No later than 18 months after the date of the enactment of this Act, the Commission shall submit a report to the President and Congress which shall contain a detailed statement of the findings and conclusions of the Commission, together with its recommendations for such legislation and administrative actions as it considers appropriate.

(2) APPROVAL OF REPORT.—Before submission of the report, the contents of the report shall be approved by unanimous consent or majority vote. If the report is approved by majority vote, members voting not to approve the contents shall be given the opportunity to submit dissenting views with the report.

SEC. 5. POWERS OF THE COMMISSION.

(a) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers necessary to carry out the purposes of this Act.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out the provisions of this Act. Upon request of the chair of the Commission, the head of such department or agency shall furnish such information to the Commission.

(c) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

SEC. 6. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government shall not be compensated for service on the Commission, except as provided under subsection (b). All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(d) ADMINISTRATIVE SUPPORT.—The Secretary of Agriculture shall provide all financial, administrative, and staff support services for the Commission.

SEC. 7. TERMINATION OF THE COMMISSION.

The Commission shall terminate 90 days after the date on which the Commission submits its report under section 4.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

New York (Mr. BOEHLERT) and the gentleman from Pennsylvania (Mr. BORSKI) each will control 20 minutes.

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

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

This important, noncontroversial legislation establishes a 16-member commission to report to Congress and the President on the development of an integrated and coordinated approach to drought. H.R. 3035 is broadly supported by, among others, the National Governors' Association, the Western Governors' Association, and the National Emergency Management Association.

For too long, the Nation has lacked a proactive, coordinated approach to drought, instead relying on crisis management. The result has been enormous damage and suffering equal to or greater than other forms of natural disasters. For example, the total economic losses to agriculture, energy, transportation and recreation tourism associated with the 1988 drought have been estimated at $40 billion.

In response, the gentleman from New Mexico (Mr. JOSEPH SKEEN) introduced H.R. 3035, which is companion legislation to S. 222, introduced by Senator PETE DOMENICI. The bill before us will help foster an integrated approach emphasizing prevention and mitigation.

Let me thank the gentleman from Pennsylvania (Mr. BUD SHUSTER), the gentleman from Minnesota (Mr. JIM OBERSTAR), and the gentleman from Pennsylvania (Mr. BOB BORSKI) for their efforts in moving H.R. 3035 through the Committee on Transportation and Infrastructure and the Subcommittee on Water Resources and the Environment.

I also appreciate the cooperation of the Committee on Resources and the Committee on Agriculture, particularly their respective chairmen, the gentleman from Alaska (Mr. DON YOUNG) and the gentleman from Oregon (Mr. BOB SMITH). Thanks to their efforts, and the assistance of their staffs, we are able to bring this important legislation to the floor today.

Most importantly, Mr. Speaker, I want to commend the gentleman from New Mexico (Mr. JOSEPH SKEEN) and Senator PETE DOMENICI for championing H.R. 3035 and S. 222 through the Congress. After our hearing, the Subcommittee on Water Resources and the Environment, of the Committee on Transportation and Infrastructure, made very few changes to H.R. 3035. These revisions, now incorporated into the bill, respond to suggestions by the administration, FEMA, the Corps of Engineers, and various Members. Areas of primary emphasis are disaster mitigation, environmental values and national or regional representation.

□ 1600

A more detailed discussion of the bill is contained in the committee's report, House Report 105–554.

Mr. Speaker, I urge my colleagues to support H.R. 3035. This legislation can and should be enacted into law in the coming weeks.

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

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

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

Mr. BORSKI. Mr. Speaker, let me join with the gentleman from New York (Mr. GOODLING), my distinguished subcommittee chairman in support of H.R. 3035, the National Drought Policy Act of 1998.

Drought is one of the most subtle natural disasters the Nation faces. When a flood, earthquake, tornado, or hurricane strikes, the timing and magnitude of the event are readily apparent. Yet, when drought strikes, a region may be months or even years into it before it is apparent that the drought conditions exist. By then it may be too late to undertake the kind of careful advance planning and response that are necessary to minimize adverse impacts to communities, business, agriculture, and the environment.

While the origin of this bill is drought issues in the western states, drought is no stranger to any portion of the country. Severe drought can arise in any region, and the harm that results to the citizens and the economy and environment is just as devastating. Therefore, the commission to be established under this bill should have a national focus, recognizing regional variations. There are no one-size-fits-all solutions to drought, but the basic need for preparedness, mitigation and response affects all areas of the country.

Mr. Speaker, I believe that the changes to H.R. 3035 adopted by the Committee improved the bill by emphasizing the natural effects of drought and the need for preparedness, mitigation and risk management relative to drought. I also strongly support that the commission accommodate the interests of urban water users. In times of scarce resources, urban and rural interests must work together for the common good.

I am also pleased that the commission will specifically consider the need for protection of the environment. Too often, the last area afforded protection in times of drought is the aquatic ecosystem, and too often the interests least well represent or capable of protecting their interest at time of drought are aquatic species.

By placing representatives of fishing and environmental interests on the commission, instream interests will be represented in the deliberations and afforded an opportunity to shape the recommendations.

Mr. Speaker, some have suggested and recommended adding the Environmental Protection Agency to the commission, and this bill does not do that. However, I hope that the commission remains open to input from EPA, the Fish and Wildlife Service, and other interests which seek to protect the environment. For the commission's recommendations to be effective in shaping Federal drought policy, the recommendations must be balanced with all perspectives adequately considered and reflected.

Again, Mr. Speaker, let me once again voice my support for the bill.

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

Mr. BOEHLERT. Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER. Mr. Speaker, I rise in strong support of H.R. 3035, the National Drought Policy Act. I thank the gentleman from New York for yielding me the time. I thank the bill's managers on the other side of the aisle and the gentleman from New Mexico (Mr. SKEEN) and others who brought us this legislation.

This important legislation, as mentioned, establishes an advisory commission to provide advice and recommendations on the creation of integrated and coordinated Federal policy designed to prepare for and respond to serious drought emergencies. Drought is one of the most complex and devastating natural disasters. Yet, it is also one of the least understood.

Droughts cost the United States an average of $6 to $8 billion per year and cause serious environmental and social problems. Too often, the response to droughts is fragmented and it often comes too late. Once a drought hits, the options become much more limited. There is a clear need to plan ahead.

The National Drought Policy Act seeks to address the current shortcomings by encouraging a proactive rather than a reactive approach to drought. The commission created by the bill would work to develop a comprehensive and coordinated Federal policy so that the Nation is prepared for upcoming droughts. The commission would also make recommendations on the best way to integrate Federal drought laws and programs with those of the state, local, and tribal level; and I think that is probably the most important responsibility.

I would like to take this opportunity to acknowledge the outstanding work by the National Drought Mitigation Center at the University of Nebraska Lincoln. The Center, founded in 1995, stresses drought prevention and risk management. The National Drought Policy Act would greatly assist the Center in its efforts to develop a comprehensive program designed to reduce vulnerability to drought by promoting the development and implementation of appropriate mitigation policies. The Center is focused on the Great Plains, but its work has advantages for many parts of the country.

As I looked at some of the things the university is doing, I realize they have gone a long way now to help develop plants that are drought resistant or at least that do not suffer so greatly from the stress of drought.

Mr. Speaker, development of a National Drought Policy Act is long overdue. I am pleased that H.R. 3035 addresses this problem and urge my colleagues to support the legislation.

Mr. BOEHLERT. Mr. Speaker, let the RECORD note that the author of the bill the gentleman from New Mexico (Mr. SKEEN) is chairing a subcommittee meeting with the Committee on Appropriations and is not able to be here with us today.

Mr. MILLER of California. Mr. Speaker, I rise in support of H.R. 3035 which would establish an advisory commission to provide advice and recommendations to help create a coordinated federal drought mitigation and response policy. Currently, droughts tend to receive minimal advance attention and are primarily addressed ad hoc in a crisis management mode.

The commission established by the bill would recommend ways to coordinate the numerous federal agencies that have a role in droughts. It would also help ensure that federal efforts would compliment state and local programs without diminishing state water rights or environmental protection.

H.R. 3035 builds upon the recent work of the Western Water Policy Review Advisory Commission and the Western Governors' Association. Both organizations have recommended the creation of an interagency task force to develop an integrated national drought policy plan that emphasizes risk-management.

I appreciate the efforts of my colleagues on the Transportation and Infrastructure Committee, and I urge my colleagues to support this legislation.

Mr. BOEHLERT. Mr. Speaker, having no further requests for time, I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from New York (Mr. BOEHLERT) that the House suspend the rules and pass the bill, H.R. 3035, as amended.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BOEHLERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to provide extraneous material on H.R. 3035.

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

There was no objection.

URGING CONGRESS AND PRESIDENT TO FULLY FUND GOVERNMENT'S OBLIGATION UNDER INDIVIDUALS WITH DISABILITIES EDUCATION ACT

Mr. GOODLING. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 399) urging the Congress and the President to work to fully fund the Federal Government's obligation under the Individuals with Disabilities Education Act, as amended.

The Clerk read as follows:

H. RES. 399

Whereas Pennsylvania Association for Retarded Children v. Commonwealth of Pennsylvania, 334 F. Supp. 1247 (E. Dist. Pa. 1971), and Mills v. Board of Education of the District of Columbia, 348 F. Supp. 866 (Dist. D. C. 1972), found that children with disabilities are guaranteed an equal opportunity to an education under the 14th amendment to the Constitution;

Whereas the Congress responded to these court decisions by passing the Education for All Handicapped Children Act of 1975 (enacted as Public Law 94–142), now known as the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), to ensure a free, appropriate public education for children with disabilities;

Whereas the Individuals with Disabilities Education Act provides that the Federal, State, and local governments are to share in the expense of educating children with disabilities and authorizes the Federal Government to pay up to 40 percent of the national average per pupil expenditure for children with disabilities;

Whereas the Federal Government has provided only 7, 9, and 11 percent of the maximum State grant allocation for educating children with disabilities under the Individuals with Disabilities Education Act in the last 3 years, respectively;

Whereas the national average cost of educating a special education student ($12,002) is more than twice the national average per pupil cost ($5,955);

Whereas research indicates that children who are effectively taught, including effective instruction aimed at acquiring literacy skills, and who receive positive early interventions demonstrate academic progress, and are significantly less likely to be referred to special education;

Whereas, if the appropriation for part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) exceeds $4,100,000,000 for a fiscal year, a local educational agency may reduce its local spending on special education for such fiscal year by an amount equal to 20 percent of the amount that exceeds the prior year's appropriation so long as the local educational agency is not failing to comply with the requirements of part B of such Act, as determined by the State educational agency;

Whereas the Individuals with Disabilities Education Act has been successful in achieving significant increases in the number of children with disabilities who receive a free, appropriate public education; and

Whereas the current level of Federal funding to States and localities under the Individuals with Disabilities Education Act is contrary to the goal of ensuring that children with disabilities receive a quality education: Now, therefore, be it

Resolved, That the House of Representatives urges the Congress and the President, working within the constraints of the balanced budget agreement, to give programs under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) higher priority among Federal education programs by working to fund the maximum State grant allocation for educating children with disabilities under such Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from California (Mr. MARTINEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. GOODLING).

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

The Committee will now consider H. Res. 399, a resolution urging the Congress and the President to fully fund the Federal Government's responsibility under the Individuals with Disabilities Education Act. This resolution was introduced by the gentleman from New Hampshire (Mr. BASS) and I am pleased to be an original cosponsor.

I would like to start out by recognizing the efforts of my friend and colleague the gentleman from Pennsylvania (Mr. GREENWOOD). He has been a leader in helping move this resolution through our committee in a bipartisan manner. He has been a strong voice for providing fiscal relief to local communities, which not only pay their share of special education costs but most of the Federal share as well.

For those who may not be aware, in 1975, when the original legislation was passed, the Congress of the United States indicated that over several years they would fund 40 percent of the excess costs for special education. Up until 3 years ago, they were funding about 6 percent. I am happy to say that we got about a 77-percent increase in the last 3 years. But it is still a long, long way from the 40 percent that was promised for the excess costs of educating a special education child.

This unpaid Federal share means that the local school district has to do the funding. It also then means that the local school district has to take that money from all other programs in order to fund our share of special education. In many districts that is 55 percent of their entire budget. And so, I am hoping that we will continue the trend that we have had in the last 3 years.

Unfortunately, when the President sent up his budget, he level funded special education. But what level-funding really means is a dramatic cut. Because if you consider inflation and then, above all, consider the new children who will be coming into special education through increased enrollment, it means that we are going to fall way short if we would follow his budget.

I am hoping that with the program that came from my committee, dealing with literacy, with family literacy particularly, that in the long run we can find a way to eliminate an awful lot of people from ever getting into special education. Because, unfortunately, many of our special education students today are there simply because they have a reading difficulty. There is no reason for that to happen.

We know now that most youngsters can learn to read. With the family literacy program that we are including in our legislative initiative from our committee, hopefully we can eliminate an awful lot who would normally fall into special education.

But now is the time where we thank Mrs. MCCARTHY, who testified with the gentleman from New Hampshire (Mr. BASS) at our hearing on this a few weeks ago. I look forward to bipartisan effort to make sure that we eventually get to that 40 percent of excess cost coming from the Federal Government.

This year we should be able to get, for the first time ever, at the level where the local schools will be able to reduce their spending on special education. When we meet that magic figure, and this year I believe we need $300 million to get to that figure, they then can, for the first time, reduce their spending on special education. It does not, however, allow the state to reduce their spending on special education.

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

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

I want to start out by saying that I am pleased to rise in strong support of this resolution which is before the House. H.Res. 399 is a truly bipartisan bill and should meet with the approval of Members from both sides of the aisle.

The chairman a moment ago was I think commendable in commending the Members on his side of the aisle that worked very hard for this. But I do not think it is any secret that there is no one that has worked harder for the full funding of IDEA than the chairman himself, the gentleman from Pennsylvania (Mr. GOODLING).

Mr. Speaker, full funding of IDEA is a goal which has been around with us for a long time. It has the strong support of all Members in this body. As many Members here know, presently the Federal Government provides only 11 percent of the excess cost of educating a child with disability.

The goal that we set for ourselves, as the chairman has alluded to in 1979, in 1975, when Congress first passed IDEA's predecessor, the education for all handicapped children, it was to provide 40 of the excess cost of educating a child with disability. Unfortunately, Congress has been unable to meet this goal despite the hard work of many Members from both sides of the aisle.

With this goal in mind, I believe the strong statements that this resolution make is vitally important. Clearly, the needs of children with disabilities and the costs associated with ensuring that they receive a free and appropriate public education are important factors in determining if we are to have a society where all those with disabilities and those without have a chance to succeed and become economically contributing adults.

In closing, I want to salute the gentleman from Pennsylvania (Mr. GOODLING) again, the gentleman from California (Mr. RIGGS) and along with the gentleman from Pennsylvania (Mr. GREENWOOD) for their long-standing efforts to increase funding for this very important bill and for the valuable work during the committee process.

I also want to thank especially the gentleman from Pennsylvania (Mr. GREENWOOD) for his hard work on fashioning the resolution, which I believe gained bipartisan support. I urge all Members support this resolution.

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

Mr. GOODLING. Mr. Speaker, I yield such time as he may consume to the gentleman from New Hampshire (Mr. BASS) the author of the resolution.

Mr. BASS. Mr. Speaker, I rise in very strong support of House Resolution 399, a resolution that would make the full funding of special education a high priority of this Congress.

I want to thank the distinguished chairman and gentleman from California for making this a truly bipartisan resolution.

□ 1615

The idea came to me as I listened to the State of the Union address in January that the President delivered, and he talked about the importance of education. And as one who comes from a State like New Hampshire which depends on funding for education, 98 percent of the funding coming from the property tax base at the local level, nothing hits the property taxpayers worse in New Hampshire than special education. It really should not be that way, because special education originally was mandated to be paid for at the rate of approximately 40 percent.

As we heard the chairman and the ranking member mention in their speeches, that has been chronically underfunded. Indeed, funding of special education has been the mother of all unfunded mandates of this government for the last 25 years. I think this resolution is way overdue and it should be passed today.

Let me just point out that in some towns in my State, special education costs make up half of the entire education budget for a given town. This puts pressure on school district administrators, on students, and perhaps most unfortunately on the parents of developmentally disabled students in a small community.

I believe that as Congress sets its priorities for new education spending, that fully funding the existing mandates that we have outstanding today should come ahead of new education funding for new programs in education. Fully funding special education in New Hampshire alone would increase funding from $17 million a year to $68 million a year. That, Mr. Speaker, would make a significant impact on the whole education picture in New Hampshire. I am sure the same is true in every other State in the country.

I hope, Mr. Speaker, that today the House will pass this resolution which has been introduced by me, supported by the committee, amended to make it as bipartisan as possible, because we all recognize the importance of special education firstly; and, secondly, the importance of fully funding the Federal Government's commitment to this important program.

Mr. MARTINEZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. SCOTT) who is a strong, strong supporter of everything that benefits all the young people of our country.

Mr. SCOTT. Mr. Speaker, I thank the gentleman from California (Mr. MARTINEZ) for yielding me this time.

Mr. Speaker, as one of the strong supporters of IDEA, I am pleased to support this resolution. I want to thank the gentleman from Pennsylvania (Mr. GOODLING), the gentleman from California (Mr. RIGGS), the gentleman from California (Mr. MARTINEZ), the gentleman from Missouri (Mr. CLAY), the gentleman from Pennsylvania (Mr. GREENWOOD) and the gentleman from New Hampshire (Mr. BASS) for working on this resolution. The Individuals with Disabilities Education Act represents this country's commitment to ensure that all children, including children with disabilities, are entitled to a free and appropriate public education. I support IDEA and I support more funding for this program. This resolution, unfortunately, does not include two provisions that I think need to be addressed. Although I support the resolution and will vote for it, I wish that it could have addressed two issues.

The most important principle missing in the resolution is that we should not take away from other educational programs in order to fully fund IDEA. The needs of our public schools remain high and we should not rob Peter to pay Paul. In the past, we have seen efforts to shift funding from other educational accounts to IDEA without changing the bottom line.

The second principle missing from the resolution is that we should urge the localities once the $4.1 billion appropriation mark is triggered to spend their 20 percent of relief on education. Under current law, localities may use 20 percent of any increase in IDEA funding above the trigger to offset their current effort on special education. However, this relief can be used for roads, jails, tax relief and so forth. There is no guarantee that any of the local offset would be used to recycle the money to other educational programs.

Even more of a concern is that transferring funds from other Federal education programs to increase funding for IDEA could actually result in a net reduction in total spending for elementary and secondary education. If we pursue a strategy of reducing the funding of other education programs to fully fund IDEA, we will risk a 20 percent net reduction in our investment in elementary and secondary education programs at the expense of children, both disabled and nondisabled, that these programs serve.

Mr. Speaker, I strongly support the bipartisan resolution and hope that we can continue a bipartisan effort to

fully fund IDEA without jeopardizing our investment in other educational programs.

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. MCKEON), one of my great subcommittee chairmen.

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

Mr. Speaker, I rise today in strong support of H.Res. 399 which calls upon Congress and the President to fulfill our commitment to some of our Nation's neediest children, those with disabilities.

For too long, Washington has shirked its responsibility to provide our local school districts with the funds necessary to carry out the expensive mandate created with the enactment of the Individuals with Disabilities Education Act.

In my home State of California, the cost of educating an estimated 610,000 children with disabilities is a staggering $3.3 billion. But the Federal Government contributes only $413 million, which translates to only 12.5 percent of the total cost. This, after saying that they would fund 40 percent of the cost.

Even more alarming is the impact of this Federal mandate on our local school districts. For example, the Federal Government picks up only 5 percent of the estimated $7.6 million price tag for educating the nearly 1,200 children in the William S. Hart High School District, the district I served on the local school board in my congressional district.

To make matters worse, the President level-funded IDEA in his fiscal year 1999 budget while calling for $20 billion to fund a laundry list of new Federal education pet projects.

If the President would first fund the special education mandate, which was the responsibility of the Federal Government years ago when this bill was passed, our communities would have the funds to do the things the President proposes, such as building new schools, hiring more teachers, reducing class size and buying more computers. I say the first thing that we should do is fully fund the IDEA bill, and I urge my colleagues to support this resolution.

Mr. GOODLING. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GREENWOOD), the gentleman who helped shepherd the bill through the committee.

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

Mr. Speaker, it is interesting that here in Washington sometimes education becomes a subject of controversy, when most Americans would look at us as politicians and say, what could be controversial about education.

We all know that there is nothing more important in the world than that our precious children receive the best education that they can so that they can make the most of themselves in every way and that we can compete as a nation against every other country in the world as they educate their children.

Of even less controversy, if that is possible, is the notion that children who have particular challenges, whether they are children with mental retardation or they have social or emotional problems, whether they have learning disabilities, speech impediments, what have you, that we as a society want to go overboard and do more for those kids than we do for other kids, if that is possible, because of the challenges that face them. None of that is controversial. We are all in support of that. What does get controversial is when we talk about whether it is the Federal responsibility or the State responsibility or the local responsibility to support certain aspects of education, and that is in fact very controversial.

Most Republicans feel very strongly that the States should determine the curriculum, should determine the basics of education and that the localities should run the schools and make the decisions about hiring and firing and how they want to run their local school districts. But the President has proposed Federal responsibilities that would be new. He has proposed that the Federal Government get involved in school construction, that the Federal Government get involved in hiring teachers.

Back to what is not controversial, IDEA is not controversial. The Congress 23 years ago said we have got to give these kids everything we can give them, the school districts are mandated to do that, and just last year, I believe it was, we reauthorized IDEA, I think with maybe one negative vote, if not unanimously, I think it was one negative vote out of 435 of us. This proposal, the Bass proposal, says let us put all the controversy aside and let us do what we agree on, let us finally fully fund special education, take this enormous burden that we have imposed on the States and shoulder our fair share as the Congress, and then the beautiful part of it is that every school district in America, so relieved of this burdensome Federal responsibility, has the opportunity to make a specific local decision what to do with the money it would have otherwise had to dedicate to special education and if they need a new roof, put a new roof on; if they need to hire new teachers, do that; if they need computers, do that.

This, I think, is a complete win-win proposal, that we help the kids in America who need special education, who need special attention, help them the most and then at the same time free up every locality, every local school district in the country to then tailor-fit its budget to its particular needs.

I urge support of the Bass resolution.

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

Mr. Speaker, I want to respond to the gentleman from Pennsylvania who just spoke. I want to make it very clear here why the Federal Government is involved in this. I do not think the Federal Government has ever in any of the legislation we have passed tried to set curriculum for local schools. In fact, we very much have stayed away from that.

The fact is that local schools and local school districts were not educating these disabled children. There was a court case that went to the Supreme Court, where the Supreme Court found that there were millions of young children throughout this country that were disabled who were not receiving a vital education; more importantly even unequal education. They were being pushed into back rooms and basement classrooms, sometimes not even being dealt with at all. As a result, the court found that these children were entitled to a full and meaningful education.

And so then Congress acted, because the local districts and school districts would not. But they did not set any curriculum. What they did was tell the local schools that they would have to educate these children. But in doing so, they recognized one of the main reasons why a lot of these local school districts and local jurisdictions did not educate these young people was because it was much more costly to educate them.

The Federal Government, in recognizing that it was much more costly to educate them, then developed the idea that there was a certain burden, a responsibility, you might say, that the Federal Government had, not putting a burden on the local school district other than that they were mandated by the Supreme Court action that they had to educate these children. That was the burden, not what the Federal Government did. The Federal Government then decided that they would fund 40 percent of this.

Now that becomes the crux of the situation we are in today and why we need legislation that decries the lack of funding on the part of the Federal Government for this particular program. We are only trying to get to that 40 percent that was initially agreed to that has never been attained, and, as many of the speakers here today have said, there has only been 11 percent ever reached in totality for that funding; I think that that is why we are here today.

But I want to make it very clear, the Federal Government is trying to alleviate, or we as Members of Congress through this resolution are trying to alleviate a problem that was created basically initially by the lack of education of these young people in those local districts.

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

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. SNOWBARGER).

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

Mr. Speaker, I rise to express my strong support for House Resolution 399. I am pleased to be an original cosponsor of this responsible legislation. In 1973, Congress created the original special education program that mandated States to provide equal education for all students. Congress then pledged to pay 40 percent of the increased costs incurred for complying with this new Federal law and promptly reneged on its end of the bargain.

Since the inception of the Individuals with Disabilities Education Act more than 20 years ago, Congress has paid for less than 10 percent of the costs we promised we would assume. It is high time for Congress to correct this problem and ease the burden this mandate places on States and local school boards.

□ 1630

Over the past 20 plus years more than $115 billion should have been provided to the local schools to pay for this unfunded mandate. This $115 billion would have provided necessary funds to cover increased special education costs and would have allowed our locally-elected school board members to direct their State and local funding to pay for local priorities instead of unfunded federal mandates.

While I cannot do anything to reverse decisions made before I became a Member of this body, I believe we now have the opportunity to act responsibly to remedy this negligence. The failure of Congress to live up to our end of the bargain is a disgrace. Passage of this legislation is a good start toward correcting this problem.

Mr. Speaker, I urge my colleagues to support House Resolution 399.

Mr. GOODLING. Mr. Speaker, I yield 3½ minutes to the gentleman from California (Mr. RIGGS), another one of our subcommittee chairs.

Mr. RIGGS. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding this time to me, and I want to join the gentleman and several other colleagues in rising to support this important resolution that is more than symbolism. It is critically needed and, I think, very urgent legislation, and I want to salute my good friend, classmate of sorts, the gentleman from New Hampshire (Mr. BASS) for his leadership on this particular issue.

I can tell my colleagues that as one of the principal authors of last year's IDEA, the Individuals with Disabilities Education Act legislation, the so-called IDEA amendments of 1997, that I believe that this resolution, the Bass resolution, is the next logical step in fulfilling the promise of these amendments which were intended to improve the educational opportunity and the educational outcomes for children with disabilities, and I regret to say, because this legislation is very much bipartisan in nature, it was approved and advanced to the committee process on a voice-vote basis beginning in the subcommittee that I chaired, that I just regret that this legislation is at least necessitated in part because of the President's budget proposal to the Congress to level fund the IDEA program at a rate that I do not think will keep pace with inflation. And not wanting to read too much into the President's budget proposal, but I have to wonder how he can justify level funding or nominal increase in funding for IDEA on the one hand with his proposal for a host of new programs, additional categorical programs funded by Federal taxpayers on the other hand, particularly when the latter, the proposal for all these new programs, and I know they all sound well, and I am sure they have all been focused grouped and that they are in part politically or poll driven, but that proposal assumes this windfall of Federal revenue resulting from settlement of the tobacco class action litigation, and I do not think that there is any Member in this body who can really make that assumption because that legislation at the present time is obviously problematical.

But back on the point, IDEA works. It is not some new untested program like so many of the ones that the President has proposed. As the gentleman has pointed out, since IDEA was enacted in 1975 the number of children with disabilities who have gone on to college has tripled, and the unemployment rate for individuals with disabilities who are now in their 20s is almost half that of other individuals who do not benefit from IDEA.

Other speakers have testified about the fact that IDEA remains a largely underfunded federal mandate, sort of the mother, if my colleagues will, of all unfunded mandates imposed by the Congress on state and local educational agencies, and we need to address that problem, and the gentleman from Virginia (Mr. SCOTT) spoke of the trigger or threshold of 4.1 billion, and that figure is reachable this year, and it would in turn free up local and State education funding for other worthwhile activities.

So I say let us support the Bass resolution, let us make good on that long overdue promise to State and local educational agencies. Let us tell the President, no, we will not turn back on school children with disabilities, and we will not leave local taxpayers to foot the bill for special education.

Support the Bass resolution. Make IDEA funding a top and not the top priority for education.

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

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

First of all, I am proud to say that Pennsylvania was ahead of the Federal Government when it came to IDEA. However, that too was a court decision, before they got around to making that decision on the Federal level. But for 20 years I sat in the minority asking the majority both in the Committee on Education and Labor and on the Committee on the Budget along with the gentleman from Michigan (Mr. KILDEE) to please fund the 40 percent promised. We've got to make sure we understand we are talking about the 40 percent of excess costs. We are not talking about 40 percent of the costs for special education. We are talking about 40 percent of the excess costs to educate a special education student in relationship to a student in general education. It is the only curriculum mandate from the Federal level. It is important that everybody out there listening understands that, because we get blamed for every curriculum problem that they may have in a local district. The only federal mandate as far as curriculum is concerned is special education.

I told the President on several occasions that if he wants a legacy—if he wants a positive legacy in education—the way to get it is to make sure that he works with us to fully fund that 40 percent of excess costs.

I am happy to say that we are here in a bipartisan effort. Everybody wants to make sure that we not only help the special education child. What I do not want to see happen, and what is beginning to happen because parents of students that are not in special education are beginning to say ''Where is our money going that we want for this and that?'' The school district has to say, ''Well, we have to fund what the Federal Government mandated.'' So it is a bipartisan effort to make sure that we carry our share of the special education financial burden. I am happy to support Congressman BASS' resolution, I would hope that we could get a hundred percent of the entire Congress supporting this resolution, since it is a bipartisan effort.

Mr. FRELINGHUYSEN. Mr. Speaker, I rise in strong support of H. Res. 399, a resolution urging Congress and the President to fully fund the Individuals with Disabilities Act, or IDEA. I want to commend the gentleman from New Hampshire, Mr. BASS, for all his hard work and efforts in bringing this important resolution to the floor today.

In 1975, when Congress passed the original IDEA bill, it made an historic commitment to support children and families with special education needs. At that time, Congress also committed the Federal government to providing 40 percent of the funding for the IDEA mandates on local communities. Today, the Federal government provides a mere 9 percent of the necessary funding. And for Fiscal Year 1999, President Clinton's budget flatlines IDEA funding. This is shameful.

It is incumbent upon us here in Congress to maintain our financial commitment to IDEA, and to provide the money our schools and communities need to provide services to individuals with disabilities and their families. If the President provided IDEA with the full 40 percent in Federal funding, local schools would have more money to spend on other initiatives, including school construction, hiring new teachers, decreasing class sizes and buying more computers.

By passing this bill today, we reinforce our commitment to providing the means to educate the students who need our help most. I urge my colleagues to vote for this bill, and

when the time comes, to support full funding for IDEA.

Mr. PAUL. Mr. Speaker, I appreciate the opportunity to express my opposition to H. Res. 399, the resolution calling for full-funding of the Individuals with Disabilities Act (IDEA). My opposition to this act should in no way be interpreted as opposition to increased spending on education. However, the way to accomplish this worthy goal is to allow parents greater control over education resources by cutting taxes, thus allowing parents to devote more of their resources to educating their children in such a manner as they see fit. Massive tax cuts for the American family, not increased spending on federal programs, should be this Congress' top priority.

The drafters of this bill claim that increasing federal spending on IDEA will allow local school districts to spend more money on other educational priorities. However, because an increase in federal funding will come from the same taxpayers who currently fund the IDEA mandate at the state and local level, increasing federal IDEA funding will not necessarily result in a net increase of education funds available for other programs. In fact, the only way to combine full federal funding of IDEA with an increase in expenditures on other programs by state and localities is through massive tax increases at the federal, state, and/or local level.

Rather than increasing federal spending, Congress should focus on returning control over education to the American people by enacting the Family Education Freedom Act (H.R. 1816), which provides parents with a $3,000 per child tax credit to pay for K–12 education expenses. Passage of this act would especially benefit parents whose children have learning disabilities as those parents have the greatest need to devote a large portion of their income toward their child's education.

The Family Education Freedom Act will allow parents to develop an individualized education plan that will meet the needs of their own child. Each child is a unique person and we must seriously consider whether disabled children's special needs can be best met by parents, working with local educators, free from interference from Washington or federal educrats. After all, an increase in expenditures cannot make a Washington bureaucrat know or love a child as much as that child's parent.

It is time for Congress to restore control over education to the American people. The only way to accomplish this goal is to defund education programs that allow federal bureaucrats to control America's schools. Therefore, I call on my colleagues to reject H. Res. 399 and instead join my efforts to pass the Family Education Freedom Act. If Congress gets Washington off the backs and out of the pocketbooks of parents, American children will be better off.

Mr. GOODLING. 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 Pennsylvania (Mr. GOODLING) that the House suspend the rules and agree to the resolution, H. Res. 399, 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:

Resolution urging the Congress and the President to work to fully fund the Federal Government's responsibility under the Individuals with Disabilities Education Act.

A motion to reconsider was laid on the table.

SENSE OF THE HOUSE THAT SOCIAL PROMOTION IN AMERICA'S SCHOOLS SHOULD BE ENDED

Mr. RIGGS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 401) 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, as amended.

The Clerk read as follows:

H. RES. 401

Whereas high student achievement and academic advancement are vitally important to our Nation's schools and the future success of America's workforce;

Whereas some pupils proceed through school without having mastered the knowledge and skills required of them, and graduate from high school ill-equipped to handle college-level work or obtain an entry-level job;

Whereas ''social promotion'', the practice of moving pupils from one grade to the next regardless of whether they have the knowledge and skills necessary for the next level, is one reason for a pupil's inadequate academic achievement levels;

Whereas research has shown that retention, the customary alternative policy to social promotion, is also an inadequate response to the problem in that pupils are usually presented with the same instructional practices and materials that were ineffective the first time around;

Whereas to help underachieving students learn, it is essential that policies and programs address the underlying causes of failure and rectify the problems through various proven instruction practices;

Whereas high-quality teacher training and education, and other proven practices will provide our teachers with the tools necessary to educate our Nation's children and work toward high academic achievement by students;

Whereas social promotion policies already have been abolished in Louisiana, Arkansas, Florida, New Mexico, North Carolina, South Carolina, West Virginia, and in Chicago, Illinois, Portsmouth, Virginia, Long Beach, California, and Milwaukee, Wisconsin; and

Whereas the abolishment of social promotion policies have been proposed in California, Michigan, Wisconsin, Delaware, Texas, Oklahoma, New York, Washington, D.C., and in Boston, Massachusetts, and Philadelphia, Pennsylvania: Now, therefore, be it Resolved,

That it is the sense of the House of Representatives that—

(1) ending social promotion should be addressed in America through a coordinated effort by government officials, teachers, and parents committed to high academic achievement of students;

(2) State Education Agencies and local educational agencies that receive Federal funds should make every effort to address and end social promotion;

(3) the problems associated with social promotion can be resolved effectively through a commitment to provide high-quality training and education for our teachers, and the use of other proven practices; and

(4) States should adopt high, rigorous standards and standards-based assessments aimed at requiring academic accountability with the specific aim of ending social promotion and raising student achievement.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (MR. RIGGS) and the gentleman from California (Mr. MARTINEZ) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. RIGGS).

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

Mr. Speaker, obviously I rise to support the resolution and urge my colleagues, our colleagues, to approve this sense of Congress resolution that social promotions in our schools should end.

The very first thing I want to do, because I may interject a few more partisan remarks a little bit later or remarks more aligned with the Republican philosophy on education, is salute and thank my very good friend, the ranking member of the committee that I am very privileged and honored to chair, the gentleman from California (Mr. MARTINEZ) for his leadership on this issue. I want the record to show that it was Congressman MARTINEZ's leadership in this area that resulted in this legislation reaching the House floor today. He initially approached me and suggested that we direct our attention in the subcommittee on the problem of social promotions, and I think as every Member of this body knows, particularly any Member that has attended a State of the Union address, the two recent State of the Union addresses by the President, or for that matter reviewed a transcript of his addresses, they would know that the President has spoken, and I think very sincerely, of the problem of social promotion in American education today in this very Chamber.

So I am pleased to join the gentleman from California (Mr. MARTINEZ) and by extension President Clinton and others who share this concern in supporting this resolution.

The act of promoting a child from grade to grade or for that matter even allowing a child to graduate from junior high school or high school regardless of his or her readiness; that is to say, regardless of what that child has learned and what they can demonstrate they know, is a very real problem in American education today, and as I mentioned, the President has spoken of this phenomenon, and many of us who also hold positions of elected responsibility have spoken of our concern that children are too often promoted from grade to grade or even graduated as much on the basis of what we might call good behavior and seat time as on the basis of what they know and can demonstrate that they have learned.

The gentleman from California (Mr. MARTINEZ) and I believe that promotions should be based on both the academic performance and the relative individual development readiness of

the child. Government officials, teachers, parents, all of us who for that matter are committed to high academic achievement and who believe that we ought to have high expectations and standards of teachers and parents and children alike, all of us want to join in this effort really beginning today to end social promotion through a coordinated effort, and this resolution, Congressman MARTINEZ's or the Martinez-Riggs bipartisan resolution expresses that policy.

Now we know that we have roughly 52 million children in elementary, American children obviously, in elementary and secondary schools in this country, 46 million of the 52 million attending some 87,000 public schools, and I hope this resolution reaches everyone of those children and everyone of those schools. This resolution lists the communities and the States around the country where social promotion has already been abolished or is proposed to be abolished. Those States and communities which have already abolished social promotion include Louisiana, Arkansas, Florida, New Mexico, North Carolina, South Carolina, West Virginia, Chicago, Illinois, Portsmouth, Virginia, Long Beach, California, and Milwaukee, Wisconsin. Those States and those communities are to be commended because they have taken on this problem of social promotion, and they are tackling it head on with tough standards and expectations, and part of that expectation is that every child can succeed in elementary and secondary school. In fact I will go so far, and this is somewhat anathema for a Republican, but I salute the large national teachers' unions for also speaking about this problem of social promotion.

There are many other States and communities where social promotion has been proposed to be abolished altogether, and those States and communities include California, my home State, Michigan, Wisconsin, Delaware, Texas, Oklahoma, New York, here in the District of Columbia, Boston, Massachusetts and Philadelphia, Pennsylvania. These communities, these States, serve as a model for the rest of the Nation to follow.

House Resolution 401 also calls on State educational agencies and local educational agencies that receive Federal funding, Federal taxpayer funding, for educational purposes to make every effort to address and end social promotion. All children should be given the strongest possible foundation, academic foundation, in school upon which to build their future until they can develop to their fullest potential as citizens of the greatest Nation on earth and as children of God, and I compliment the gentleman from California (Mr. MARTINEZ) for focusing attention on this issue, and I urge support of the resolution.

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

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

Mr. Speaker, first I want to thank the chairman, the gentleman from California (Mr. RIGGS) of the Subcommittee on Children, Youth and Families for his willingness , and, no, I should not say willingness, eagerness to join me in this effort. I also want to thank him for the expeditious way he moved this bill through the committee and then on through the full committee.

□ 1645

As he has said, social promotion in our Nation's schools is a destructive force that undermines our children's academic achievement, and therefore, the future of our Nation's economy and overall well-being.

H. Res. 401 sends a strong message, one that is much needed, that the Congress expects all of our children to meet high academic standards.

Social promotion, as many of us know, is a process of promoting children from one grade to the next without meeting the necessary academic standards. This means children are moved from grade to grade without the skills or knowledge to succeed. Lacking a strong educational foundation, the children of our communities and our country will be ill-served in their quest for future employment.

Unfortunately, for many years, educators discouraged holding children back due to the fear that it would harm them. However, compelling a student to repeat a grade and then using the same instructional techniques which previously failed does little to foster learning. In order to truly combat the plight of social promotion in this country, we need to invest in our educational system and our children. We need to believe that all children can and will academically succeed.

Government officials, teachers and parents must work together in a commitment to the high academic achievement of our students. States and local school districts should adopt high-quality academic standards and hold students to those standards. Resources must be focused on giving teachers the tools to educate our children through the high-quality professional development of themselves, and the utilization of summer school, after school, and other proven educational practices.

This resolution seeks to send that message that without the commitment to high standards and the proper investment in our educational system, social promotion will continue to harm the success of our Nation and its people. The important message of this resolution is evidenced by the bipartisan support it has received, particularly from the chairman of the Committee on Education and the Workforce, the gentleman from Pennsylvania (Mr. GOODLING), and the chairman of the Subcommittee on Early Childhood, Youth and Families, the gentleman from California (Mr. RIGGS).

I urge my colleagues to support this resolution.

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

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

Now that we have struck that note of bipartisan cooperation and agreement, I just want to interject for the RECORD, and here I think is the clear, and I believe collegial difference between the Democratic Members of the House of Representatives and the Republican Members; while we agree on the problem, the problem being social promotion, we disagree on the solution to the problem.

Many of us, if not most of us on the Republican side of the aisle, feel that the solution inherently involves infusing the education system today with more competition, giving parents more choice, and that is that the best way, if not the only way, to ensure bootstrap improvement in our schools and ensure that schools are ultimately more accountable to the consumers of education: parents and guardians. At the risk of belaboring this point, since we have discussed it many times informally and in committee and certainly on this House floor, it is good to see the Delegate from the District here, since she is a passionate opponent of vouchers or parental choice in education and is sincere in her views.

I just want to refer my colleagues to a letter that I saw published in the Washington Post over the weekend, a publication I do not often quote on the House floor, because I think it is the single best writing on parental choice in education that I have ever seen. It is from a lady by the name of Marilyn Lundy of St. Clair Shores, Michigan, and she wrote in response to an article that the Post had published earlier on parental choice in the District of Columbia, this idea of vouchers, or scholarships, as prefer to call them, for low-income families. That article was entitled, ''Poll Finds Backing for D.C. School Vouchers; Blacks Support Backing More Than Whites.''

In the article Ms. Lundy says, one person responding to the poll, a Howard University professor, is quoted as saying, and this is a quote within a quote, because I am not quoting Ms. Lundy, I am quoting this Howard University professor and poll respondent, as saying, '''The Founding Fathers, Jefferson, Washington and Adams, considered public education to be the key to success to the democratic Republic.'''

Vouchers cannot help but weaken public education. I think that boils down to its very essence, the argument that voucher opponents from President Clinton on down, within the Democratic party, repeatedly make.

Now, Ms. Lundy goes on to say, ''Sorry, sir, but those gentlemen would not have known public education as we know it today, and would be horrified at its present condition. Education in the colonies, and at the time of the Founding Fathers, was the province of private and community endeavors and

financing.'' My colleagues heard me right, ''Private and community endeavors and financing, and was often transmitted by ministers, who were generally the most educated in the community.

''Since most of the early colonists were Protestants, for whom salvation was dependent on private interpretation of the Bible, literacy was of great importance and the Bible was an integral part of the school, reflecting the religious affirmation of the people.''

Ms. Lundy goes on to write, ''Not until the 1820s and 1830s, and Horace Mann, was their general movement toward publicly financed community schools, which were called 'common schools,' not public schools, but still these common schools were voluntarily and predominantly Protestant oriented. Mandatory attendance did not enter the picture until many decades later.

''Yes, public education is a key factor in a democratic,'' small D, ''republic, but not necessarily as implemented through government-operated schools only, which seems to be the mantra of those opposing vouchers. The idea that the State makes education mandatory, taxes all to pay for it, but then forces children into government-operated schools as a condition for receiving their just benefits is more a tenet of socialism/totalitarianism,'' Ms. Lundy contends, ''than democracy. In fact, the United States is the only free Nation that denies taxpayer-funded assistance to children in nongovernmental schools.

''In a Nation that professes freedom of speech and religion and equal protection of the laws, it would seem that choice, competition and equal educational opportunity are essential ingredients to universal public education. In other words, fund the education of the child according to the constitutional rights of the parents, rather than fund a government system into which children whose families cannot afford otherwise are forced.

''It is this virtual monopoly that has weakened public education. The choice, competition and direct accountability to parents created by vouchers are what is needed to revitalize public education, and I thank Ms. Lundy for putting it so well.'' At this time I would include this article for the RECORD.

THE EDUCATION MONOPOLY

In Sari Horwitz's news story ''Poll Finds Backing for D.C. School Vouchers; Blacks Support Backing More Than Whites,'' [Metro, May 23], one poll respondent, a Howard University professor, is quoted as saying: ''The Founding Fathers, Jefferson, Washington and Adams, considered public education to be the key to success to the Democratic republic. Vouchers cannot help but weaken public education.''

Sorry, sir, but those gentlemen would not have known public education as we know it today—and would be horrified at its present condition. Education in the colonies, and at the time of the Founding Fathers, was the province of private and community endeavors and financing, and often was transmitted by ministers, who were generally the most educated in the community.

Since most of the early colonists were Protestants, for whom salvation was dependent on private interpretation of the Bible, literacy was of great importance and the Bible was an integral part of the school, reflecting the religious affirmation of the people.

Not until the 1820s and '30s, and Horace Mann, was there general movement toward publicly financed community schools, which were called ''common schools,'' not public schools—but still these common schools were voluntary and predominantly Protestant oriented. Mandatory attendance did not enter the picture until many decades later.

Yes, public education is a key factor in a democratic republic, but not necessarily as implemented through government-operated schools only, which seems to be the mantra of those opposing vouchers. The idea that the state makes education mandatory, taxes all to pay for it but then forces children into government-operated schools as a condition for receiving their just benefits is more a tenet of socialism/totalitarianism than democracy. In fact, the United States is the only free nation that denies assistance to children in nongovernment schools.

In a nation that professes freedom of speech and religion and equal protection of the laws, it would seem that choice, competition and equal opportunity are essential ingredients to universal public education. In other words, fund the education of the child according to the constitutional rights of the parents, rather than fund a government system into which children whose families cannot afford otherwise are forced.

It is this virtual monopoly that has weakened public education. The choice, competition and direct accountability to parents created by vouchers are what is needed to revitalize public education.

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

Mr. MARTINEZ. Mr. Speaker, I yield myself such time as I may consume to refer to something that my good friend and colleague, the gentleman from California (Mr. RIGGS), said that the Democrats and Republicans have a different philosophy on a particular issue: vouchers.

It may be that in the simple question of vouchers themselves, there may be a big difference, but I am not sure that as far as choice is concerned, we are all that far apart. I am sure that not all Democrats are against choice, but we have to understand what choice is. In fact, there is choice now. In fact, I had that choice.

I sent my children to parochial school to begin their first years, K through 6, and they got to choose whether they wanted to go on to parochial school in the upper grades or not. One did, and 4 did not. They went to public schools and the one went to parochial schools. So I had that choice. I had the choice to send my kids to the kind of school they wanted. That choice exists today. In fact, now in many school districts one can choose to send one's child to another district simply because one believes that district is a better school district and one can get a waiver from the school district to send them there.

So the one main concern that maybe the Democrats do have is to make sure that every child in this country has a full and meaningful education, and the only way we can do that is to make sure that the public school system has the resources that it needs to do that. Other than that, if we were able to guarantee that every public school child had the resources to get a full and meaningful education, I would not care where they sent their kids or where everybody sent their kids, but the main thing is that the public school system is the major source of our education in this country and it has to be protected before we can consider other choices that are available.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman from California for yielding me this time. I thank him also for his leadership in proffering this most valuable resolution. I also thank the chairman of the subcommittee, the gentleman from California (Mr. RIGGS), for the bipartisan spirit in which he has joined this resolution.

Before I speak directly to it, I do want to note for the RECORD that the majority seldom comes forward to endorse another public entitlement, and here the majority appears to endorse a public entitlement to choice for education. I think it is a precedent that should be noted for the RECORD. If only the majority would support entitlements such as the one that was on the floor just ahead of this one, that 40 percent of funds for children in special education be paid for by this body, I would be prepared then to look more seriously at the public entitlement to go to private schools that is here offered this afternoon.

Mr. Speaker, I do want to commend the gentleman for his support of charter schools. We know that vouchers are on their way to the Supreme Court, one State court having already found them unconstitutional. I wish to offer what amounts to a subset of this resolution for a truce, until the Supreme Court tells us whether vouchers are constitutional or not, because neither the gentleman from California (Mr. RIGGS), nor I, nor any Member of this body, will have the last word on that. The last word on that serious church-State question lies with the court. So if we are serious about providing education for children in the meantime, we will look for opportunities such as that offered by the gentleman from California (Mr. MARTINEZ), for true bipartisan work to help children where they are now, such as the resolution that was offered before this one, and this resolution now.

May I also note for the RECORD, Mr. Speaker, that I endorse choice in the very way that the gentleman from California (Mr. MARTINEZ), has shown how choice works in a society which separates church from State. Instead of entanglement of church and State, something that has kept us free from religious warfare for 200 years, essentially it says, choices are available to us all, but as with everything else in a

market economy, the Federal Government will not pay for all choices, and one choice we choose not to pay for is religious education, in no small part because that entangles the State with the church and would force the church to abide by rules and regulations that no church in this society could possibly accept, because there is no free money that comes from the Congress. Every bit of money that comes from us comes with strings attached, and this Member will never attach strings to money that goes to churches or to religious institutions.

I am proud to associate myself with the work of the Washington Scholarship Fund which, instead of coming with hands out to this body, came into the District of Columbia and said, how many children are there who want to go to private schools? We will raise the money to go to private schools.

I went to the graduation sponsored by the Washington Scholarship Fund and spoke at that graduation at their invitation. Last year I went to St. Augustine Catholic School with the gentleman from Georgia (Mr. GINGRICH), the Speaker of the House of Representatives, and spoke to those eighth grade children who were on scholarship, courtesy of the Washington Scholarship Fund, and on this floor today I want to thank the Washington Scholarship Fund for each and every scholarship they have raised with private money to send our children to religious schools all across the District of Columbia. I wish them well, as they now set up the Children's Scholarship Fund to do the same in cities all across the United States of America. I have sent a letter to them so that they could use it in their publications endorsing their extraordinary work.

□ 1700

Meanwhile, there is much that we can agree upon here today, as the gentleman from California (Mr. RIGGS) and I agree on charter schools. I salute him for his extraordinary leadership there and as, of course, this bipartisan resolution offers us the opportunity to do.

The Martinez resolution to end social promotion speaks to one of the most important issues facing both U.S. education and the U.S. workforce today. I applaud the gentleman from California (Mr. MARTINEZ) and come to bear witness to his resolution in the Summer Stars program which is to be implemented in the District of Columbia beginning June 30.

Mr. Speaker, this program makes the District one of the first and one of the few districts in the United States to abolish social promotion. Children are socially promoted throughout the country in part to avoid incurring dropout rates that occur when students are left behind and to avoid placing older and younger children together in the same class.

The reason social promotion is so widely used, however, is that systems are unwilling to do the hard work associated with replacing social promotion. The District's public schools have just done that hard work establishing an academic enrichment program in math and reading to replace social promotion.

Although students who score below basic in reading and math must attend the Summer Stars program, it is not just an old-fashioned program for failing students that stigmatizes children. It is offered not only to students who must or should attend; students who score proficient or advanced may also attend.

Mr. Speaker, 7,000 students signed up for Summer Stars in the District before the scores were out. The student-teacher ratio will be 15 to one. Homework is required, and three absences drops the student from the program. Breakfast and lunch are provided. Private funds have been secured for after-school enrichment activities that mix recreation and education.

Test results reported last week already show significant improvement in virtually all grades before the Summer Stars program even begins. Further progress from this rigorous and skillfully developed program almost surely will follow. The collective hats of this House should be off to Arlene Ackerman whose leadership as superintendent is responsible for this progress.

If the District keeps this up, Congress will soon not have the D.C. public schools to kick around anymore. I know that this is the desire of this House. The D.C. public schools are not only proud to be leading the way in abolishing social promotion; we are especially proud of the Summer Stars program that we are putting in its place.

Mr. MARTINEZ. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. MILLER).

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, I thank the gentleman from California (Mr. MARTINEZ) for yielding me this time, and I commend the gentleman for this resolution and the chair of our committee and the ranking member for bringing it both to the committee and to the floor of the House.

Mr. Speaker, this is an important resolution and it addresses a very important and yet complex problem facing our school systems and our families and their children. Too often parents are told in the school system that their children are doing just fine. Students are told that they are doing just fine. And then they are passed from grade to grade.

But later, many of the students find out that despite their good grades, despite their report cards and their diplomas, that they have not achieved even the basic skill levels in math reading and other academic core subjects. I have learned this from talking to students and teachers, observing school districts, and watching how education is applied in the district which I represent.

Mr. Speaker, every Monday morning during the school year I teach a high school class. At the end of that year we have a discussion with those students about their education. Almost all of them are disappointed in their education. Almost all of them believe they could have done more work and better work and almost all of them will say that it really was not asked of them.

Some of them are quite angry that they are not equipped to go out into the world. Some of them are quite angry that the school did not care enough to really find out how they were doing as opposed to passing them on.

I think as the gentlewoman from the District of Columbia (Ms. NORTON) just pointed out in the well of the House, this is an important process of ending social promotion, but ending it with the alternatives.

Too often of social promotion it is said: We do this for the student and for the family so that the kids are not stigmatized, are not held back, and do not have to miss class. However, very often it is done so the school district does not have to be held accountable for what is being done in that school district. They can gloss over the problems of individual children and gloss over the problems of groups of children and give them passing grades and move them along. They do not have to confront the difficult issues about the quality of their teachers, about the quality of their textbooks, about the quality of their curriculum, about the condition of their school buildings. They can simply herd the children along and get them out of the schools.

Cities like Chicago, Milwaukee, and States like Texas have had notable success in strengthening the standards and creating more rigorous criteria for the passage from grade to grade. Implementing rigorous standards can be difficult and controversial. The minute we start to tell a parent or start to tell teachers that students may not be socially promoted, all sorts of problems come right to the forefront.

But, Mr. Speaker, the fact of the matter is that these rigorous standards may be implemented. Such changes are initially greeted with trepidation, but they have actually served to energize students and engage teachers and parents around homework, tutoring, summer school and Saturday morning classes.

Last spring, more than 42,000 students in Chicago were told that they would not be able to advance to the next grade until they met the tough standards set by the large district. Students had to attend summer school. The move was not popular, but the early results are starting to suggest in this instance the get-tough policy worked.

Of the 473 elementary schools, 393 had better math scores this year than

last year, and 271 had better reading scores.

The point is this. They just did not stop social promotion; they offered intensive math and reading tutoring and mentoring and help to those students that needed it, and they also said to the students who were yet to cross that threshold, they let them know what the standard would be at end of the year.

Letting students slide in elementary and high school is not only unwise, it is expensive. A report released in March shows that more than half of the freshmen entering the California State University system last fall needed basic remedial help because they were unprepared for college level math. Forty-seven percent could not handle college level English. How many times must we pay for students to learn the same material that they were supposed to learn earlier in their educational experience?

This resolution is important, but we need to step up to the plate and strengthen accountability for Federal education programs. We spend billions of dollars annually on elementary and secondary education primarily through the title I program, but we do not demand the results that we are entitled to, that the students are entitled to, that the taxpayers are entitled to.

Last year's Obey-Porter bill was a good first step. It will move title I programs to use up-to-date and proven instructional programs. But we need to go further to make sure that whatever model is being used, the students are achieving academically at the standards we should expect.

Higher standards must be coupled with adequate resources. This means better teachers, safe and well-equipped classrooms, and computers with access to the technology and the Internet for all of our students.

Here again, the success of today's debate should not be judged by the strength of today's vote but on what we do after today. There is a bit of disconnect in that we all say we are for education and we all say we want better student achievement, but the reality is that this Congress has really fallen short when it comes to taking action.

Mr. Speaker, we will know we are doing a much better job on behalf of our students and their families and a good job when somebody slips $50 billion in a bill in the middle of the night for school construction and education rather than for the tobacco companies.

We will know we are doing a good job on education when this body struggles to find money for classrooms and teachers with the very same verve with which that they quite appropriately sought funding for roads and bridges.

We will know we are doing a good job on education when we put the same energy into strengthening the accountability that we now waste in conducting partisan and fruitless investigations.

This resolution says many good things and sets a very good direction on ending social promotion. But the time has come for Congress to act to demand accountability for the money that we spend and to demand accountability so that America's parents and families will know how their children are doing as they proceed through their educational experience.

Mr. Speaker, again I commend the gentleman from California (Mr. MARTINEZ), ranking member and author of this resolution, and the gentleman from California (Mr. RIGGS), chairman of the subcommittee, for bringing this to the floor.

Mr. MARTINEZ. Mr. Speaker, I urge all Members to support this resolution, and I yield back the balance of my time.

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

Mr. Speaker, I will briefly close this debate. Let me just say again that with respect to the gentleman from California (Mr. MILLER), my good friend and California colleague, that calling the Congress which has very legitimate oversight and investigative responsibilities as a legislative branch of government, saying that we are engaged in partisan and fruitless investigations is itself a partisan statement. But I guess that is obvious.

Secondly, I just again want to reemphasize that really the direct accountability to parents through choice and competition is in my mind the way to revitalize public education. But I do agree with my Democratic colleagues that there is no silver bullet or panacea. All we can do is say to State and local education agencies and to the civic leaders in those communities, we really believe social promotion is a problem that has to be balanced with high expectations and high standards for parents and teachers alike and students. We hope, again, that today's resolution is a way of starting that debate.

Lastly, I just want to say very gently to the gentlewoman from the District of Columbia (Ms. NORTON) that if we did not think that IDEA funding, that is to say funding for children with disabilities and special needs, was a priority, we would not have brought the Bass resolution to the floor immediately proceeding House consideration of this particular legislation.

Mr. Speaker, I also want to point out to that the Wisconsin Supreme Court just upheld the constitutionality of the low-income parental choice parental scholarship bill in Milwaukee schools and we are very encouraged about that, and we look forward to the Supreme Court perhaps hearing that case on appeal.

Lastly, I agree with the gentlewoman. I want to join with the people who are doing what I think is the Lord's work. They are really angels of mercy, philanthropists and other individuals making charitable contributions to these private scholarship programs underway now in some 50 communities across the country, including the District of Columbia. I extend a hand to the gentlewoman across the so-called partisan aisle to see perhaps if we could work with some of our colleagues to raise even more money for those scholarship programs for low-income families beginning here in the District of Columbia.

Mr. Speaker, since I intend to call for a recorded vote here momentarily, I urge our colleagues to support the Martinez-Riggs bipartisan social promotion resolution.

Mrs. MINK of Hawaii. Mr. Speaker, I rise today to express concerns regarding H. Res. 401, which calls for an end to the practice of ''Social Promotion'' in our education system. We can all agree that promoting a student from grade to grade if they have not made the appropriate academic advances is generally not a good idea. However, simply calling for the end of Social Promotion, without acknowledging the issues related to why our children are not meeting academic requirements, ignores the very heart of this issue.

H. Res. 401 calls for the end of Social Promotion, but it is silent on assuring that children are provided quality education which effectively teaches them what they need to know in order to advance to the next grade. This leaves the impression that the simple act of retaining a child in their current grade solves the problem. This does not address the real problem, which is how to prevent children from failing to meet academic standards and how to help them improve their academic achievement.

We know that students need enriched and accelerated curriculum, effective instruction, timely intervention if they have trouble meeting the appropriate standards, and strong parental involvement to assist them. Yet none of these important factors are mentioned in the Resolution.

H. Res. 401 supports the idea of holding children accountable for their lack of academic progress, but it says nothing about holding our education system accountable for a quality education. Children cannot learn without quality instruction, trained teachers, a safe learning environment, adequate textbooks and other curricular material. The question is who is really failing? Is it our children or is it our system?

While I will not vote against H. Res. 401 today, I believe it misses the boat completely on what this Congress should support in order to prevent students from advancing in our education system without the knowledge and skills appropriate for their grade level.

We should resolve to provide the resources necessary to assure that children are receiving quality education; we should resolve to support early intervention efforts for children who are at risk of ''Social Promotion'', and we should resolve that every child in America is provided an opportunity to learn what is necessary to progress on to the next grade.

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

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from California (Mr. RIGGS) that the House suspend the rules and agree to the resolution, House Resolution 401, as amended.

The question was taken.

Mr. RIGGS. 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.

GENERAL LEAVE

Mr. RIGGS. 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 401.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

Concurring in the Senate amendment to H.R. 1847, by the yeas and nays;

House Resolution 401, 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.

TELEMARKETING FRAUD PREVENTION ACT OF 1997

The SPEAKER pro tempore. The pending business is the question of suspending the rules and concurring in the Senate amendment to the bill, H.R. 1847.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 1847, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 411, nays 1, not voting 21, as follows:

[Roll No. 232]

YEAS—411

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (OH)
Bryant
Bunning
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
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 (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
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
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Wynn
Yates
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—21

Ballenger
Brown (FL)
Buyer
Cubin
Eshoo
Ford
Gonzalez
Hastings (FL)
Hilliard
Inglis
Kanjorski
Kennedy (MA)
Lewis (CA)
Lewis (GA)
Lofgren
McNulty
Rush
Schumer
Smith, Linda
Tiahrt
Woolsey

□ 1732

So (two-thirds having voted in favor thereof), the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to the provisions of clause 5 of 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 the additional motion to suspend the rules on which the Chair has postponed further proceedings.

SENSE OF THE HOUSE THAT SOCIAL PROMOTION IN AMERICA'S SCHOOLS SHOULD BE ENDED

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, House Resolution 401, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RIGGS) that the House suspend the rules and agree to the Resolution, House Resolution 401, as amended, on which the yeas and nays were ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 405, nays 1, not voting 27, as follows:

[Roll No. 233]

YEAS—405

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler

Baker
Baldacci
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Bunning
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
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 (WA)
Hayworth
Hefley
Hefner
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
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
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Snowbarger
Snyder
Solomon
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
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
Wynn
Yates
Young (AK)
Young (FL)

NAYS—1

Rivers

NOT VOTING—27

Ballenger
Brown (CA)
Brown (FL)
Buyer
Clayton
Cubin
DeGette
Edwards
Eshoo
Ford
Gonzalez
Hastings (FL)
Herger
Hilliard
Inglis
Kennedy (MA)
Lewis (CA)
Lewis (GA)
Lofgren
McNulty
Rush
Schumer
Smith, Linda
Souder
Tiahrt
Waters
Woolsey

□ 1742

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

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. FARR of California. Mr. Speaker, I was privileged to host the first National Ocean Conference in my district last week that featured the President and Vice President, Secretaries Daley, Babbitt, Slater, Dalton, EPA Administrator Browner, and CEQ Director McGinty, among others. As a result, I was unavoidably absent for rollcall votes 211 to 231, which I would like to be noted in the CONGRESSIONAL RECORD how I would have voted on each one had I been present.

Mr. Speaker, I will submit them for the RECORD.

Roll call vote.—211, yea; 212, yea; 213, yea; 214, yea; 215, yea; 216, nay; 217, nay; 218, nay; 219, yea; 220, yea; 221, nay; 222, nay; 223, yea; 224, yea; 225, nay; 226, nay; 227, yea; 228, nay; 229, nay; 230, yea; 231, yea.

PERSONAL EXPLANATION

Mr. SHAYS. Mr. Speaker, on Thursday, June 11, I was in Connecticut attending the graduation of my daughter, Jeramy Alice Shays, from high school and, therefore, missed three recorded votes.

First, I want to say I missed her 5th grade graduation and her 8th grade graduation, and I did not want to miss her senior graduation. It is the second, third and fourth votes I have ever missed, and I would like to say for the RECORD that had I been present I would have voted yes on recorded vote number 229, yes on recorded vote 230, and yes on recorded vote 231.

□ 1745

REMOVAL OF MEMBER AS COSPONSOR TO H.R. 3396

Mr. QUINN. Mr. Speaker, I rise today to ask unanimous consent to have myself removed as cosponsor of H.R. 3396, the Citizens Protection Act of 1998.

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

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 Michigan (Mr. CONYERS) is recognized for 5 minutes.

(Mr. CONYERS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

TRIBUTE TO VETERAN CORRESPONDENT ALAN EMORY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. MCHUGH) is recognized for 5 minutes.

Mr. MCHUGH. Mr. Speaker, I come to the floor today to recognize the work and career of an extraordinary man, Watertown Daily Times reporter Alan Emory. Indeed, June 7 marked Alan's 51st year with Watertown (New York) Daily Times.

Alan has rightfully earned the recently bestowed title of Times senior Washington correspondent by serving 47 of his 51 years covering the Capital, covering all the stories, large and not so large, nearly one-half century of being a firsthand witness to the events of the day and, more importantly, reporting them accurately and intelligently and succinctly to thousands.

Alan went to Watertown with impressive academic credentials. He was educated at Phillips Exeter Academy, Harvard University, and the Columbia Graduate School of Journalism; and, to this day, his writings reflect his remarkable education and intellect. But for all of that, it was his talent and hard work that helped him prove himself to editor and publisher Mr. Harold B. Johnson.

It is amazing to me to think about how things have changed since Alan first arrived in Washington in 1951. He has covered the administrations of 10 presidents. He has covered our Nation's war and military deployments ever since the Korean Conflict.

Alan's length of service is an important achievement. However, it is the manner with which he has served these 51 years that is indeed most impressive.

I came to this town in 1992 and became the fourth Member of the House from New York's North Country area to be covered by Alan. For me, it was a real thrill, not the new office or duties of the town, even though that was all very exciting, but the opportunity to meet and work with this man.

Like so many others, I grew up learning about the inside operations of our Federal Government through Alan's writings. Later, as a member of the New York State Senate, I looked to Alan's insightful articles in the respected Empire State Report to help me better under the connection of politics and government between New York State and the Nation's Capital.

For someone like me, long a political junkie from northern New York, meeting Alan Emory was the literary equivalent of meeting Cal Ripken, a legend in their own time, legends who survive through a rare combination of talent, hard work, grace, and style.

But for all of his talent, all of his skills and charm, the thing I think I admire most about Alan has been his sense of place, that all-too-rare quality in a reporter who recognizes the difference between a news story and an op-ed piece, a man who has always understood that a news article must be about facts and that opinions are to be confined to other sections of the paper.

Not to say that Alan is without opinion, nor that he is unable to express them. To the contrary, his weekly column on politics in the Sunday paper always informs, instructs and impresses with deft insight. But Alan has always known how to expertly write each story and where to place it. It is a skill sadly few others possess today.

Happily, Alan will continue writing, will continue enlightening and informing but, hopefully, in a new way that will provide him and his wonderful bride and partner Nancy more time to enjoy their lives together, their family, their two sons Marc and John, and their daughter Katherine and their families. It is an opportunity they both richly, richly deserve.

And so, Mr. Speaker, it is with honor that I rise today to state for the RECORD the partial achievements of a very remarkable man, to thank Alan Emory for his 51 years of contributions, and, on a personal note, to say that, in my nearly 30 years in public life, I have never met a reporter or a man in whom I hold higher respect and admiration.

Thanks, Alan. You are the best.

Mr. DAVIS of Virginia. Mr. Speaker, will the gentleman yield?

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

Mr. DAVIS of Virginia. Mr. Speaker, I would like to associate myself with the remarks of my friend the gentleman from New York (Mr. MCHUGH).

Alan Emory currently resides in the 11th Congressional District, in Lake Barcroft, where he is a pillar of the community there. His respect reaches across regional lines in New York. He is a well-respected member of our community in Northern Virginia, where he and his wife and family has been active for a number of years.

His political commentaries I think have been viewed nationally. He is very well-respected, and I am going to miss him. I would join my colleagues in wishing him and Nancy the very best in years to come.

Mr. MCHUGH. Mr. Speaker, I thank the gentleman for his comments.

Truly, I think Alan is admired by so many that there are a number of Members who care to share in this experience.

Mr. Speaker, I include for the RECORD remarks by our colleague and friend the gentleman from New York (Mr. SOLOMON), who has some very, I think, insightful and kind words to say about this deserving man as well.

Unfortunately, Chairman SOLOMON is involved in a meeting upstairs. But he has sent his best and I know wants to have the CONGRESSIONAL RECORD show his admiration for a very special man.

Mr. SOLOMON. Mr. Speaker, I rise today to join my colleagues, including my neighbor, Congressman JOHN MCHUGH, to pay tribute to a true gentleman and veteran of the Washington Press Corps, Alan Emory. Alan is truly a dean of the Washington Press if ever there was one and is representative of the good old days of journalism when telling it like it is was the best measure of a journalist, not how much face time they can get as a talking head.

Mr. Speaker, you'd be hard pressed to find anyone in this town with more wisdom and experience in the ways and the means of Washington than Alan. And the best part is, he's covered it for 47 of his 51 years while working exclusively for the same paper called the Watertown Times from a small upstate city of Watertown, New York. That sort of time and devotion is a rarity in itself nowadays and the people who read that paper have been done a great service all of these years by Alan's clear, concise and fair reporting. It must be comforting to know that for all those generations, he provided the readership with a window into the Capitol that they otherwise would have gone without.

And I'm talking about an inside look that started before the outset of the Eisenhower Administration and has spanned across interviews with such American leaders as Nixon, Ford, Bush and Nancy Reagan, not to mention a host of other foreign dignitaries in travels with political leaders that have brought him to every corner of the world.

Some, Mr. Speaker, might think it odd in this day and age for members of Congress like myself to recognize a political journalist like Alan. However, I can tell you it is because of his objectivity and fairness that I respect him such a great deal. He has covered me over the course of my career on a variety of issues even though his paper doesn't reach a large part of my district. And he has always conducted himself in the most professional manner, including in his profile of me after I assumed the Chairmanship of the House Rules Committee. I've never had a problem with someone who sheds light on some of my shortcomings as long as they were just as vigorous in their coverage of ways in which I served my constituents well.

But perhaps most telling about Alan's career is his standing within the journalistic community and the Washington Press Corps. By their very nature, they're a tough lot to please. Still, Alan has managed to reach the leadership ranks of a whole host of press associations, including as President of the renowned Gridiron Club, and remains active to this day. I have always said one of the best measures of a person is his standing amongst his peers. By that measure, Mr. Speaker, Alan Emory goes unmatched.

I would ask that all members of Congress join in honoring the outstanding career and public service of one of this town's most respected newsmen, Alan Emory of the Watertown Times. After 51 years, 47 of them in Washington, he is still strong and exemplifies all that is good about his profession. And more than that, he is a clear demonstration to all of us that hard work can take you anywhere, even from a small daily in Upstate New York, to a one-man office in Washington, to the top of the ranks of his profession. Congratulations Alan, and many more years of success and happiness to you and your family.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT ON A BILL MAKING APPROPRIATIONS FOR MILITARY CONSTRUCTION, FAMILY HOUSING, BASE REALIGNMENT AND CLOSURE FOR DEPARTMENT OF DEFENSE FOR FISCAL YEAR 1999

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight, Tuesday, June 16, 1998, to file a privileged report on a bill making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for fiscal year 1999.

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

There was no objection.

The SPEAKER pro tempore. All points of order are reserved on the bill.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT ON A BILL MAKING APPROPRIATIONS FOR ENERGY AND WATER DEVELOPMENT FOR FISCAL YEAR 1999

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight, Tuesday, June 16, 1998, to file a privileged report on a bill making appropriations for energy and

water development for fiscal year 1999, and for other purposes.

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

There was no objection.

The SPEAKER pro tempore. All points of order are reserved on the bill.

CONGRATULATIONS TO CHICAGO BULLS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, I rise today to commend and congratulate some of the most outstanding citizens of my congressional district, namely, the Chicago Bulls basketball team.

I have the good fortune of representing the champions not only of the 7th Congressional District, but indeed the champions of the world. The world has never seen the magnificence of an athletic dynasty such as that displayed and put together by Jerry Reinsdorf, which is now the Chicago Bulls' 6th championship, a performance that has revitalized interest in basketball.

As a matter of fact, with due respect to all other sports, baseball, soccer, football, right now the United States of America is basketball country as a result of the Bulls' accomplishment and achievement.

But more than that, not only are they superstars on the basketball court, but they are also superstars in the community. The franchise has caused revitalization of an area of the City of Chicago. The James Jordan Boys' Club provides opportunity for young people to come and grow and develop, play and be nurtured.

Just recently, high school students from throughout my Congressional District had an opportunity to participate in our art competition at the United Center, where they could display their art and at the same time walk the same ground that Scottie Pippen, Michael Jordan, Dennis Rodman, Phil Jackson, all of the Bulls players, Randy Brown, a young fellow who was taught by my wife. When we watch him on television, we know that her teaching skills were vindicated.

So I commend and congratulate all of the Bulls for providing the United States of America and all of the world with a year never to be forgotten and always to be remembered.

And at the same time, Mr. Speaker, in the same community, in the same neighborhood, there is another superstar in town for the Jefferson awards, Major Adams, who, along with other Americans throughout the country, are being cited for their outstanding community services.

Major Adams has no peer when it comes to volunteerism. For the last 50 years he has been an active volunteer on the near West Side of Chicago, organizing the Henry Horner Boys Club, the Henry Horner Drum and Bugle Corps, the Mile Square Federation.

Now 76 years old, Mr. Adams is just as involved today as he was 25, 30 years ago. And so, on one hand, while we have the Bulls, a superstar team, on the other hand we have Major Adams, a superstar individual, humanitarian, who has brought countless years of joy and development into the hearts of thousands of young people and their family.

We commend and salute him.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. SOLOMON) is recognized for 5 minutes.

(Mr. SOLOMON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 1800

TRIBUTE TO CORRESPONDENT ALAN EMORY ON HIS RETIREMENT

The SPEAKER pro tempore (Mr. LAHOOD). Under a previous order of the House, the gentleman from New York (Mr. WALSH) is recognized for 5 minutes.

Mr. WALSH. Mr. Speaker, I would like to take a moment to add my praise to the lifetime's work of correspondent Alan Emory, whose life and service was addressed so eloquently by the gentleman from New York (Mr. MCHUGH). Mr. Emory is a reporter of humor, intelligence, talent, and, perhaps most important, longevity, 50 years of service.

While Alan is no doubt most thankful for the last of those qualities, I want to say the others have been invaluable to both readers and those of us who are written about in upstate New York.

It is often said that we in public life are adversaries of the Fourth Estate, that there must be a war footing of sorts between our two worlds, that there must be a sort of tension in order to bring about good performance all the way around. If that is true, Mr. Speaker, the best way to describe Alan's mission is a notable adversary, a friendly foe.

He has done justice to our institution in his reportage, mostly for the Watertown Times of New York. He has served readers, as I have mentioned, who depend on accuracy and insight of reliable news people. He has been a faithful advocate for his region, and his perspective will be missed by many of us.

I would like to thank the gentleman from New York (Mr. MCHUGH) for this opportunity and wish Alan Emory all the best in his retirement.

HABITAT FOR HUMANITY HOUSTON PROJECT

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, I rise today for a great celebration and a tribute as well. This week in Houston, Texas, under the leadership of former President Jimmy Carter, 6,000 volunteers from around the Nation are participating in the 1998 Carter Work Project of the Habitat for Humanity resulting in 100 homes being built for the needy citizens of our community.

President Carter, before the building began, said, ''We are destined in Houston to see a miracle, one that we will never forget.'' I can assure my colleagues that he is now and will be when we conclude 100 percent correct.

I was delighted to be able to join the 6,000 volunteers at the George Brown Convention Center on Sunday in the 18th Congressional District where we were able to celebrate their visit, volunteers from Arizona, Indiana, California, Pennsylvania and so many other places around this Nation.

It was particularly a special time, because as many of my colleagues know, we have had some troubling times in Texas. Yes, we have had the tragedy that occurred in Jasper, Texas. I am so very pleased that that healing has begun. But yet the day after funeralizing Mr. Byrd and paying tribute to his life and to that of those who wanted to make sure that we live in harmony together, 6,000 Americans of all different colors and creeds and religions joined together to come and build a house. Their challenge was to build a house for the comfort and unity of a family and to bring a community together. I was delighted to join them on Sunday not only to celebrate but to uplift. For these 6,000 souls are like the Good Samaritan. They are not too busy to stop by the wayside and help someone.

The story of the Good Samaritan was that every single person that passed this battered and bruised person had something else to do, had somewhere else to go. But yet the Good Samaritan took his time and stopped. These 6,000 souls are like the Good Samaritan.

In Houston alone, with some 1.7 million residents, we have over 150,000 who are marginally homeless every night. We need housing. I was very gratified with volunteers who will come from my office throughout the week to have been able to join the volunteers yesterday on the first day and to work alongside of them in the sweltering heat, some 98 degrees, but none of us really felt it, for the joy of doing something for someone else.

We worked alongside the Gibson family, not unlike many families, Mr. and Mrs. Gibson with two children and one on the way. For the past few years they have lived in a small apartment in a dilapidated building, the whole while looking for ways that they could better their living situation. Like many families, they searched for options that would help them make a way and to also take their hard-earned money and to invest in something other than a landlord, paying rent. They wanted to own their own piece of the pie, if you

will, their own piece of this great Nation.

I am so very delighted that Wade and Shalina Gibson spent their time yesterday along with the rest of us bending and lifting and pulling and nailing and placing what we call styrofoam boards, the blue boards, and working alongside of so many different people.

I think their work answers the question, because I would not even want to address it but I have heard people say, is the Habitat for Humanity giving people something?

Mr. Speaker, first of all, I believe in giving to those who are in need. It is our challenge to help the least of our brothers and sisters. But let us set the record straight. Habitat for Humanity is a project where those who receive the benefits of this housing are right in there with the rest of them. They are there toiling and building and lifting. We in this Nation should not be so big that we cannot give to those who are in need. But in this instance the Gibson family and so many other families, the Beck family and so many that I could not call, were there working hard in order to ensure a better quality of life for their children.

Mr. Speaker, let me also thank the many corporate sponsors in my area. The Sakowitz area in the 18th Congressional District where I worked all day yesterday was an area that had been undeveloped and had been run down. How gratifying now that we will have homeowners with their own grass in the front yard and in the backyard, maybe a basketball court, the ability to go to the neighborhood park with their families, a community that will be developed and enriched because of their involvement. I want to thank those corporate sponsors for their support, and I want to thank this Nation and thank President Carter and the founders of Habitat for Humanity.

Mr. Speaker, let me simply say, it was the best thing that I have seen in a long, long while. It was the true spirit of America. It makes me proud to be an American. And, yes, Mr. Speaker, we began it on Flag Day. I hope that we will see many more opportunities like that.

I rise to acknowledge the miracles wrought by Habitat for Humanity in my district, throughout this week.

Through the efforts of Former-President Jimmy and Mrs. Cater, the Founders of Habitat for Humanity, and 6000 miracle-working volunteers, 100 homes will be built for needy families this week in the City of Houston. The volunteers come from places like Arizona, Indiana, California and Pennsylvania.

President Carter, before the building began, mentioned that we were ''destined in Houston to see a miracle, one that [we] will never forget''. He was 100% correct.

I witnessed one of those miracles. For the better part of the day, yesterday, I and a few friends worked on the soon-to-be-home of the Gibson Family.

The Gibson Family is not unlike many families in the City of Houston. They have two children, both girls, under the age of ten, and another on the way. For the past few years, they have lived in a small apartment in a dilapidated building, the whole while, looking for ways that they could better their living situation. Like many families, they searched for options that would keep them from having to send their hard-earned money to the landlord every month, knowing that they would never own a piece of that property. How pleased we were that they were able to be part of the Carter Project located on Sakcowitz Street in my 18th congressional district in Houston.

When Wade and Shalina Gibson heard about the possibility that they could own their own home, through Habitat for Humanity, they took all of the necessary steps to ensure their candidacy. Needless to say, they were ecstatic to receive the news that their application had been approved.

Unlike many of the underprivileged families in Houston, the Gibson Family got their chance to better their status through homeownership. It would take a lot of elbow-grease and hard work, but they were more than happy to do it. They have worked hard for the opportunity to pay a mortgage instead of a rent bill. They have worked hard to own part of the American Dream. I was honored to work along side of them in helping to build their home. I will never be the same. I saw a miracle truly happening.

I worked along-side Wade and Shalina yesterday. Although the work was strenuous, especially under the hot sun, it was joyful and exhilarating. Shalina's passion for carpentry was particularly zealous, and occasionally, because she is pregnant, we had to force her to take short breaks. Colleagues, I hope that we can all adopt some of the Gibson work-ethic.

The Gibson home will be a modest one. However, it will be cherished, by the parents, by their children, and eventually, by their grandchildren.

You see, the Gibson home is a labor of love. Its foundation is poured from the concrete of community unity. Its walls are crafted by the goodwill and generosity of the human spirit. Its ceiling, and the ceiling for the Gibson Family, is limitless.

I congratulate them, and the 99 other families who will be receiving homes through the Habitat for Humanity Program this week. I congratulate President Carter, and his army of miracle-workers, for their fantastic efforts to bring hope to a community that desperately needs it.

I pledge my loyal support to Habitat for Humanity and the people that make it work—the volunteers. I ask that my colleagues do the same. These people truly embody the best of the human spirit, and I applaud their heroic efforts.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. BOEHLERT) is recognized for 5 minutes.

(Mr. BOEHLERT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

(Ms. MILLENDER-MCDONALD addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

RETINAL DEGENERATIVE DISEASES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. The gift of sight, Mr. Speaker, is one of our most precious. For those of us who are fortunate to have healthy eyesight, we often fail to recognize that there are those who suffer from debilitating diseases that impair their vision and that oftentimes may lead to complete blindness.

Retinal degenerative diseases are a group of diseases that affect the eye's innermost layer. They are inherited, the hereditary pattern varying from family to family.

The most common forms of the diseases are macular degeneration, which is the leading cause of blindness among seniors, retinitis pigmentosa, and Usher's syndrome.

Retinitis pigmentosa is an inherited disease that is usually diagnosed at childhood and is characterized by an increasing loss of peripheral vision. Usher's syndrome is also inherited and is accompanied by varying degrees of deafness and the development of retinitis pigmentosa. Macular degeneration is thought to be caused by a combination of genetic and environmental factors and is characterized by a loss of central vision.

These diseases can be detected in routine eye exams; however, they are fairly difficult to diagnose in their early stages. Retinal degenerative diseases cause a loss of vision due to loss of light-sensing photoreceptor cells in the retina. They are responsible for the loss of sight of over 6 million Americans across our country. These diseases unfortunately have no treatment and no cure.

Last Wednesday, along with the Foundation Fighting Blindness and a very special family from my congressional district, the Lidsky family, we held a congressional briefing on retinal degenerative diseases. Three of the four Lidsky children, and they are the children of Carlos and Betty Lidsky, have been affected by retinal degenerative diseases. One of these wonderful children, Isaac, spoke at this briefing and detailed to us how he has been affected by this disease. Isaac, who aspires to be an attorney just like his father one day soon, has big dreams. One of them is to find a cure for this disease that is responsible for slowly taking away his eyesight.

Isaac and his sisters, Doria and Ilana, who also have this challenge, reminded us that this disease has overwhelming effects on the lives of those who are afflicted. He also reminded us about the bravery and the perseverance of the human spirit. He is not letting this disease conquer his dreams nor his hopes of someday very soon finding a cure.

My colleagues and I also had the opportunity to meet Patrick Leahy, a young 25-year-old Maryland native who works in the office of Senator FRED THOMPSON. Patrick is afflicted with Leibers, one of the forms of retinitis pigmentosa.

Regardless of the debilitating effects of these groups of diseases that Patrick and Isaac are afflicted with, they are both successful young men who make us proud of their accomplishments and of their unwavering optimism.

I would like to thank Isaac, Doria, Ilana, Patrick and all Americans who are dealing every day with these diseases. We want to offer them additional hope for a future in which we can soon eradicate retinal degenerative diseases.

Research scientists at the Foundation Fighting Blindness are making significant and exciting advances in the fight against retinal degenerative diseases. The most solid advances have been in the discovery of several new genes whose mutations cause retinal degenerations. These discoveries are critical, because they allow us to come closer to understanding the causes of these diseases and how one day doctors will be able to repair these genetic mutations.

There have been significant discoveries in the areas of molecular engineering and gene therapy. There have been significant advances made in the lab with vectors which are modified viruses that transport normal replacement genes into cells to help them function. This past year, there was significant improvement in the new generation of vectors which have the potential of being safer and more effective.

In the area of retinal transplantations, animals tested in labs with pigment cell transplantation proved that such procedures can effectively delay the degenerative process.

These tests must now be taken to the clinical trial level where we can find out their effectiveness on humans. This is why it is very critical to promote educational research.

Our prayers are with the Lidsky family and with all of those who are similarly affected.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. SCARBOROUGH) is recognized for 5 minutes.

(Mr. SCARBOROUGH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Washington (Mrs. LINDA SMITH) is recognized for 5 minutes.

(Mrs. LINDA SMITH of Washington addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

SPEAKER'S ACTION WITH RESPECT TO U.S. POLICY IN MIDDLE EAST COMES UNDER ATTACK

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Wisconsin (Mr. OBEY) is recognized for 60 minutes as the designee of the minority leader.

Mr. OBEY. Mr. Speaker, I have great reverence for this House and great respect for the office of the Speakership. It is, after all, the third highest office in the land, and despite partisan attachment, the Speaker, as the leader of the legislative branch of government, serves as a symbolic representative of every Member. The manner in which he fulfills that role reflects, like it or not, on all of us.

That is why I must express great regret about the recent action of Speaker GINGRICH with respect to U.S. policy in the Middle East. In my view, this represents the most reckless and destructive undermining of an American peace effort that I have ever seen.

Mr. Speaker, I have been closely involved with U.S. policy toward the Middle East since 1974, when I first began my service on the Subcommittee on Foreign Operations of the Committee on Appropriations. From 1984 until 1994, I chaired that subcommittee. I think it is fair to say that during that time, every effort by any American President to pull Arabs and Israel toward peace was supported on a bipartisan basis by our subcommittee and by the Congress as a whole.

When President Carter, at great political risk to himself, pressured both the Egyptian and Israeli Governments to reach an agreement at Camp David, the Congress supported his action. When President Reagan and Secretary Shultz withheld debt restructuring from Israel until its government adopted economic reforms that were a necessary precondition for bringing rampant inflation under control, the Congress supported that tough medicine in a bipartisan fashion, and that enabled us to provide some crucial help to stabilize Israel's economy.

When President Bush courageously withheld loan guarantees from Israel until Israeli policy on West Bank settlements no longer conflicted with long-standing American policy, those of us in positions of responsibility supported him, and the peace process moved forward.

The historic ceremony that celebrated the Oslo Accords reached between Mr. Arafat, representing the Palestinians, and Prime Minister Rabin, representing the State of Israel and hosted by President Clinton, would never have occurred if it had not been for President Bush's courage.

□ 1815

Since that time the road to peace in the Middle East has been harmed because of foot dragging by the Syrian government, because of vicious terrorist activities by Palestinian extremists, the sometimes disingenuous actions of the Palestinian leadership and, most of all, because of the assassination of Prime Minister Rabin by a rabid anti-peace Israeli citizen. The collapse of that peace process would have grave implications for every party in the Middle East. It also would have grave consequences for the United States, for our security, for our world influence and even for the safety of our citizens at home and abroad.

Recognizing that fact after much patient hand holding with both sides, President Clinton, Secretary of State Madeleine Albright, Assistant Secretary Martin Indyk and our tireless Mideast negotiator, Ambassador Dennis Ross, presented to both sides their best assessment of what interim steps needed to be taken to keep the peace process from collapsing. At that point the Speaker of this House took a number of actions, the result of which clearly undercut and undermined U.S. peace making efforts in the region and raised the risk of catastrophe.

First, the Speaker described America's Secretary of State as being an agent of the Palestinians in negotiations. He then attacked President Clinton for turning America into a bully in the peace process because the President, acting as an honest broker between the parties, has courageously and frankly spelled out to both sides the best assessment by our negotiators of what minimum actions would be required to keep the Oslo process alive.

The United States is not today and has never been a bully in the Middle East process. Quite the contrary. It has been an incredibly generous benefactor. The United States has provided Israel with $75 billion in direct U.S. assistance and $10 billion in loan guarantees. Sixty-five billion dollars of that has been provided since 1977, and those numbers do not count various other packages of assistance that this Congress has provided through less direct and less obvious means. Under President Clinton alone Israel has received $18.7 billion in direct aid and $8 billion in loan guarantees plus a number of additional valuable items. For that kind of money the President has not just the right, but an obligation, to provide leadership toward a peace settlement especially when we have been invited by both sides to do so.

Now a letter from the Speaker alleges that the administration's, quote, strong-arm tactics send a clear symbol to supporters of terrorism that the murderous actions are an effective tool in forcing concessions from Israel, end quote. In my view that kind of rhetoric completely ignores the facts and in my view is the worst kind of excess. President Clinton's record in fighting terrorism is exquisitely clear, strong and consistent, especially in the Mideast. In 1996, after a horrible series of attacks in March, President Clinton traveled to Israel and along with 20 other world leaders vowed to renew the fight

against terrorism and pledged an additional $100 million to assist in that effort. To make matters worse, after the Speaker wrote his letter, he then traveled to Israel and gave Israeli leaders the clear message that in any disagreement between the Clinton administration and the Israeli government that they and not the President could count on the Congress.

Mr. Speaker, the Logan Act provides as follows:

Quote: Any citizen of the United States who carries on any intercourse with any foreign government with intent to influence its measure of conduct in relation to any dispute or controversies with the United States shall be fined or imprisoned not more than 3 years or both.

I will not suggest that the Speaker violated the Logan Act by imposing U.S. policy in conversations with the leaders of other governments, although he, in fact, years ago did accuse a previous Speaker, Speaker Wright, myself and a number of others of doing so. What raised Mr. GINGRICH's ire at the time was a much more limited action which consisted of our simply writing a letter to the then President of Nicaragua. In the letter we indicated that even though we were publicly known to be opponents of U.S. military aid to the Contras we nonetheless urged him to support the principle of open and fair elections in his country, and when he did, by the way, he was voted out of office.

No, I will not accuse the Speaker of that action although there is one clear difference between our actions and that case and the actions of the Speaker in this one. Our letter asks Mr. Ortega to do something that was fully consistent with U.S. policy, to support such elections. In contrast, Speaker GINGRICH's counsel to Israel was to feel free to resist U.S. policy.

When Mr. GINGRICH was attacking Mr. Wright, he told the House during the course of debate, quote, it is not the business of the legislative branch to be engaged in negotiations with foreign leaders, to be talking directly with people as though they were the executive branch. The history is clear over and over that that is precisely what they, the Founding Fathers, were terrified of because of the Articles of Confederation, end quote.

It should be noted that the letter that Mr. GINGRICH attempted to bring into question was consistent with this Nation's foreign policy not only with respect to what it requested of Nicaragua, but also with respect to other comments which it might have contained but did not. Unlike the Speaker's present actions, our letter made no criticism of any U.S. official, diplomat or negotiator representing our Government in the region. It certainly contained no offer or indication that the Congress, acting separately from the executive, would respond with any assistance or other incentive if its separate policy conditions were met. By contrast, Mr. GINGRICH is openly critical of the offers made and the positions taken by those whose responsibility it is to negotiate on behalf of the United States. He has virtually invited a foreign government not to take the deal that his own government has offered. His actions undercut the ability of the Secretary of State to pursue peace in the region.

Mr. Speaker, the actions and utterances of Speaker GINGRICH can produce downright dangerous results. If any of us contribute to the illusion that there can be any long term security for Israel or anyone else with interests in the region so long as there is no progress on the peace front, we invite tragedy.

As Tom Friedman, the respected Pulitzer Prize winning columnist from the New York Times, said recently, quote, believe it or not, there is still a Middle East. Out there pressure is mounting to bring Iraq back into the Arab fold. Saudi Arabia is trying to organize an Arab conference. It would probably freeze Israel-Arab relations as long as the peace process is frozen. The Hamas leader, Sheik Yassin, has just completed a triumphant money-raising tour of Arab capitals as part of his goal to wipe out Yasser Arafat, and then Israel, and Jordan is terrified that Mr. Netanyahu is going to reject the U.S. plan and make it impossible for Jordan to sustain its relationship with Israel. Mr. Friedman then goes on to say, we have seen this sort of pro-Israel muscle beach party before where everyone thinks that the only reality is U.S.-Israel politics and that everyone else is a paper tiger. It was 15 years ago when on May 17, 1983, the Reagan team in Israel's Likud government crammed down the throats of the Lebanese an unbalanced, totally pro-Israel plan for the withdrawal of most, but not all, Israeli troops from Lebanon. But the May 17th agreement was never implemented. The U.S. marine compound in Beirut was blown up 5 months after it was signed, and both the marines and Israel had to pull out of central Lebanon unilaterally at great cost and leaving an enormous mess.

Now, Mr. Speaker, both the Arab world and Israel have lost great leaders, have literally given their lives for peace. I remember talking to President Sadat in Egypt shortly after Camp David. In a long conversation I asked him if he thought that the new agreement at Camp David represented a separate peace between Israel and Egypt or whether it would be the first step in a comprehensive peace process that would address the Palestinian problem. I do not know, he replied, but if it is not the latter, I will be dead within 5 years. And he was.

The last time I saw Yitzhak Rabin, whom I had grown to love and respect over 20 years, he asked me two things. The first was to do my best to keep Congress from interjecting itself into relations between the executive branches of our two governments. He felt strongly, going back to the time of his negotiations with President Nixon, that negotiations should be between the two executives. The second was to prevent well meaning but misguided friends of Israel in the Congress from taking actions that would prevent the U.S. Government from dealing directly with the PLO. ''If you cannot deal with them,'' he said, ''you lose your unique position as the only party in the world who can serve as an honest broker in our neighborhood, and if you cannot deal with the PLO, then there is only Hamas, the extremist militant rejectionists, and that would be disaster.''

Shortly thereafter the gentleman from Indiana (Mr. HAMILTON), the ranking Democrat on the House Committee on International Relations, was exploring opportunities to obtain a unanimous consent agreement on the House floor to bring up legislation that would have renewed the authority for the U.S. Government to deal with the PLO. It was made clear by a junior Member on the Republican side of the aisle that an objection would be lodged if that request were offered. At that point I approached Mr. GINGRICH on the House floor, and I said, ''Newt, please. You can't let this happen. It will make it harder for Rabin to move the peace process forward.''

He looked at me and said, ''Dave, you have to understand. I am Likud.''

Shortly thereafter Rabin was assassinated. After that, the objections disappeared, and the legislation was passed, and some of the same politicians who on this floor blocked action before Rabin died scrambled to then climb on board after he died, and their action brought to mind, at least to me, Will Rogers' observation that nothing is quite as pitiful as the sight of a flock of politicians in full flight from their own responsibility.

Mr. Speaker, there are human lives on the line. Our taxpayers have invested countless billions and a major portion of our total storehouse of foreign-policy resources, military, economic, diplomatic toward the goal of preventing future wars in this region and alleviating the tensions that result on an almost weekly basis in deaths from terrorism and organized military action. At this particular moment that investment is seriously at risk. The last thing the United States needs is a loose cannon rummaging around the Middle East making an uncoordinated and unauthorized representation of U.S. policy or legislative policy. Mr. GINGRICH on this issue does not speak for the U.S. Government, he does not speak for the State Department, he does not speak for the United States Senate, and he does not speak for this House. He is certainly entitled to voice his views on foreign policy publicly, even if they are contrary to the policy of the U.S. Government. The Constitution gives every American, including Members of Congress, the right to be wrong. It even gives them the right to make fools of themselves.

□ 1830

However, Mr. Speaker, the Speaker of this House is not entitled to act unilaterally as an independent emissary representing his own personal foreign policy; he is not entitled to act like the Secretary of State in waiting. I would like to continue to believe that he is not putting domestic politics above the national interest.

Mr. Speaker, as Pat Holt, writing for the Christian Science Monitor wrote last week, quote, ''One of the so far unsurmountable difficulties is that neither most Jews nor most Palestinians are willing to admit that the other side has always suffered legitimate grievances. If either group could see their dispute through the eyes of each other, the peace process would take a giant leap forward.''

Instead, in my view, the Speaker's actions are likely to make that leap more difficult.

Mr. Speaker, U.S. Presidents have consistently exerted pressure on Israel as a friend and ally in the context of obtaining diplomatic solutions to complex problems. In 1973 under President Nixon, the United States threatened to reassess Israeli relations in order to secure withdrawals in the 1973 war. President Carter exercised his influence over Menachem Begin at Camp David to grant concessions on giving the Sinai Peninsula back to Egypt. He also exercised his influence over Anwar Sadat to not insist on concessions beyond Camp David to the Palestinians. Both of those actions were necessary to move the process forward. President Bush took a courageous stand in 1991 to withhold support for U.S. loan guarantees to Israel until understandings on Israeli settlements were reached.

These were all tough actions taken by U.S. leaders to help a friend, and Israel is a friend, while at the same time protecting U.S. national interests. What the Speaker has done, in my view, is to make it more difficult for Israel to make tough decisions that it needs to think through and make for their own long-term interests.

That is no doubt why the column written about this episode by Thomas Friedman in The New York Times was headlined, ''Brainless in Gaza.'' It is also probably why Richard Cohen of the Washington Post wrote, quote, ''Whatever the case, the Speaker is playing with fire. Netanyahu is a notoriously unpredictable fellow who vacillates between accommodating the Palestinians and rebuffing them. He has an inflated view of his standing in Congress. (The Israeli press quoted him as vowing to 'burn down Washington' if Clinton publicly blamed him for scuttling the peace process), which GINGRICH has done precious little to correct. His political allies are some of the most reactionary and fanatical elements in Israeli society, zealots who want land more than peace. They know what God intends. Others, though, are less sure. In fact, a good many Israelis think there will be no security until Israel and the Palestinians reach an agreement about land. GINGRICH has now complicated that process, encouraging Netanyahu in his intransigence and Arab radicals in their bitterness.''

Mr. Speaker, I would add parenthetically, it also makes it easier for cynical Palestinian rejectionists to undercut any willingness displayed by the PLO leadership to live up to their promises.

Richard Cohen then concluded his column as follows: Quote, ''If the Nobel Committee gives a booby prize for peace, this year's winner is a foregone conclusion. NEWT, take a bow.''

Mr. Speaker, the world's Jews and Israelis in particular have paid a terrible price for the world's intermittent fits of insanity. Israel would not have been created without the actions of the United States 50 years ago in trying to create a place that would be a sanctuary for that insanity.

Because we helped create the State of Israel, we have a special obligation to stand by it and to assure its survival. But with that obligation comes a concurrent obligation to be frank and truthful with them and the world about what steps we believe are necessary to change the Middle East into a neighborhood that is safer for Israel's survival. For any American President to be silent in the face of Israeli indecision or miscalculation would be the ultimate failure of friendship. The President and our negotiators, who long ago have demonstrated their concern for Israel's future, have courageously recognized that.

Now, ultimately, the hard decisions that need to be made are Israeli and Palestinian decisions. The President and our negotiators have long ago demonstrated that they understand that too. Let them make those decisions in honest dialogue in partnership with the steady and knowledgeable American hands who have worked with them under Republican and Democratic administrations alike. Let them not be misled by new-to-the-scene kibitzers in Congress who, despite their bravado, do not really know the territory or the sensitivities and cross-currents and intricacies that shape it.

It may be popular for individual Members of Congress to issue pronouncements that tell our friends at home and abroad what they want to hear, but that is not what dangerous situations require. They require thoughtful, measured and judicious cooperation between the executive and legislative branches of government. That, unfortunately, has not been forthcoming from this congressional leadership on this issue. It is about time that it is.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2646, THE EDUCATION SAVINGS AND SCHOOL EXCELLENCE ACT OF 1998

Mr. HASTINGS, from the Committee on Rules, submitted a privileged report (Rept. No. 105–579) on the resolution (H. Res. 471) waiving points of order against the conference report to accompany the bill (H.R. 2646) to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3097, THE TAX CODE TERMINATION ACT OF 1998

Mr. HASTINGS, from the Committee on Rules, submitted a privileged report (Rept. No. 105–580) on the resolution (H. Res. 472) providing for consideration of the bill (H.R. 3097) to terminate the Internal Revenue Code of 1986, which was referred to the House Calendar and ordered to be printed.

NUCLEAR TESTS NOT A PRODUCT OF KASHMIR

The SPEAKER pro tempore (Mr. LAHOOD). Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I rise today to voice my concern over efforts to link Kashmir to the underground nuclear tests conducted by India and Pakistan.

As my colleagues know, India and Pakistan conducted nuclear tests last month. The United States condemned the tests and immediately imposed economic sanctions on both countries. The United States has called for both India and Pakistan to stop further nuclear tests, not to weaponize their nuclear arsenal, sign nonproliferation treaties, and work towards easing tensions in South Asia. These are goals that I fully support.

However, there seems to be a growing movement to link Kashmir to the nuclear tests, a linkage which makes no sense, in my opinion.

Earlier this week, Secretary of State Madeleine Albright stated that the ''recent decisions by India and Pakistan to conduct nuclear tests reflect old thinking about national greatness and old fears stemming from a boundary dispute that goes back more than 5 decades.''

In the Senate, there has been talk of a resolution that would call for U.N. mediation in Kashmir through a U.N. Security Council resolution. The resolution would also ask the United

States representative at the U.N. to hold talks with both Pakistani and Indian diplomats at the U.N.

Mr. Speaker, I believe that third-party mediation with regard to Kashmir would be counterproductive. The conflict in Kashmir is 50 years old. It has plagued the 2 countries long before they developed their nuclear programs. Interference by the United Nations, the United States or any other country would not help. In fact, the 2 countries agreed to bilateral resolution of Kashmir, among other issues, through the similar accords that they signed in 1972.

The State Department has a longstanding policy that India and Pakistan must resolve the Kashmir issue directly, and I do not want this to change.

I was happy to read that the Indian Government earlier this week said that it would pursue efforts for a broad-based and sustained dialogue with Pakistan, and I would say that positive steps such as the resumption of talks between India and Pakistan can only help resolve this volatile issue. But as I have said previously, the nuclear tests were not a product of Kashmir. Instead, I would argue that the growing military and nuclear relationship between Pakistan and China pushed India to conduct these tests. Just one week after Pakistan conducted its nuclear tests, U.S. intelligence agencies boarded a Chinese ship carrying weapons materials and electronics destined for Pakistan. This ship was carrying arms materials that included special metals and electronics for the production of Chinese-designed anti-tank missiles made by Pakistan's A.Q. Khan Research Laboratories.

Mr. Speaker, China's ballistic missile relationship with Pakistan has prompted more international concern than China's missile trade with any other country. The director of the CIA stated that ''The Chinese provided a tremendous variety of assistance to both Iran's and Pakistan's ballistic missile programs.''

It has been reported that China has been working with Pakistan in the sales of M–11 missiles and related technology and equipment since the late 1980s. Earlier this year, Pakistan successfully tested the Ghauri missile. This missile has a range of 1,500 kilometers, and it is believed that the Chinese may have had a role in its development. The Ghauri missile can be fitted with a nuclear device.

Last week, President Clinton stated that China must play an important role in resolving tensions between India and Pakistan. He stated that China must help ''forge a common strategy for moving India and Pakistan back from the nuclear arms race.''

Now, I have to say that I applaud the President and the Clinton administration and my colleagues' desire to reduce tensions and bring peace to South Asia in response to the nuclear tests. However, and I stress, that asking China to play a major role as mediator in general makes no sense, given their role in Pakistan's nuclear development. I would suggest instead that the United States needs to continue a bilateral dialogue with the Indian Government and encourage the Indian Government to move away from nuclear proliferation. We, that is the United States, we are in the best position to work with the Indian Government ourselves to achieve this goal.

ILLNESSES AFFECTING GULF WAR VETERANS AND CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Connecticut (Mr. SHAYS) is recognized for 60 minutes as the designee of the majority leader.

Mr. SHAYS. Mr. Speaker, I would like to address the Chamber, and I, for the benefit of those who follow, I suspect that I will be about 20 minutes. I will not be using my full hour.

I would like to talk about 2 issues. I would like to talk about the problem that our Gulf War veterans faced when they returned home, and I would also like to touch as well on the whole issue of reform, campaign finance reform, and other reforms that this chamber has sought to deal with.

Mr. Speaker, I have the incredible opportunity of chairing the Subcommittee on Human Resources which oversees the Departments of HHS, Labor, Education, Veterans Affairs, and Housing and Urban Development, HUD. In my capacity as chairman, we have looked at the issue of Gulf War illnesses and have had 13 hearings in the last 3½ years. We have called in the Department of Veterans Affairs, we have called in the Department of Defense, we have called in the CIA, to try to get a handle on the problems that our Gulf War veterans have faced when they returned home. Out of the 700,000 that have returned, almost 100,000 have had some types of physical problems to deal with and have sought to have their illnesses be dealt with by the Department of Veterans Affairs.

The bottom line to our investigation is that we want our troops properly diagnosed, effectively treated, and fairly compensated, and to this point, we do not feel that this has happened.

Our investigation found that a combination of exposures were most likely the cause of illnesses, and these exposures are chemical and biological warfare agents, experimental drugs and vaccines, pesticides, leaded diesel fuel, depleted uranium, oil well fires, contaminated water, and parasites as well. Sadly, our Federal Government has not listened to our veterans. Our Federal Government has had a tin ear, a very cold heart, and an extremely closed mind.

When we completed the 11 of our 13 hearings, we issued a major report and had a number of findings, 18 in total. We determined that the VA and the Pentagon did not properly listen to sick Gulf War veterans in terms of the possible causes of their illness. We believe exposure to toxic agents in the Gulf War contributed to veterans' illnesses.

We believe there is no credible evidence that stress or Post Traumatic Stress Disorder caused the illnesses reported by many Gulf War veterans. Among the 18 recommendations in our report was that Congress should enact legislation establishing the presumption that veterans were exposed to hazardous materials known to have been present in the Gulf War theater.

□ 1845

That the FDA should not grant a waiver of informed consent requirements allowing the Pentagon to use experimental or investigational drugs unless the President signs off and approves. These were just a few of our recommendations.

Believe it or not, Mr. Speaker, our troops were ordered to take an experimental drug referred to as PB. This was a drug that was intended to ward off the degeneration of the nervous system and our troops were being required to take this drug as a prophylactic to protect them from any possible chemical or biological agents. It was used, in other words, as an experimental drug to do something it was not designed to do. Our troops did not have the option to decide whether or not to do this. They were under order. If they did not live by their order, they would be prosecuted by the military.

We have come forward now with three bills to deal with not just the use of experimental drugs but also to deal with the potential of chemical and biological warfare agent exposure, to deal with pesticides, to deal with leaded diesel fuel, to deal with depleted uranium.

Depleted uranium is the material that is used to protect our military equipment, our tanks and our armored vehicles. It is a very hard substance. It is in fact depleted uranium. It is also used as the shell, as the projectile to penetrate armored vehicles. When there is penetration of an armored vehicle, the projectile disintegrates into powder and this is depleted uranium.

Mr. Speaker, we had our soldiers who were not told about the dangers of depleted uranium. Some of them went in actual tanks that had been destroyed to witness the carnage firsthand and to take souvenirs. In fact, they exposed themselves to depleted uranium.

Their exposure to oil well fires is well documented. Contaminated water, parasites and pesticides. But they were also exposed to defensive use of chemicals.

When we had our hearing and had the Department of Defense and the VA come before us, we were told that our troops were not exposed to any offensive use of chemicals. The word ''offensive'' is important because at the time that the DOD and the CIA told us this,

they knew that our troops were exposed to defensive use of chemicals and potential biological agents. They knew this because they knew of Khamisiyah which was a Iraqi depot that our troops blew up not by bombs from planes and rockets from planes, but by actually coming and destroying these facilities by setting charges.

We had set a hearing on a Tuesday. The Tuesday hearing was going to expose the fact that our troops were exposed in Khamisiyah. So our Department of Defense announced that they would hold a press conference on Friday at 4 o'clock in which they announced that our troops may have been exposed to the defensive use of chemicals in Khamisiyah. This was a press conference called at 12 o'clock for 4 o'clock on a Friday to frankly disclose this information before it would be disclosed at a hearing that we had on Tuesday. The reason why it was disclosed is that we actually had pictures of the chemicals before they were blown up.

At first, the Department of Defense said that possibly 500 of our soldiers were exposed. They jumped that to 1,000, then they jumped it to 5,000, and then jumped that to 10,000 and then 20,000 because the plumes went well beyond the original range that they had discussed when they originally disclosed that our troops were exposed.

So we had our troops exposed to defensive chemical warfare agents. They were ordered, all 700,000, to take an experimental drug and vaccines as well. They were exposed to pesticides, leaded diesel fuel, depleted uranium, well-oil fires, contaminated water, parasites. And when our soldiers came to talk about their maladies, they were told it was all in their mind.

Well, Mr. Speaker, I think we are beyond that point. We are at the point now in which I would like to talk about three bills. One bill introduced by the gentleman from Massachusetts (Mr. KENNEDY) reflects the recommendation of our committee that an agency other than the Department of Defense or VA should control Gulf War research agenda.

One of our recommendations was the DOD and the VA had been part of the problem and they should not control the research agenda, because basically they had put no faith in any of the potential sources of Gulf War illnesses and had been very reluctant, for instance, to have any research done on chemical exposure until just recently.

Their premise was that if our troops did not basically drop dead on the spot, they were not exposed to chemicals. They did not accept the fact that low-level exposure to chemicals could ultimately lead to sickness and death. So our committee supports the proposal by the gentleman from Massachusetts to take the research from the Department of Defense and the VA.

Last week our subcommittee introduced two other bills to implement our report. The first is the Persian Gulf War Veterans Act of 1998, H.R. 4036. This would establish in law the presumption of service connection for illness associated with exposure to toxins present in the war theater.

The Secretary of Veterans Affairs, VA, would be required to accept the findings of an independent scientific body as to the illnesses linked with actual and presumed toxic exposures by establishing a rebuttable presumption of exposure and the presumption of service connection for exposure effects. The bill places the burden of proof where it belongs, on the VA, not on the sick veterans.

The bill would also require the VA to commission an independent scientific panel to conduct ongoing health surveillance among Gulf War veterans. We basically put the burden of proof on the government to prove that a veteran who is in fact sick, no one disputes that, was sick due to their illness in the Gulf War theater. The presumption is with the veteran. The Department of Veterans Affairs would have to prove that this veteran was sick for some other reason. If they cannot prove it, the presumption is with the veteran.

The second bill, the Drugs and Informed Consent Armed Forces Protection Act of 1998, H.R. 4035, would amend the Federal Food, Drug, and Cosmetic Act to require presidential concurrence in any Department of Defense, DOD, request for a waiver of informed consent in connection with the administration of an investigational or experimental drug to members of the Armed Forces.

The bill would also amend a section of last year's defense authorization bill to require DOD to provide detailed written information about investigational or experimental drugs to U.S. forces before being administered. The current provision allows DOD to require use of any investigation or experimental drug and only provide basic information such as the name of the drug, reason for use, side effects, and drug interactions within 30 days after initial administration, which by the way the DOD did not do.

The DOD gave 700,000 of our troops, with the consent of the FDA, an experimental drug that may in fact have caused serious illness with our soldiers. They were ordered to take this drug. They were not told of the dangers and the DOD did not keep records as to who took this drug and did not make any examinations afterwards to determine the effect of this drug.

So we would require the President of the United States of America to sign off if our troops were forced to take a particular drug that was, in fact, experimental.

Mr. Speaker, I just would conclude my comments to say again that what we support our troops being properly diagnosed, effectively treated, and fairly compensated for their Gulf War illnesses. We would hope and pray that this House would take action on the three bills that I described: The one presented by the gentleman from Massachusetts (Mr. KENNEDY) that would take the research away from the DOD and VA, which has been part of the problem, and give it to another agency; that we would require the President to sign off on any experimental drug being administered to our troops under order; and that we would place the presumption of illness with the veteran and force the VA to do its job in proving that it was not an illness caused in the Gulf War theater.

CAMPAIGN FINANCE REFORM

Mr. Speaker, I am not sure I have a very good transition to my next issue, but I would like to briefly talk about campaign finance reform and to say that this is an issue that the House of Representatives has put off dealing with for the 11 years that I have been in this Chamber. In an effective way, we have not had a fair and open debate.

It was my expectation that this House, this Republican Congress of the 1994 election, this first Republican Congress elected in 1994, taking power in 1995, would deal with a number of reform issues.

Praise the Lord, we dealt with congressional accountability. We require Congress to live under all the laws that we impose on the rest of the Nation. We did that under our rule, under our leadership, but we did it on a bipartisan basis. Republicans and Democrats working together passed congressional accountability.

Now Congress comes under all the laws it exempted itself from for so many years. The civil rights laws that we were not under. The OSHA laws, Occupational Safety and Health Act. The various laws that require us to have a safe working place. The sexual harassment laws that Members of Congress were not under with its employees. The 40-hour work week with time-and-a-half over 40 hours.

We exempted ourselves from all of those acts that we imposed on the rest of the Nation. But now we are under them, and we should be. Congratulations to Congress and the Republicans and Democrats on both sides of the aisle for making sure that happened. That was a true reform.

We also passed a gift ban that basically says Members of Congress cannot accept gifts. Maybe a hat, maybe a certificate, a book. We can accept that. But the meals, the wining and dining, the various expensive gifts that Members were given that could go up to $100 and $250 cumulative, we banned them. That was done under a Republican Congress, but on a bipartisan basis. It did not happen years ago. The ban took place after the 1994 election, but on a bipartisan basis.

For the first time since 1946, we passed lobby disclosure. Now we know there are far more individuals who lobby Congress who are now having to register than in the past. We have over 10,000 that have to register. Before it was literally 1,000 or 2,000.

We have many people who are lobbyists and that is part of the law and part

of the process. But now they have to register and disclose information as to how much they spend and the contacts they make and who they try to influence and why they are trying to influence it. It is a disclosure that makes sense and it happened under this Congress, a Republican Congress, but on a bipartisan basis.

Mr. Speaker, the one issue we failed to deal with in the last Congress was campaign finance reform. We failed to deal with it. We dealt with three issues: Congressional accountability, the gift ban, and lobby disclosure on a bipartisan basis, and we did it. But campaign finance reform remains to be dealt with in a fair and open process.

It was the expectation of many of us that while we would not do it with the last Congress, that we would do with it the next Congress, the 105th Congress, the Congress that took over in the beginning of last year in 1997. It was our hope and expectation that Republicans and Democrats on a bipartisan basis would want to deal with campaign finance reform.

There was a lot of debate and dialogue on the bipartisan and historic budget agreement and many of us did not push campaign finance reform because we felt that was the issue that we first needed to deal with. But by the fall, it became clear to us that we could in fact deal with this issue and that leadership did not want to.

There was a petition drive. There was an effort on the part of Republicans and Democrats to get this Republican Congress to deal with campaign finance reform and a promise that we would deal with it in February or at the latest March.

Obviously, Mr. Speaker, that has not happened. We did not have a debate in February. And towards the last week in March, it was clear that leadership did not want to deal with an amendment, a major bill, the McCain-Feingold legislation that was in the Senate and referred to in the House as Shays-Meehan or Meehan-Shays.

□ 1900

This bill bans all soft money. Soft money is the unlimited sums that individuals, corporations, labor unions, and other interest groups can give to the political parties which was supposed to be used for party building and registration. But elected officials and party officials found ways to just bring it right back to individual candidates and circumvent the campaign law.

A second issue, besides banning soft money, and we would in fact ban it all, money that goes to the Democratic Party and money that goes to the Republican Party, because it has been an abused system that has simply allowed unlimited sums from individuals, corporations, and labor unions to go to your individual candidates. We would recognize that the sham issue ads are truly campaign issue ads, are campaign ads and treat them as campaign ads.

We do not take away anyone's right to speak. We do not do that. We just say that if they are campaign ads, they be treated as campaign ads and come under the campaign laws, which means people have a voice, but they have a voice that requires that there be disclosure; and that, while they are not limited on what they can spend, they do follow the limitations of what they can raise, as all campaign law has. We cannot limit what can be spent. We can limit what can be raised. We, in fact, do that under the Constitution.

We require that if an individual candidate is referred to by picture or name 60 days prior to an election in a sham issue ad, it is to be called a campaign ad and come under the campaign laws.

We also use the 9th Circuit Court, the unambiguous, unmistakable support or opposition for a clearly identified candidate as a campaign ad, and that would go through 365 days a year. We codify the Beck decision, which means this, that if you are not a member of the union and you pay an agency fee, you do not have to have in your agency fee to the union money that goes for political purposes. That is what the Beck decision determined.

They did not determine that union members could be exempt from a political payment to the union for political activities, rather, they determined that if you were not a member of the union, you did not have to have your agency fee go for political activity.

My wife does not like me bringing this up because she does not like me bringing her up as an example in anything, but I will say, notwithstanding her objection, that she, in fact, has experienced this process of the Beck decision; and that is that, as a public schoolteacher, she did not choose to have her union dues go to support a gubernatorial candidate she did not support, who happened in this case to be a Democrat.

When she complained to her union, she was told the only way that her money could not go would be that she could not be a member of the union. If she paid an agency fee, they would make sure they subtracted the amount of the political payment.

So in fact she is not a member of the union anymore. She has taken advantage of the Beck decision, and she does not have to make any political payment to a candidate she does not choose to support.

In our bill, we improve the FEC disclosure and enforcement. We require disclosure within 48 hours of a major contribution and that the FEC put it on the Internet within 24 hours. We strengthen FEC disclosure and also enforcement.

We allow the FEC to speed up the process to eliminate a frivolous complaint. We also allow them to speed up the process to take action on a complaint that is not frivolous. We also say that wealthy candidates can contribute $50,000 or less. But if they contribute more, then they cannot expect support from their own political parties to augment the $50,000 they put into it. So if they contribute $49,000, the parties can contribute up to $61,000, but not if they contribute more.

We ban franking mail, unsolicited franking mail throughout the district 6 months to an election. Then we also make clear foreign money and fund-raising on government property is illegal. Believe it or not, the Vice President of the United States was right. There was no controlling authority for raising soft money from a government building.

It is not illegal to accept money from a foreigner if it is not campaign money. Soft money is not defined as campaign money. It is not campaign money. If it were campaign money, it would come under the campaign laws. It would have limits placed on it. There are no limits.

So we need to correct an abuse that, clearly, the spirit of the law was broken, but the law was not broken, which allows me to make one point that I think needs to be made time and again.

The big failing, in my judgment, with Republicans is that we are not willing to take up campaign finance reform. We are willing to investigate wrongdoing of the President and the administration, as we should, but we do not want to take up campaign finance reform.

The Democrats, on the other hand, are willing to take up campaign finance reform, as they should, but are not willing to hold the President accountable for the actions that his administration should be held accountable for.

When Democrats investigated the Nixon administration, they did not say that the President of the United States has broken the law; therefore, we do not need to reform the system. They said the President of the United States has broken the law and should be held accountable, and we need to reform the system.

I have a gigantic regret that Republicans have not made the same argument today. I believe the President of the United States, his administration, has broken the law and should be held accountable. I also believe we need to reform the system.

The foreign money and fund-raising on government property is a case in point. We know what the spirit of the law is, but we also know that soft money is not considered campaign money. It does not come under the campaign law. It was allowed by the FEC years ago as party-building money, not meant as campaign money. But over time, it began to be a big sum of money that both parties have now raised for campaign purposes even though it is not campaign law.

Mr. Speaker, I know that the other speaker is ready to speak, and I have gone over my 20 minutes, but I would like to say that I believe it is absolutely essential that my own party and my own leadership keep faith with its commitment to deal with campaign finance reform now, not later.

The commitment originally that was made was that we would deal with it in February or March, and we did not do that. We did not keep faith with our commitment.

The commitment then, after a number of us got off a petition, was to deal with this issue in May. Since May, we have had a vote on a rule allowing for debate on campaign finance reform. We have had a general debate on campaign finance reform. We have had a specific debate on a constitutional amendment brought forward by an individual who did not even support the constitutional amendment the individual was bringing forward, and that is it.

Since the commitment that was made to us in April, we have not had debate of any consequence during the time in May. We are already in the middle of June. I was told last week that the second rule on campaign finance reform would be debated on Friday, in which I concurred and thought that was some progress. That was not debated. I am told we will bring it up tomorrow. I am told we will have debate on Wednesday and Thursday and Friday. Now I have been told we will have no debate next week on campaign finance reform.

In my own mind, I do not understand why this reform Republican Party would oppose dealing with campaign finance reform. I do not know why my reform-minded leadership would object to dealing with this issue now, since we are going to have an open debate with endless amendments.

But there is a point where, if the leadership refuses to allow for an open debate to take place, then it forces us to consider going back on petitions. It forces us to take other action to express our concern with the process and to force some kind of change.

I realize that I am only one Member of 435, so I cannot force anything, but 218 Members can. Ultimately, there have to be 218 Members in this House who believe that the word of our leadership should be honored and that we should take up debate on the 11 substitutes and the endless amendments.

Tomorrow we will be taking up a second rule that will make germane amendments that are not even germane. We have hundreds and hundreds of amendments. I also have some leadership that have publicly stated that it is the intention to just drag out this debate ad infinitum.

I cannot understand why Republican leadership would choose to put this debate off any longer. Is it going to be better to debate this issue later this month? Is it going to be better to take up this issue in July and debate it? Do we win more points by putting it off even further and taking it up in September? How is that living up to the commitment of my leadership to take up this issue in May?

PERMISSION FOR COMMITTEE ON RULES TO FILE REPORT ON HOUSE RESOLUTION 463, ESTABLISHING SELECT COMMITTEE ON U.S. NATIONAL SECURITY AND MILITARY/COMMERCIAL CONCERNS WITH THE PEOPLE'S REPUBLIC OF CHINA

Mr. SHAYS. Mr. Speaker, I ask unanimous consent that the Committee on Rules have until midnight tonight, June 16, 1998, to file a report to accompany House Resolution 463.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request from the gentleman from Connecticut?

There was no objection.

PROTECT THE E-RATE FOR AMERICA'S CHILDREN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, there is an emergency in America right now, and it affects the students in school. It affects the students who go to use our libraries.

I would like to announce that it is only 7:10 Eastern Standard Time, and I hope that there are kids in America listening, because this is their fight and they ought to rally to defend their own interests, the E-Rate. The E-Rate belongs to the kids of America.

What is the E-Rate? The E-Rate is a discount that is given through a universal service fund to schools and libraries in order to enable those schools and libraries to wire their computers to the Internet, to hook up to the Internet.

Then the E-Rate also continues to provide a discount on the ongoing telecommunication services utilized by the schools. The E-Rate is the greatest thing that has happened to schools in a long, long time.

The E-Rate is the result of the 1996 Telecommunications Act. The Telecommunications Act of 1996 gave the big corporations in broadcasting and telecommunications almost everything they asked for. The one concession they made is that they would provide discounted rates for schools and libraries.

By the way, this is all schools, parochial schools, private schools, all schools are eligible for the utilization of this E-Rate, the discount from the universal fund. Libraries, all libraries, all public libraries are eligible for it.

So we have started that. There was $2.25 billion made available or projected as the first year's expenditure. And 30,000 schools and libraries have applied already. They have met the qualifications. They have gone through the application process, and they are waiting for their funding from the E-Rate.

We have a great reduction in the E-Rate. So kids of America, they have some monsters out here. They have some monsters out here who have stolen or who are attempting to steal the E-Rate away from the children of America.

MCI wants the E-Rate to die. AT&T. And there are a lot of misguided Members of Congress who want the E-Rate to die. These big corporations and big powerful people elect are like the Grinch that stole Christmas. Only this time the Grinch is going to steal E-Rate.

They are like the Giant that chased little Jack. They are powerful, overwhelming, abusive. They have all the power. But Jack outwitted the Giant. That means that the children of America can fight back. This is a democracy and their parents vote. I hope they are listening and they tell their parents to listen, that the E-Rate deserves to live.

We are dealing with something like the Big Bad Wolf that was in Little Red Riding Hood's grandmother's bed. Little Red Riding Hood outwitted the Wolf. The Wolf in the end was destroyed, not Little Red Riding Hood.

We are dealing with something like Yertle the Turtle. There are people that are very powerful. There are corporations that are very greedy.

AT&T has been around a long time. They have made billions of dollars. The Telecommunications Act of 1996 would enable AT&T to make more money. MCI can make more money. Tremendous amounts of additional profit will accrue to these corporations as a result of the Telecommunications Act of 1996. But they want more. They want more. They are like Yertle the Turtle.

I think I remember Yertle the Turtle correctly. I read it to my kids a long time. I have a grandson, and I have got to get ready with all of these stories and get familiar with them. Green Eggs and Ham is my favorite, but Yertle the Turtle also was a favorite Dr. Seuss story.

If you recall, Yertle is not the hero. Yertle the Turtle is not the hero. Yertle is the villain. Yertle is the turtle who wanted to be the tallest turtle in the world. He wanted to be higher than everybody else. He kept forcing other turtles to get under him so he could get higher and higher and higher. Yertle was not the hero.

There was a little turtle on the bottom of him named Mac.

□ 1915

And Mack said, I'm tired of bearing all the weight of all these turtles on top of me. So Mack decided to squeeze out of the line, and the whole pile of turtles came tumbling down.

Kids of America do not have to take this bullying by AT&T or MCI or the chairmen of the powerful congressional committees. Kids of America can rebel. They can fight back. Kids of America should stay awake, listen, they should talk to their parents. They need to know more about the E-Rate. They need to know more about the attempt of the Grinch to steel the E-Rate from the kids of America.

Let me give everyone the background on what the E-Rate is all about. Last week I talked about leadership, and our leadership can determine the fate of a country and the fate of a nation, whether it is a small nation or a superpower. Last week I talked about Israel and how great the leadership of Israel has been to date; how Israel's leadership has brought it to the point in 50 years where it has achieved more than many countries have achieved in 200 or 300 years. Leadership.

I also gave an example of leadership in the Soviet Union; how leadership in the Soviet Union was able to produce a space station, rockets, intercontinental ballistic missiles, and it was a superpower. But the leadership was so ingrained and so enclosed that they did not listen to the outside world with respect to democracy. They did not listen to new thought coming in, so they focused in on themselves and destroyed the economy of the country. They destroyed the spirit of the country. So a superpower went out of existence in our time. A giant superpower collapsed and failed.

It is possible the giant superpower called the United States of America also is vulnerable if we do not have the right policies. If we bully little children, if we bully students in school. And that is what we have. We have the giant corporations teaming up with some powerful people in Congress and they are bullying the FCC and forcing the FCC to take away a benefit that is very much needed, an opportunity that is very much needed by most of the children in America. Certainly the low-income children of America have no chance, ever, of being in schools with computers hooked up to the internet that can pay the price of ongoing telecommunication services if we do not have this universal service fund, called the E-Rate for short.

Let me give everyone the background. There is an article that appeared in the Congressional Quarterly June 13th, and it summarizes it very well. And, Mr. Speaker, I will place the entire article, entitled ''The FCC Votes to Shrink Internet Subsidies Program; Two Bills Would Shift Cost'' in the June 13th issue of the Congressional Quarterly, in its entirety, in the RECORD. So it will be, in its entirety, in the RECORD. Everyone can pull it off the internet, by the way, but I am going to read it in part to let everyone clearly understand what this is all about. This is a terrible injustice to the children of America, and I think once everyone hears the story, they will agree with me. The article is as follows:

[From Congressional Quarterly, June 13, 1998]

FCC VOTES TO SHRINK INTERNET SUBSIDIES PROGRAM; TWO BILLS WOULD SHIFT COSTS

(By Juliana Gruenwald)

The Federal Communications Commission (FCC) voted June 12 to scale back a controversial program that provides discounts for Internet hookups to schools, libraries and rural health care centers.

The FCC, in a 3–2 vote, agreed to provide $700 million for the second half of the year, bringing the total for the year to $1.375 billion, a cut of nearly 50 percent from the FCC's original plan.

The action comes in the wake of pressure from Capitol Hill over how the FCC is running the program. Critics are angry that consumers are being forced to shoulder the cost of the Internet service.

Sen. John McCain, R-Ariz., chairman of the Commerce, Science and Transportation Committee, said the FCC's changes were ''an exercise in futility'' and said legislation must be enacted to stabilize the program.

House Speaker Newt Gingrich, R-Ga., said June 8 he would try to move legislation to block the FCC program in the next few weeks.

Rep. W.J. ''Billy'' Tauzin, R–La., and Sen. Conrad Burns, R-Mont., have said that, to pay for the Internet subsidies, they plan to introduce bills to shift revenue from the current 3 percent excise tax on telephone service.

The program was created by Congress in the 1996 telecommunications law (PL 104–104) when it expanded universal service, a system in place for years to provide subsidies for phone service to low income residents and high-cost areas. (1996 Almanac, p. 3–43)

Universal service is paid for by telecommunications companies, which pass the charges along to consumers. About $675 million has been collected for the Internet program, which has yet to dispense any subsidies.

Some lawmakers say the FCC made the program so big it has led to an increase in long-distance rates.

The program appeared in jeopardy after the top leaders of the House and Senate Commerce committees called on the FCC on June 4 to stop collecting funding for the program and revamp the universal service rules. (CQ Weekly, p. 1539)

The move followed an announcement by some long-distance companies that they would impose a new surcharge on residential customers' bills to pay for their universal service costs.

The issue came to a head June 10 when all five commissioners appeared at the Senate hearing.

Several senators said they feared the Internet program could put support for traditional universal service at risk.

Some GOP members also complained that the program was only intended to provide discounts for Internet services, not to help pay for inside wiring. About $1.3 billion of the $2.02 billion requested in the 30,000 applications from schools in libraries was to pay for inside wiring.

But the program's defenders said the program had been unfairly maligned by those who are out to kill it and urged the commissioners to do what was necessary to keep it intact.

''Don't allow this covert operation to derail this initiative,'' said Sen. Olympia J. Snowe, R-Maine, one of the initiative's sponsors.

Carol Henderson, executive director for the American Library Association's Washington Office, said it has partially become a ''partisan political issue, and that's unfortunate . . . particularly if those who suffer for that are libraries and schools.''

Some Republicans call the program the ''Gore tax'' because Vice President Al Gore supports the program expanding Internet access to children.

Regardless of the controversy, Linda Smith, director of technology for San Bernardino city schools in California, said she hopes policy-makers will keep their commitment to help needy school districts.

Most of the 46,000 students in her district—77 percent of whom get free or reduced school lunches—do not ''have computers at home or access to the Net,'' she said.

Mr. Speaker, I am quoting from the article as it appeared on June 13 in the Congressional Quarterly.

The Federal Communications Commission, FCC, voted June 12th to scale back a controversial program that provides discounts for internet hookups to schools, libraries and rural health care centers. The FCC, in a 3-to-2 vote, agreed to provide $700 million for the second half of the year, bringing the total for the year to $1.375 billion, a cut of nearly 50 percent from the FCC's original plan.

They promised the children of America one figure and they are cutting the amount in half. Why? There is no good reason. They are saying it is too expensive. Why is it too expensive for the children of America to receive a tiny portion of the huge revenues that are pulled in by the communications companies? They say, no, and the FCC has made these cuts.

I want to make it clear at this point that I am not criticizing the FCC. The FCC has been bullied and pushed and forced into a position by overwhelming forces that have converged on the FCC. Since the E-Rate was established and the procedures were set up by the FCC, there has been a bullying by corporations. Some corporations have chosen to go to court and sue the FCC in an attempt to take away the E-Rate from the children of America.

Some corporations have been doing that, so that puts pressure on the FCC. And then we have the heads of some of the committees in Congress writing to the chairman of the FCC committee, in a very vicious and unusual way. Unprecedented. The chairmen of committees, who, by the way, do not have the authority to give orders directly to the various agencies of the Federal Government. They do not have that authority. But they were so brutal in their attack that they frightened the FCC commissioners. And they are attempting to try to compromise in order to save some part of the E-Rate for the children of America.

So the FCC is our hero at this point. The chairman of the FCC and the people who voted to at least keep half, they really are heroes for arriving at a point where, for the time being, they have offered a compromise.

I am here tonight to call upon the children of America, the kids of America, to not accept the compromise. We do not want half. We need the full $2.25 billion that was budgeted in the first place.

Let me continued with the article.

The action comes in the wake of pressure from Capitol Hill over how the FCC is running the program. Critics are angry that consumers are being forced to shoulder the cost of the internet service. Senator John McCain, Republican of Arizona, chairman of the Commerce, Science, and Transportation Committee, said the FCC's changes were ''an exercise in futility'' and said legislation must be enacted to stabilize the program.

I do not know what he means by exercise in futility. What he is saying is,

if we cut it in half, we have taken away half of the funds from the children of America. That is not enough. That is an exercise in futility. We are going to destroy the whole program.

It strikes me as very strange that this program for children, through schools and libraries, is arousing such intense reaction from powerful people. Corporations first, AT&T, MCI, and now certain powerful people in Congress want to destroy the program.

House Speaker Newt Gingrich, Republican from Georgia, said June 8th he would try to move legislation to block the FCC program in the next few weeks.

To block the FCC program. That is destruction. To smother it; to strangle it. Now, what have the kids of America done to deserve a program like this being strangled? Why is the big bad wolf and the Grinch and the giant and Yertle, all of them, gathering together to destroy a program that will provide opportunity for the children of America?

Representative W. J. Billy Tauzin, Republican of Louisiana, and Senator Conrad Burns, Republican of Montana, have said that to pay for the internet subsidies, they plan to introduce bills to shift revenue from the current 3 percent excise tax on telephone service.

Now, that sounds like, well, these guys are constructive and somebody is coming up with an alternative. When we start talking about taxes and shifting taxes, I assure everyone, children of America who are listening, after all, it is still early, I hope they are up, I assure everyone that any attempt to shift taxes or to play with taxes will not fair very well here on the floor. It will not get through.

They are just going to use this as a smoke screen to pretend that they care about the kids of America; they care about their opportunity and their future to be able to really learn the kind of basic knowledge of computers and use of the internet that is going to be required when they get to the point where they are graduating from high school or they are going out there to get one of these jobs, the big jobs of the future, the important jobs, the jobs that are going to be available, that we know for certain are jobs relating to information technology. Information technology jobs are the ones that will be available. If kids do not get prepared in school, they will be able to qualify for those jobs.

Low-income students in the big cities of America, students in rural areas are already way behind. Most of our suburban schools, a lot of schools in affluent communities, they are already wired to the internet. They already have computer labs and computer programs which are fully educating their children on the benefits of how to use computers and learning how to use computers in the applications for the future.

To go back to the article, I quote again,

The program was created by Congress in the 1996 telecommunications law, Public Law 104–104, when it expanded universal service, a system in place for years to provide subsidies for phone service to low-income residents and high cost areas.

Let me just quote that again. I am quoting from an article from the Congressional Quarterly. They said the program that we are talking about now, the E-Rate, the universal fund expansion to include discounts to libraries and schools was added to another fund in 1996, in the 1996 telecommunications law, when it expanded universal service. Universal service existed already. They are making it appear they never had anything like this, but there is a universal service that existed already, and that service provides service to low-income residents and high cost areas.

Universal service is paid for by telecommunications companies and they pass the charges along to consumers. Is it a large charge? We have been receiving an extra charge for years. For years we have never known it even existed. Most people did not know there was a universal service and that a slight amount of money was taxed on to the phone bill to pay for that service that already existed.

But now that it is there for children, it is there to provide wiring to the internet and ongoing telecommunications services on the internet, it has suddenly become a big issue and corporations want to go to war against the children of America.

About $675 million has been collected for the internet program to date, which has yet to dispense any subsidies. They have not spent a penny yet. We have been getting ready since last fall. Applications originally were supposed to be submitted last fall. They moved it back to January. We started submitting applications in January. Remember, those who were part of those 30,000 schools that have submitted? It was done mostly over the internet. Most of the submissions were done over the internet. They could do it some other way, in print, but they encouraged everybody to do it over the internet. And those applications were complicated. The process was complicated.

And now that they have it all in, and not a penny has been spent yet, before the program can even start, the bullies, the giants, the grinches, the big bad wolves, the Yertles, the turtles, they have come along and stolen half of it and they want the rest. Kids of America better rise up and fight this.

Some lawmakers say the FCC made the program so big it has lead to an increase in long-distance rates. The program appeared in jeopardy after the top leaders of the House and Senate commerce committees called on the FCC on June 4 to stop collecting funding for the program and revamp the universal service rules. The move followed an announcement by some long-distance companies,

the move followed an announcement by some long-distance companies,

that they would impose a new surcharge on residential customers' bills to pay for their universal service cost.

Here is where was set in motion the process which has now led to an attempt to steal the E-Rate from the kids of America.

The move followed an announcement by some long distance companies that they would impose a new surcharge on residential customers' bills to pay for their universal service cost. The issue came to a head June 10th, when all five commissioners appeared at the Senate hearing. Several Senators said they feared the internet program could put support for traditional universal service at risk. Some GOP members also complained that the program was only intended to provide discounts for internet services, not to help pay for inside waring. About $1.3 billion of the $2.2 billion requested in the 30,000 applications from schools and libraries was to pay for inside wiring.

□ 1930

I am reading from Congressional Quarterly's summary of the attempt to steal the Internet from the kids of America. They are making an issue out of the fact that some of the money goes to help wire the school to provide basic wiring to hook computers up to the net. They do not use the money to buy computers. They do not use the money to pay for teachers or technical assistants. They do not use the means to pay personnel to wire the schools necessarily, but the wiring costs and some basic costs that enables the schools that are poorest to get into the game.

The biggest amount of the money and the money that will be spent on an ongoing basis will be for the actual telecommunications services on an ongoing basis month after month after month. Some schools will get a discount as high as 90 percent. In the poorest schools in my district, it means that for every dollar that the schools spend on a monthly basis for telecommunications services, they would only have to pay 10 cents. They can get as high as that. The poorest districts of America could get a 90 percent discount.

What are the poorest districts? They measure them by the districts that have the largest amount of children who are eligible for the free school lunch program. The school lunch program, in order to be a part of it, they have to submit from their parents and their home, they have to submit proof of their income status.

There are some schools in my district where 95 percent of the children are eligible for the school lunch program, which means that that school certainly is eligible for the biggest discount. So at one end they may have some suburban schools, affluent neighborhoods, they get a 15 percent discount.

Some people complain about they should not get anything. I think the program should be for every school district, for every school, for every library. I do not think it should be cut off for some and only available to the poorest. I think there should be some funds available for every school.

I do not think $2.2 billion that has been requested by the 30,000 schools and libraries is too much when we consider the billions of dollars being

earned by the big telecommunications companies.

I am quoting again from the Congressional Quarterly article. ''But the program's defenders said the program had been unfairly maligned by those who are out to kill it and urge the commissioners to do what was necessary to keep it intact. Don't allow this covert operation to derail this initiative,'' said Senator OLYMPIA J. SNOW, Republican of Maine, one of the initiative's sponsors.

Karen Henderson, the executive director for the American Libraries Association's Washington office, said, ''It has partially become a partisan political issue.'' And that is unfortunate, particularly if those who suffer for that are libraries and schools.

Why are the Republicans making this a partisan issue? Do Republicans not care about education in America? Do they not want the children of America who are in school today to be prepared to meet the qualifications for the information technology jobs of tomorrow? Why are the Republicans against providing universal, across-the-board service which would allow all schools and libraries to become part of a process of utilizing information technology starting with computers?

They are making it a big partisan issue. Remember the Republicans, 2 years ago they tried to steal part of school lunches from children, they wanted to cut the school lunch program two years ago? At that time I called on the kids of America and their parents to wake up. Kids of America, there is a fiscal crunch. This great Nation now needs your lunch. I wrote a little appeal to the kids to understand what they are saying. The Republicans say there is a fiscal crunch. The Nation needs your lunch. I was absurd, ridiculous of course. $2 billion will be saved by cutting back on school lunches.

The kids of America and their parents, everybody out there with common sense, rose up in horror. How can the Republicans take lunches from little kids? How can they take lunches from students at school? And the horror became evident in the public opinion polls and in the focus groups, so that the Republicans in 1996 retreated.

They gave up not only their great cuts in school lunch program, they gave up many other education cuts, understanding that common sense in America says that education ought to be one of the first priorities in the Federal Government. Education should be one of the first priorities.

They tried to politicize education. They called for the complete elimination of the Department of Education. They were going to cut Headstart. They were going to cut title I. The budget that they presented in 1995 in many ways resembles the budget that they presented in 1998. Again, they are calling for elimination of title I. They are going to convert title I to vouchers.

Again, they refuse to deal with the overwhelming problem of school construction that we need help in constructing more classrooms. In order to bring down class size we need to do two things. We need to construct more classrooms as well as provide some money for more teachers.

But the Republican budget that has just been released, they do not have anything in there for school construction, for reduction of class sizes. They want to cut title I and turn it into a voucher program.

They want to politicize something as great as this universal service funds for schools and libraries. It now is going to become a political football. The next paragraph in that article describes part of that process.

A quote from the Congressional Quarterly article. ''Some Republicans call the program the Gore tax because Vice President AL GORE supports the program expanding Internet access to children.'' ''Some Republicans call the program the Gore tax because Vice President AL GORE supports the program expanding Internet access to children.''

What a pity that this becomes a political football. Vice President AL GORE should be lauded and applauded for the way they have provided leadership. This is leadership and vision that has been provided and leading the way for schools to get involved in their educational programs with the kind of process educating children for information technology jobs that exist tomorrow. That process will not happen automatically. Schools have lots of problems.

Only the vision of Vice President GORE and of President Clinton has opened this whole process. We made a breakthrough. The President stood here 2 years ago and called for the wiring of all the schools of America through a volunteer process. The President himself, in California, helped initiate the first volunteer wiring of the schools. They go out on a Saturday and they get volunteers and they wire a school.

They even set up a national process where there is a kit to wire a school we could purchase between $500 and $600. Because they purchased the equipment and wires, everything was purchased in large quantities, so they are able to supply the kit at the very lowest cost. Then they can get volunteers to do the hookup.

We also need some people who are aware of how to do this. So they have to call upon people like the Bell Atlantic employees in my district who have been magnificent. Bell Atlantic employees and Bell Atlantic has supported the wiring of schools for Internet in my district.

In other districts, they had other telecommunications companies and they had unions. I think my colleague the gentlewoman from Michigan (Ms. STABENOW) is a leader in this Congress; and she gave us a whole handbook and a whole list of ways in which they can get their school wired.

So wiring of a school by volunteers has been initiated by the President and Vice President. Members of Congress and Democrats have picked up on it. And we have had a large number of schools that have been wired. They need the help on an ongoing basis to pay the cost of telecommunications services.

Then there are other situations where a large number of schools have not been wired. In the inner cities of America, most of the schools still remain unwired.

I have led in my district an effort to wire schools. Out of the 70 schools that exist in my Congressional district, 70 schools, elementary, junior high school and high school, we only wired 22. With the great Herculean volunteer effort, we only wired 22.

We are a pilot program. We have had the help of the Board of Education. We had the help of Bell Atlantic, one of the communications companies. We had the help of a group called New York Connects, which organizes other private-sector companies to give us help in wiring the schools. We had a lot of help from a group called the Husain Institute of technology. Mr. Husain is an engineer, a computer engineer, who volunteers his services, as well as he operates a free school for training students, adults, and children on the computer. So we have had all this with us, and still we have only wired 22.

What this does, the E-rate, the universal fund does is allow this process to be speeded up and accelerated. We do not have to wait for all of this to be done by volunteers.

The first barrier that most inner cities cannot cross is that measly $500 to $600. All they need for the kit to buy all the wire, all the tools, all the hookups, all the plastic stuff, all the copper, all that is supplied in a kit for $500 to $600.

Most schools cannot raise the $500 to $600. They cannot get the volunteers outside to do it. We have been fortunate that Bell Atlantic and New York Connects and some other private-sector people have done that for us in order to make certain that nobody is left behind, that all of the schools, private, parochial, and public in America do receive this connection with the Internet.

By the way, the wiring of the schools, when we use that term, we are talking about the library and five classrooms. Wiring of the schools is library and five classrooms. It is not the whole school. It is just a measly fundamental necessary beginning. And that is all we are asking. Let the universal fund go forward Let us keep the E-rate so that that is possible.

Let me just conclude this article by reading the last two paragraphs. ''Regardless of the controversy, Linda Smith, who is Director of Technology for San Bernardino City Schools in California, said she hopes policymakers will keep their commitments to help needy school districts.''

I hope that policy makers will keep their commitments. I fear that the bullies here will not let us do that. We are the policy makers. The Congress of the United States wrote into the legislation that the FCC should provide a way to make certain that all schools and libraries get service, connection with the Internet. It is in the law. It is a very simple statement, very general.

It was left up to the FCC to determine how to do that. The former commissioner of the FCC, Reid Hunt, did a magnificent job of guiding us to a point where they established this program, with all of its complications.

The present commissioner, William Kanard, is attempting to carry out what was decided upon by commissioners previously. It is most unfortunate that the bullies have all ganged up on the FCC and have forced them to back down. We lost half of the Internet as a result of their actions.

The last paragraph of this article from the Congressional Quarterly on July 13th, ''Most of the 46,000 students in LINDA SMITH's district, 77 percent of whom get free or reduced school lunches, do not have computers at home or access to the Net,'' she said.

That is the case in my district. That is the case of thousands of school districts across the country. They do not have access to the Internet, and they will not have it if we let them take the universal fund away.

Kids of America, AT&T, MCI, they are bullies. They are grinches who want to steal the E-rate. They are giants who want to chase little Jack. They are the big bad wolves. They are Yertle the Turtle. In the comic books, there is the council of doom. In modern space comic books, where we deal with the whole universe and in certain planets, sets of planets, they have a council of doom, the evil monsters attempting to gain control of the universe; and they raid against the counsel of justice, the good guys who are attempting to go fight off evil and make certain that democracy prevails in the universe and that everybody has an opportunity to survive in the universe in peace and harmony.

Now we have got a council of doom going after the E-rate. The council of doom has won the first battle. The council of doom was able to force the FCC to back down and cut the E-rate in half. Kids of America, do not take it lying down.

''Kids of America, wake up. Arise, March all together. Before the E-rate dies.
Kids of America, arise. AT&T is telling your parents misleading lies.
Kids of America, it is time to fight. Take out your light. Let it shine for truth. Boycott the AT&T booth.
AT&T lies have clouded our blue skies. Don't make any calls. Then the monster falls.
Kids arise. Fight AT&T lies. Altogether students attack. Take opportunity and the Internet back.
Kids of America, arise.''

You do not have to take this lying down. Tell your parents you will not allow them to take it lying down. You have a telephone. Call AT&T now. Call your Congressman. We will not take this lying down. The grinch will not steal the E-rate from the kids of America.

This giant will not destroy little Jack. The big bad wolf got outwitted by Little Red Ridinghood. And we will outwit the big bad wolf again. Yertle the turtle got knocked off his pedestal my Mack. The council of doom has won the first battle. But we will not let the council of doom prevail. The council of justice will take over.

□ 1945

This is not the first time I have appealed to the kids of America to come forward and fight. We won last time. When they tried to take the school lunches away, or cut the school lunch program, I called on the kids of America to rally, and they did. They got to their parents, they got to the voters, the message got through to the Republicans that we will not stand for a cut in the school lunch program.

Mr. Speaker, I am going to read my colleagues a section of the CONGRESSIONAL RECORD from Tuesday, April 4, 1995. That was shortly after we started the battle with the Republican majority to get back the school lunch program. They had voted to cut the school lunch program. I want Members to just see how relevant this battle is to the present one. They could not cut the school lunch program, but now they are going after something that is fundamental to the minds, the future training opportunity for our young people.

On April 4, I entered the following statement into the CONGRESSIONAL RECORD:

Mr. Speaker, the final word has not yet been said about the Republican swindle of the children who receive free lunches in schools across our Nation. But the final, most authoritative figures have been established by the Congressional Budget Office. The very conservative but thorough Congressional Budget Office has estimated that the Republicans will capture slightly more than $2 billion from their block-granted school lunch program. They were going to take $2 billion out of the school lunch program for the kids of America. This will be $2 billion more to go into the tax cut for the rich. This is a scenario filled with horror. It conjures up the image of the poster where Uncle Sam is pointing the finger and saying to potential military recruits, ''I need you!'' While the Republicans advocate a $50 billion increase in the Defense budget and turn their backs on welfare for corporations and rich farmers, they are saying to the children of America, ''This Nation needs your lunch.''

Kids of America, there is a fiscal crunch.
This great Nation now needs your lunch.
To set the budget right, go hungry for one night.
Don't eat what we could save.
Be brave.
Patriots stand out above the bunch.
Proudly surrender lunch.
Kids of America, nutrition is not for you.
Sacrifice for the rich few.
When tummies hurt, go to bed.
Be a soldier and play dead.
The F–22 then might rescue you.
The Sea Wolf sub might bring hot grub.
Now hear this, there is a fiscal crunch.
This Nation needs your lunch.
Pledge allegiance to the flag.
Mobilize your own brown bag.
The enemy deficit must be defeated.
Nutrition suicide squads are desperately needed.
Kids of America, there is a fiscal crunch.
This great Nation now needs your lunch.

They demanded your lunch before and you said ''no.'' Your parents said ''no.'' The voters said ''no.'' The Republican majority retreated. Now they are demanding your opportunity to learn what you need to know in order to go into the 21st century.

Kids of America arise.
Don't accept the AT&T lies.
MCI wants the E-rate to die.

A lot of other telecommunications corporations are suing the Federal Communications Commission. Some misguided chairmen are bullying the FCC. There are people coming to our defense. There are a lot of efforts to try to turn back this terrible action. I want to commend the chairman of the Federal Communications Commission, Mr. Kennard. I want to commend the Secretary of Education, Mr. Riley. They are fighting back and we are going to fight back. Children will not be alone. There are many others who will join us in this fight to make certain that the E-rate is not stolen.

Jesse Jackson has attacked the telecommunications industry in an article which appeared in the Amsterdam News on June 11. I quote from the article:

A $2.25 billion program designed to provide discount rates to wire poor urban school districts and libraries for the Internet was unveiled Monday at the Chicago headquarters of the Rainbow PUSH Coalition. At a press conference attended by several Members of Congress and the Chicago Public School System, the Reverend Jesse Jackson, the head of the coalition, called the project another example of the growing class gap in America. Companies that are perennially poised to feed at the public trough, Jackson charged, have once again turned their backs on the consumer by passing on the cost of wiring poor urban and rural school districts to their consumers. Although some 30,000 applications for the discount rate have been submitted from school districts and libraries across the country, Jackson noted that the telecommunications industry is lobbying Congress to call a halt to the plan. ''This action will essentially resegregate our schools along class lines,'' Jackson declared. On the other hand, he said that there are schools that are wired for the Internet and its attendant technology. Jackson said that the poor urban and rural children will be shut out of the technology. He said further that the big telecommunications moguls should not be allowed to leave some children behind. ''They would rather lock them up than train them in school facilities that are adequately wired for increasing technology,'' Jackson said.

As my colleagues know, it costs more than $30,000 a year to keep a prisoner in a cell. Why can we not afford some discounts on telecommunications to make certain that our children get the very best possible education? Why is our leadership so blind? Why is there so little vision? At a time like this when

America is more prosperous than it has been in decades, why are we attempting to take away opportunity for children to learn what they need to know in order to qualify for the jobs, in order to be leaders in the 21st century?

Mr. Speaker, let me just conclude by reading a letter from William Kennard, and a letter from Richard Riley. I will not read the entire letter, Mr. Speaker.

Mr. Speaker, I enter into the RECORD two letters which appeared in the Washington Post, one from William Kennard, Federal Communications Commission Chairman, and one from the Secretary Richard W. Riley, Secretary of Education, as follows:

A COMPUTER IN EVERY CLASSROOM

(By William E. Kennard)

James Glassman's June 2 op-ed column criticized Congress's decision to make connecting libraries and classrooms to the communications network part of our national concept of universal service. Mr. Glassman said the initiative is not needed. But an enormous disparity in access to communications technology exists in this country, and the Federal Communications Commission is implementing its congressional mandate in a way that supports local control of education and does so without creating large, inefficient bureaucracies.

In the Telecommunications Act of 1996, Congress expanded universal service to include advanced telecommunications services to all public libraries and grades K through 12 in public and private schools. Schools in affluent communities now have double the Internet access of schools in low income or rural areas. Nationwide, only 27 percent of our classrooms, and only 13 percent of classrooms in our neediest areas, have access to an Internet connection. Few poor children will have access to the Internet outside of school, yet studies show that students in classes that use computers not only outperform their peers on standardized tests but show more enthusiasm for communicating and learning. This increase in technology will improve the lives of American schoolchildren.

None of the changes means that local school boards will not decide what technology to acquire and fund. On average, universal service covers only 15 percent of the projected cost of connecting, operating and using networks in classrooms. Each school and library applying for a universal-service discount must pay as much as 80 percent of the total cost of the discounted service.

Universal service discounts can be applied only to the cost of obtaining telecommunications services, establishing network connections and receiving Internet access. School districts also must certify that they have a plan for how to use the discounted services and that the plan has been approved by their state.

Nor is universal service for schools and libraries an entitlement administered by an oversized federal bureaucracy. The private, nonprofit, nonpolitical entity established to administer the program has a staff of 14 people.

Mr. Glassman charged that I and other supporters of universal service to rural America, low-income citizens and classrooms and libraries have opposed efforts by communications carriers to itemize contributions on customer bills. On the contrary, I favor full disclosure by all telephone companies. But companies that say they will pass on ''new'' charges also should commit to passing on reductions and to disclosing both. I support neither a ''hidden tax'' nor a ''hidden rate increase.''

Finally, let's be clear about the cost of universal service for classrooms and libraries. Connecting classrooms and libraries can be achieved for less than $1 per line per month. The rest of the proposed universal service fees continue our 60-year national commitment to affordable and adequate telephone service for rural America and our poorest citizens.

The real issue is not a ''hidden tax'' but the hidden agenda of Mr. Glassman and others who oppose our national commitment to ensuring that all Americans have access to communications technology as we enter the 21st century.

(By Richard W. Riley)

James Glassman's misleading arguments against the education-rate, or ''E-rate,'' do a disservice to our children and to education.

The E-rate is one of the most important advances in education in our time. It gives schools and libraries significant discounts on the costs of Internet access, distance learning and other on-line learning opportunities. All schools will qualify for some discounts, with schools in our poorest communities receiving the most assistance. The E-rate is designed to help ensure that all children—regardless of race, income or geography—will have the chance to learn and succeed through the use of modern technology.

Mr. Glassman says that 80 percent of schools already are connected to the Internet, but he doesn't say that connection too often goes to one or two rooms, not to every classroom. We must give all children access to the Information Superhighway.

The Telecommunications Act of 1996, which provided for the E-rate, led to reductions in access charges that long-distance companies such as AT&T and MCI pay to connect to local telephone companies. As a result, in the past 11 months, long-distance companies have enjoyed a savings of $2.4 billion, more than offsetting the estimated $2.02 billion cost of the E-rate discount for schools and libraries.

The E-rate has tremendous support among America's educators, parents and business people. About 30,000 schools and libraries have applied. It also has received strong bipartisan support from the National Governors' Association and Congress.

America's economy is in good shape, and our competitive edge in technology is one of the big reasons why. We would be foolish to allow that competitive edge to slip away. The E-rate will help America create the most technically savvy work force in the world and protect our nation's prosperity and democratic values.

Mr. Speaker, I will just quote some of the items from Mr. Kennard's letter:

In the Telecommunications Act of 1996, Congress expanded universal service to include advanced telecommunications services to all public libraries and grades K through 12 in public and private schools. Schools in affluent communities now have double the Internet access of schools in low-income or rural areas. Nationwide, only 27 percent of our classrooms, and only 13 percent of classrooms in our neediest areas, have access to an Internet connection. Few poor children will have access to the Internet outside of school, yet studies show that students in classes that use computers not only outperform their peers on standardized tests but show more enthusiasm for communicating and learning. This increase in technology will improve the lives of American schoolchildren.

None of the changes means that local school boards will not decide what technology to acquire and fund. On average, universal service covers only 15 percent of the projected cost of connecting, operating and using networks in classrooms. Each school and library applying for a universal-service discount must pay as much as 80 percent of the total cost of the discounted service.

Universal service discounts can be applied only to the cost of obtaining telecommunications services, establishing network connections and receiving Internet access. School districts also must certify that they have a plan for how to use the discounted services and that the plan has been approved by their State.

Nor is universal service for schools and libraries an entitlement administered by an oversized Federal bureaucracy. The private, nonprofit, nonpolitical entity established to administer the program has a staff of 14 people.

Part of the reason that they have cited for attacking the program is that they say the FCC is creating a bureaucracy. That is only a smoke screen. They really want to get at the heart of the program which will be an ongoing amount of money that the huge telephone communications companies will have to pay to the fund. The greedy companies do not want to share the largess and the benefits that they have had conferred upon them from their Government. They do not want to share that with children.

Finally, let's be clear about the cost of universal service for classrooms and libraries. Connecting classrooms and libraries can be achieved for less than $1 per line per month. The rest of the proposed universal service fees continue our 60-year national commitment to affordable and adequate telephone service for rural America and our poorest citizens.

The real issue is not a hidden tax but the hidden agenda of those who oppose our national commitment to ensuring that all Americans have access to communications technology as we enter the 21st century.

That is by William Kennard, Chairman, Federal Communications Commission.

Quoting from the letter by Richard Riley, the Secretary of Education:

The E-rate is one of the most important advances in education in our time. It gives schools and libraries significant discounts on the costs of Internet access, distance learning and other on-line learning opportunities. All schools will qualify for some discounts, with schools in our poorest communities receiving the most assistance. The E-rate is designed to help ensure that all children, regardless of race, income or geography, will have the chance to learn and succeed through the use of modern technology.

I might add that I often encounter when I am talking to parents in my district and school board members and other leaders, they want to know why is education technology so important, why are computers so important?

We have problems. Our schools are overcrowded. We do not have enough equipment. We do not have enough supplies. We have too many substitute teachers. Why do you want to bother us with another problem of wiring schools for the Internet?

My answer to that is a very simple one. If every city in America had waited until all the sidewalks and all the roads were fixed and repaired and in excellent condition before they decided to build an airport, we would still be

waiting for the first airport to be built. What would that mean for modern transportation in the United States? Education cannot stand still while the rest of the world goes forward.

Quoting from Secretary Riley again:

> The E-rate has tremendous support among America's educators, parents and business people. About 30,000 schools and libraries have applied. It also has received strong bipartisan support from the National Governors' Association and Congress.
>
> America's economy is in good shape, and our competitive edge in technology is one of the big reasons why. We would be foolish to allow that competitive edge to slip away. The E-rate will help America create the most technically savvy workforce in the world and protect our Nation's prosperity and democratic values.

Secretary of Education Richard W. Riley.

Mr. Speaker, in a situation which is so self-evident, why do we have bullies who are attempting to wipe out this universal fund for schools and libraries? Why? I talked last week about leadership. Powerful leadership can determine the course of a Nation, the way they behave or the way they are allowed to behave. But leadership is not just the chairmen of committees. The chairmen of committees in America are beholden to the committee members. The committee members are beholden to the rest of the Congress.

If we took a poll among all the Members of Congress, I want the kids of America to know that overwhelmingly the majority of the Members of Congress support the E-rate. Overwhelmingly they support the universal fund for libraries and schools, the Members of Congress. We have had an undemocratic set of positions taken. The committee chairmen have bullied the FCC. They have skirted the democratic process and used their power to force the FCC to steal half of the E-rate from the children of America.

Those committee chairmen need to be challenged. Any leadership that will not accept the will of the Congress should be challenged. We will challenge it on this floor. We want you to join us. Anybody who says that this is not good for America, that we cannot afford it, we have unprecedented prosperity and the telecommunications companies are enjoying that prosperity. Also they are in a great position as a result of the Telecommunications Act of 1996. Why are they so mean? Why do they want to steal from the children of America?

We have coming to the floor, next week probably, something called the American Competitiveness Act. I have talked about that last week, too. The American Competitiveness Act, and this has already passed the other body, primarily this act calls for giving the jobs that our children and our retrained workers ought to be having to foreigners. This act wants to increase the quota for professionals who know computer programming and computer science to come into this country. They have a large number of vacancies. They want to fill the vacancies by bringing in outsiders, instead of revamping the education system of America so that we will always have all of the information technology workers that we need.

This American Competitiveness Act has a counterpart in the Judiciary Committee of the House. They do not even go as far as this act goes. At least in this act some people were able to prevail on the committee to enlarge it into including a small portion for training. There is some money in here for scholarships and for retraining our unemployed workers. That was added at the insistence of the Democrats on the committee in the Senate.

□ 2000

But the House Judiciary bill does not have any training money in it. They are just going to increase the quota, increase the number of immigrants who come in who are professionals who have knowledge of computer science. Instead of giving the jobs to our people, they will be giving them to others.

Most of these people come from English-speaking countries because even though they have knowledge of computer science in central Europe and Russia, the former Soviet Union, those people cannot come in as efficiently because they have to learn the English language. So the English speaking countries like India and Great Britain and many others, they will be the ones who send the computer professionals, and 30,000 will be brought in this year, and after that 20,000 per year. And since they are not increasing the overall immigration quota, other immigrants who come in for other reasons are going to have their quota cut. They are going to cut the quota somewhere else in order to increase the professionals who come in.

Large numbers will come in from India because India had a set of leaders who had vision. They started training their young people, their students, in computer science long time ago, and they have established the largest body of computer expertise in the world. We will be importing large numbers from India to take the positions that are vacant now in information technology.

It is ironical that a lot of criticism has been made on this floor and by the President of India exploding a nuclear device, a nuclear bomb. The same company that has a great role in the India nuclear weapons program is a company that will be providing most of the workers from India to come into this country to take the jobs and information technology. They have provided them in the past, and they are going to provide them now in the future.

In other words, many of the people came in in the past got know-how expertise that they took back and applied in this nuclear weapons program for India, and we are acting in a very hypocritical and contradictory way.

The President cut off aid to India. We all made great statements about how India has violated the spirit of a nuclear weapons ban, as my colleagues know, but on the other hand we are aiding and abetting the nuclear arms industry in India by bringing in workers to take jobs that ought to go to workers here.

We ought to have a training program. As you have heard before, I offered an amendment to the Higher Education Assistance Act which would have provided a very reasonable training program where colleges and universities would link up with community-based organizations and poor neighborhoods, and they would provide access to computers for the youngsters in low-income families that do not have access to computers. It is a very practical kind of program. The people are ready. They are ready to join 21st century.

Last week, last Saturday, I had what I call a synergy, a town meeting and synergy conference, which brought together people from all parts of my district, and the primary focus of this conference was information technology. I wanted to have kind of a shock awareness of a shock awareness to bring my constituents into an understanding of what is needed if they want to share prosperity, the prosperity of now and the prosperity that is going to expand in the 21st century. The jobs of tomorrow will be jobs related to information technology.

I wanted my constituents to understand that it was a terrible day, raining, you know thunderstorms, and when I saw the weather, I almost gave up and said, you know, we have gone through all this getting ready. We had experts from Bell Atlantic, Cable Vision. We had the Secretary of Commerce bringing us a greeting over video to show them how you can do that from video. We had the New York Technical Institute providing an example of how interactive a video can work. We had a magnificent program plan, and the rain came pouring down, and I was despairing and suddenly behold the auditorium which held 500 people filled up because the desire to know about what is going on in this modern telecommunications-dominated world is so great, and so people came out in the rain. Five hundred people came out to participate in the program which was designed to introduce a shock awareness of what is going on in the information technology world.

You know, we had the assistance of large numbers of people who want to get involved and who are involved, and I have a group called ET–3 made up of people who call on the national groups involved in information technology. We have booklets there from the Information Technology Association of America which showed, you know, in graphic detail what jobs are available. We had a group called American School Directory which shows schools how to get themselves a web site for nothing. American School Directory provides a web site for nothing, and the schools have a tool kit which enables the teachers and the students to put together their own web site.

A lot of marvelous things happen, and the New York State Department of Education announced that day that $23 million is going to be provided to the School Board of Education of New York. It is not State or city money, it is money that we voted on here in Congress. The Telecommunications Literacy Act provided money to States, and New York State is just releasing the money to the local school districts and New York City Board of Education will get $23 million. Most of that will be devoted to training teachers and school personnel in how to utilize the information technology.

A lot of good things took place, but the point I am making is that we have a hunger for people out there in the low-income community. Most of them came from the low-income area of my district to join the 21st century and be knowledgeable and be able to survive there and prosper there. We have a group called the Hussein Institute of Technology, as I mentioned before, and they helped me to wire these 23 schools, most of them with assistance of Hussein Institute of Technology and the Bell Atlantic group that provides telephone service to the Brooklyn area. We have wired using volunteers these 22 out of 70 schools in my district.

Our goal is to get everyone in 70 schools wired by December 31 of this year. We are going to do it with volunteers, if we have to, but we like to have the process speeded up by having some funds from the universal fund rate, by having the knowledge out there among the schools that once you get hooked up to the Internet, you do not have a cost that is going to be burdensome. Many schools are reluctant to get wired because, if they are wired to the Internet, they have to pay an ongoing cost. What the E-rate does is pays a big percentage of that cost for schools in my district. None of them would get less than an 80 percent discount because they have so many poor youngsters attending.

You are talking about 80 percent discount to practically all the schools in my district for ongoing telecommunication services. That is what is at stake here. They will lose it, and if that is lost, the budgets of the school districts will not be able to bear this. They will back up and say, look, equipment needs are greatest, we need chalk, we need paper, we need so many other things. We are not going to make a commitment of $1, of ten cents. We would be willing to make a commitment of ten cents out of every dollar to telecommunication, but we are not going to pay the whole cost, we cannot afford it. And you have a complete choking of the process of bringing opportunity to the school districts.

I said we need leadership. At a time like this we have a window of opportunity. We are not at war in America, we need leadership. The kids of America are to understand that our leadership is not preoccupied with defending the country militarily. We have unprecedented prosperity in the country. Why can we not open our eyes and understand that investments in education at a time like this is most important?

The Roman empire, which was just a village compared with the American colossus, the American colossus is something beyond an empire, and Rome, as great as it was and as dominant as it was in this time was a small thing. But the Roman empire, they invented a lot of technological devices that we still have. The Romans invented concrete, and the Romans were great masters of technology. They built huge cities. They built the coliseum which still stands, the ruins still stand on solid foundation after thousands of years. The Romans had achieved prosperity in that time comparable to the kind of prosperity we have now.

But the Roman leadership failed, and Rome declined because the leadership was not up to it consistently. At a time when the Roman leadership was at its height technologically and they built the great coliseum, what did they use the coliseum for? Their sport, their favorite sports, were blood sports. They like to see gladiators killing each other. You know, they were unevenly developed. They had great technological development. They were masters of warfare. Nobody could match them militarily. Nobody could match them technologically. But there was something wrong with their compassion and their vision, and they enjoyed watching people kill each other as a sport: Gladiators.

When they were not watching gladiators, they enjoyed watching wild animals tear human beings apart. It is not a fable that the Romans threw the Christians to the lions. They did that. They did that to more than just the Christians. They enjoy watching people being devoured by beasts. The coliseum with all of its intricate engineering has places underneath they engineered for beasts to be put in cages and beasts to be guided out where the people, the technologically-advanced Romans, could enjoy watching the animals rip people apart.

Let us not in America fall into that deep trench of having our technological development outpace our compassion. Let us not steal Internet from the children. Let us stop AT&T. Let us stop all of those who want to steal Internet from the kids in America.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LEWIS of California (at the request of Mr. ARMEY) for today until 7 p.m. Wednesday, June 17, on account of attending a funeral.

Mr. MCNULTY (at the request of Mr. GEPHARDT) for today through Tuesday, June 23, on account of family reasons.

Mr. UNDERWOOD (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of official business.

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 Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. CONYERS, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

(The following Members (at the request of Mr. MCHUGH) to revise and extend their remarks and include extraneous material:)

Mr. SCARBOROUGH, for 5 minutes, today.

Mrs. LINDA SMITH of Washington, for 5 minutes, today.

Mr. HORN, for 5 minutes, on June 23.

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 material:)

Mr. MURTHA.

Mr. BONIOR.

Mrs. MALONEY of New York.

Mr. VISCLOSKY.

Mr. SHERMAN.

Mr. KIND.

Mr. SERRANO.

Ms. SANCHEZ.

Mr. HAMILTON.

Mr. SCHUMER.

Mr. TURNER.

Mr. SABO.

Mr. FAZIO of California.

Mr. KILDEE.

Mr. KLECZKA.

(The following Members (at the request of Mr. OWENS) and to include extraneous material:)

Mr. PACKARD.

Mr. ACKERMAN.

Mr. PAYNE.

Mr. FORD.

Mrs. MORELLA.

(The following Members (at the request of Mr. MCHUGH) and to include extraneous material:)

Mr. SMITH of Oregon.

Mr. RADANOVICH.

Mr. LEWIS of California.

Mr. SMITH of New Jersey.

Mr. FRELINGHUYSEN.

Mr. GILMAN, in two instances.

Mr. DELAY.

Mr. LEACH.

ADJOURNMENT

Mr. OWENS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 11 minutes p.m.), the House adjourned until tomorrow, June 17, 1998, at 10 a.m.

HOUSE BILLS AND JOINT RESOLUTION APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and a joint resolution of the House of the following titles:

On February 11, 1998:

H.R. 1271, An act to authorize the Federal Aviation Administration's research, engineering, and development programs for fiscal years 1998 and 1999, and for other purposes.

H.R. 3042, An act to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to establish the United States Institute for Environmental Conflict Resolution to conduct environmental conflict resolution and training, and for other purposes.

On March 20, 1998:

H.R. 595, An act to designate the Federal building and United States courthouse located at 475 Mulberry Street in Macon, Georgia, as the ''William Augustus Bootle Federal building and United States Courthouse''.

H.R. 3116, An act to address the Year 2000 computer problems with regard to financial institutions, to extend examination parity to the Director of the Office of Thrift Supervision and the National Credit Union Administration, and for other purposes:

On April 24, 1998:

H.R. 1116, An act to provide for the conveyance of the reversionary interest of the United States in certain lands to the Clint Independent School District and the Fabens Independent School District.

H.R. 2843, An act to direct the Administrator of the Federal Aviation Administration to reevaluate the equipment in medical kits carried on, and to make a decision regarding automatic external defibrillators to be carried on, aircraft operated by air carriers, and for other purposes.

H.R. 3226, An act to authorize the Secretary of Agriculture to convey certain lands and improvements in the State of Virginia, and for other purposes.

On May 1, 1998:

H.R. 3579, An act making emergency supplemental appropriations for the fiscal year ending September 30, 1998, and for other purposes.

On May 11, 1998:

H.J. Res. 102, Joint Resolution expressing the sense of the Congress on the occasion of the 50th anniversary of the founding to the modern State of Israel and reaffirming the bonds of friendship and cooperation between the United States and Israel.

H.R. 3301, An act to amend chapter 51 of title 31, United States Code, to allow the Secretary of the Treasury greater discretion with regard to the placement of the required inscriptions on quarter dollars issued under the 50 States Commemorative Coin Program.

On June 1, 1998:

H.R. 2472, An act to extend certain programs under the Energy Policy and Conservation Act.

On June 9, 1998:

H.R. 2400, An act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

SENATE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills of the Senate of the following titles:

On February 6, 1998:

S. 1575, An act to rename the Washington National Airport located in the District of Columbia and Virginia as the ''Ronald Reagan Washington National Airport''.

On February 11, 1998:

S. 1349, An act to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel PRINCE NOVA, and for other purposes.

On February 13, 1998:

S. 1564, An act to provide redress for inadequate restitution of assets seized by the United States Government during World War II which belonged to victims of the Holocaust, and for other purposes.

On March 6, 1998:

S. 927, An act to reauthorize the Sea Grant Program.

On March 9, 1998:

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

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

On March 20, 1998:

S. 347, An act to designate the Federal building located at 61 Forsyth Street SW., in Atlanta, Georgia, as the ''Sam Nunn Atlanta Federal Center''.

On April 6, 1998:

S. 758, An act to make certain technical corrections to the Lobbying Disclosure Act of 1995.

On April 13, 1998:

S. 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.

On April 21, 1998:

S. 419, An act to provide surveillance, research, and services aimed at prevention of birth defects, and for other purposes.

On April 24, 1998:

S. 493, An act to amend title 18, United States Code, with respect to scanning receivers and similar devices.

On April 27, 1998:

S. 1178, An act to amend the Immigration and Nationality Act to modify and extend the visa waiver pilot program, and to provide for the collection of data with respect to the number of nonimmigrants who remain in the United States after the expiration of the period of stay authorized by the Attorney General.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

9642. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Mediterranean Fruit Fly; Addition To Quarantined Areas [Docket No. 97–056–13] received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9643. A letter from the Manager, Federal Crop Insurance Corporation, Department of Agriculture, transmitting the Department's final rule—Popcorn Crop Insurance Regulations, and Common Crop Insurance Regulations, Popcorn Crop Insurance Provisions (RIN: 0563–AB48) received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9644. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Tobacco Inspection; Growers' Referendum Results [Docket No. TB–97–16] received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9645. A letter from the Assistant Secretary of State for Legislative Affairs, Department of State, transmitting on behalf of the Secretary of State, the Annual Report on the Panama Canal Treaty for Fiscal Year 1997, pursuant to 22 U.S.C. 3871; to the Committee on National Security.

9646. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Antiterrorism Training [DFARS Case 96–D016] received June 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

9647. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Contract Distribution to Defense Finance and Accounting Service Offices [DFARS Case 97–D039] received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

9648. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Contractor Use of Nonimmigrant Aliens-Guam [DFARS Case 97–D318] received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

9649. A letter from the Director, Administration and Management, Department of Defense, transmitting the Department's final rule—Private Organizations on DoD Installations [DoD Instruction 1000.15] (RIN: 0790–AG53) received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

9650. A letter from the Under Secretary for Personnel and Readiness, Secretary of Defense, transmitting the report on sexual harassment complaints filed pursuant to Section 591(a), along with the results and timelinesss of investigations concerning those complaints; to the Committee on National Security.

9651. A letter from the Secretary of the Treasury, transmitting the annual report on the operations of the Exchange Stabilization Fund (ESF) for fiscal year 1997, pursuant to 31 U.S.C. 5302(c)(2); to the Committee on Banking and Financial Services.

9652. A letter from the Deputy Under Secretary of Defense, International and Commercial Programs, Department of Defense, transmitting describing the activities of the Defense Production Act (DPA) Title III fund for Fiscal Year 1997; to the Committee on Banking and Financial Services.

9653. A letter from the Acting Assistant Secretary, Office of Special Education and Rehabilitative Services, Department of Education, transmitting notice of the Final Funding Priorities for Fiscal Years 1998–1999 for three Rehabilitation Research and Training Centers and four Rehabilitation Engineering Research Centers, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

9654. A letter from the Acting Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Notice of Final Funding

Priorities for Fiscal Years 1998–1999 for Certain Centers— received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

9655. A letter from the Director, Office of Rulemaking Coordination, Department of Energy, transmitting the Department's final rule—Safety Of Nuclear Explosive Operations [DOE O 452.2A] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9656. A letter from the Director, Office of Rulemaking Coordination, Department of Energy, transmitting the Department's final rule—Departmental Materials Transportation And Packaging Management [DOE O 460.2–1] received June 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9657. A letter from the CFO & Plan Administrator, First South Production Credit Association, transmitting the annual report of the Production Credit Association Retirement Plan for the year ending December 31, 1997, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform and Oversight.

9658. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Voluntary Early Retirement Authority (RIN: 3206–AI25) received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

9659. A letter from the Secretary of Transportation, transmitting a report on Air Cargo Security, pursuant to Public Law 104—264; to the Committee on Transportation and Infrastructure.

9660. A letter from the Chair, Medicare Payment Advisory Commission, transmitting the report entitled ''Context for a Changing Medicare Program''; jointly to the Committees on Ways and Means and Commerce.

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. PACKARD: Committee on Appropriations. H.R. 4059. A bill making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes (Rept. 105–578). Referred to the Committee of the Whole House on the State of the Union.

Mrs. MYRICK: Committee on Rules. House Resolution 471. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2646) to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes (Rept. 105–579). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 472. Resolution providing for consideration of the bill (H.R. 3097) to terminate the Internal Revenue Code of 1986 (Rept. 105–580). Referred to the House Calendar.

Mr. MCDADE: Committee on Appropriations. H.R. 4060. A bill making appropriations for energy and water development for the fiscal year ending September 30, 1999, and for other purposes (Rept. 105–581). Referred to the Committee of the Whole House on the State of the Union.

Mr. SOLOMON: Committee on Rules. House Resolution 463. Resolution to establish the Select Committee on U.S. National Security and Military/Commercial Concerns With the People's Republic of China; with an amendment (Rept. 105–582). Referred to the House Calendar.

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. SHUSTER (for himself and Mr. DUNCAN):

H.R. 4057. A bill to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SHUSTER (for himself, Mr. DUNCAN, and Mr. LIPINSKI):

H.R. 4058. A bill to amend title 49, United States Code, to extend the aviation insurance program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PACKARD:

H.R. 4059. A bill making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes.

By Mr. MCDADE:

H.R. 4060. A bill making appropriations for energy and water development for the fiscal year ending September 30, 1999, and for other purposes.

By Mr. COLLINS (for himself, Mr. MCINTYRE, Mr. BARTLETT of Maryland, Mr. DIXON, Mr. BONILLA, Mr. KNOLLENBERG, and Mr. HOLDEN):

H.R. 4061. A bill for the relief of the survivors of the 14 members of the Armed Forces and the one United States civilian Federal employee who were killed on April 14, 1994, when United States fighter aircraft mistakenly shot down 2 helicopters in Iraq; to the Committee on the Judiciary.

By Mr. LEACH:

H.R. 4062. A bill to provide for the study of derivatives regulation, and for other purposes; to the Committee on Banking and Financial Services, and in addition to the Committees on Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MORELLA:

H.R. 4063. A bill to amend the Rehabilitation Act of 1973 to provide for research and development of assistive technology and universally designed technology, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, and Science, 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. REDMOND (for himself, Mrs. CHENOWETH, Mr. CRAPO, Mr. SKEEN, Mr. TOWNS, Mr. CONDIT, Mr. ROMERO-BARCELO, Mr. HASTINGS of Florida, Mr. WATTS of Oklahoma, Mrs. MINK of Hawaii, and Mr. CALVERT):

H.R. 4064. A bill to provide for a Native American Veterans' Memorial; to the Committee on Resources.

By Mr. SCARBOROUGH (for himself, Mr. SALMON, Mr. PAXON, Mr. SOUDER, Mr. ENSIGN, Mrs. CHENOWETH, Mr. HAYWORTH, Mr. CHRISTENSEN, and Mr. NEUMANN):

H.R. 4065. A bill to suspend collections for the connection of schools and libraries to the Internet, and for other purposes; to the Committee on Commerce.

By Mr. SMITH of New Jersey:

H.R. 4066. A bill to prohibit States from imposing a family cap under the program of temporary assistance to needy families; to the Committee on Ways and Means.

By Mr. TAUZIN (for himself and Mr. MARKEY):

H.R. 4067. A bill to establish the Commission for the Future of Public Broadcasting and authorize appropriations for the Corporation for Public Broadcasting, and for other purposes; to the Committee on Commerce.

By Mr. YOUNG of Alaska:

H.R. 4068. A bill to make certain technical corrections in laws relating to Native Americans, and for other purposes; to the Committee on Resources.

By Mr. SABO (for himself, Mr. VENTO, Mr. OBERSTAR, Mr. RAMSTAD, and Mr. PETERSON of Minnesota):

H.J. Res. 122. A joint resolution proclaiming Leif Ericson to be an honorary citizen of the United States; to the Committee on the Judiciary.

By Mr. OBEY (for himself, Mr. STENHOLM, and Mr. MINGE):

H. Res. 473. A resolution providing for consideration of H.R. 3580; to the Committee on Rules.

By Mr. RIGGS:

H. Res. 474. A resolution entitled, Boy Scouts of America freedom of Association; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

335. The SPEAKER presented a memorial of the Senate of the State of New Jersey, relative to Senate Resolution 11 urging Congress and the President to terminate the services of Lordship Industries, Inc. of Hauppage, New York as the nation's primary manufacturer of United States Military Medals; to the Committee on National Security.

336. Also, a memorial of the House of Representatives of the State of Oklahoma, relative to House Concurrent Resolution No. 1069 memorializing Congress to direct the United States Consumer Product Safety Commission to adopt an industry standard for bunk beds; and directing distribution; to the Committee on Commerce.

337. Also, a memorial of the House of Representatives of the State of Colorado, relative to House Joint Resolution 98–1039 memorializing that BLM lands continue to be managed to allow for multiple uses in accordance with existing resource management plans until such time as plan amendments have been lawfully adopted; to the Committee on Resources.

338. Also, a memorial of the House of Representatives of the State of Colorado, relative to House Joint Resolution 98–1031 memorializing that the General Assembly endorses the modified Animas-La Plata Project proposed by the two Colorado Ute Tribesand their non-Indian neighbors; to the Committee on Resources.

339. Also, a memorial of the Legislature of the Commonwealth of The Mariana Islands, relative to House Resolution No. 11–40 Urgently and respectfully requesting President Bill Clinton and the Legislative leadership of the U.S. Congress to waive and/ or eliminate the matching fund requirements being provided or granted under the Covenant to help foster and expedite infrastructure development in the CNMI; to the Committee on Resources.

340. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 16 memorializing the Congress of the United States to support and adopt legislation to provide for the sharing of revenues generated through mineral exploration on the federal Outer Continental Shelf with coastal states and territories pursuant to a formula recommended by the Outer Continental Shelf Policy Committee; to the Committee on Resources.

341. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 35 memorializing the Congress of the United States to support and adopt legislation to provide for the sharing with coastal states of revenues generated through mineral exploration on the federal Outer Continental Shelf and territories pursuant to a formula recommended by the Outer Continental Shelf Policy Committee; to the Committee on Resources.

342. Also, a memorial of the House of Representatives of the State of Colorado, relative to House Joint Resolution 98–1036 memorializing the United States Congress to enact and the President to sign the Aircraft Repair Station Safety Act of 1997; to the Committee on Transportation and Infrastructure.

343. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 42 urging the federal government, who is generating over three billion dollars annually from royalties and lease sales in the Gulf of Mexico, to help fund the necessary infrastructure improvements to access the riches of the Gulf of Mexico; to the Committee on Transportation and Infrastructure.

344. Also, a memorial of the Senate of the State of New Jersey, relative to Senate Resolution 27 memorializing the opposition of any reduction in the budget of the United States Department of Veterans Affairs which may negatively affect the quality of veterans' health care in this State; to the Committee on Veterans' Affairs.

345. Also, a memorial of the House of Representatives of the State of Colorado, relative to House Joint Resolution 98–1020 urging the Congress of the United States to enact legislation to abolish the Internal Revenue Code by December 31, 2000, and to replace it with a new system of federal taxation; to the Committee on Ways and Means.

346. Also, a memorial of the House of Representatives of the State of Ohio, relative to House Resolution No. 397 memorializing the Congress of the United States to enact legislation that sunsets Title 26 of the United States Code, otherwise known as the Internal Revenue Code, and to develop and enact a new tax code for the American people by December 31, 2001; to the Committee on Ways and Means.

347. Also, a memorial of the Senate of the State of Tennessee, relative to Senate Resolution No. 705 urging the Congress of the United States not to take action to mandate competition in the retail or wholesale of electricity without special and careful consideration of the interests of the people of the Tennessee Valley; to the Committee on Ways and Means.

348. Also, a memorial of the Senate of the State of Tennessee, relative to Senate Resolution No. 148 urging the Congress of the United States to address this important issue by not adopting the proposed amendments to the Stark II regulations; to the Committee on Ways and Means.

349. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution 41 memorializing the Congress of the United States to support reauthorization of and funding for the Violence Against Women Act of 1998; jointly to the Committees on the Judiciary and Education and the Workforce.

350. Also, a memorial of the Senate of the State of Wisconsin, relative to Senate Joint Resolution 11 urging President Clinton and the U.S. Congress to uphold the federal government's commitment to accept and take title to civilian spent nuclear fuel on January 31, 1998, through enactment of appropriate funding resolutions and legislation that authorize and fund the development of a federal centralized, temporary storage facility for spent nuclear fuel that will accept spent nuclear fuel between January 31, 1998 and the beginning of commercial operation of the permanent federal nuclear waste repository; jointly to the Committees on Commerce, Transportation and Infrastructure, and Resources.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 146: Mr. DUNCAN.
H.R. 225: Ms. LOFGREN.
H.R. 616: Mr. BORSKI.
H.R. 766: Ms. LEE.
H.R. 836: Mr. DREIER, Mr. FOX of Pennsylvania, and Mr. HILL.
H.R. 979: Mr. ENGEL, Mr. ABERCROMBIE, Mr. BAKER, Mr. MEEKS of New York, and Mr. THUNE.
H.R. 1126: Mr. MARKEY, Mr. SHAW, and Mr. WELLER.
H.R. 1382: Mr. EDWARDS, Ms. LEE, Mrs. THURMAN, Mr. OLVER, Mr. HINCHEY, and Mr. MANTON.
H.R. 1401: Mr. PORTMAN.
H.R. 1531: Mr. SHAYS, Mr. FRANKS of New Jersey, Mr. BILBRAY, and Mr. ROMERO-BARCELO.
H.R. 2023: Mr. SERRANO, Mr. TORRES, Mr. THOMPSON, and Mr. MARKEY.
H.R. 2224: Mr. TORRES.
H.R. 2351: Ms. KAPTUR.
H.R. 2477: Mr. BOSWELL.
H.R. 2509: Mr. BOSWELL.
H.R. 2524: Mr. THOMPSON and Mr. PETRI.
H.R. 2538: Ms. JACKSON-LEE, Mr. BURTON of Indiana, Mr. STUMP, Mr. FOLEY, and Mr. WELDON of Florida.
H.R. 2661: Mr. PEASE, Mr. FOLEY, Mr. HASTINGS of Washington, Mr. HERGER, and Mr. ROGERS.
H.R. 2733: Mr. ABERCROMBIE, Mr. COSTELLO, Mr. THOMAS, Mr. WAXMAN, and Mr. LEWIS of Kentucky.
H.R. 2754: Mr. MARKEY.
H.R. 2868: Mr. HOSTETTLER.
H.R. 2869: Mr. MCINTOSH.
H.R. 2873: Mr. MCINTOSH and Mr. TALENT.
H.R. 2937: Mr. MCCOLLUM.
H.R. 3003: Mr. BRYANT.
H.R. 3107: Mr. SALMON and Mr. INGLIS of South Carolina.
H.R. 3152: Mr. PETRI and Mr. PAUL.
H.R. 3156: Mr. LEACH and Mr. SERRANO.
H.R. 3166: Mrs. NORTHUP.
H.R. 3259: Mr. DOYLE, Mr. FAZIO of California, and Mr. BROWN of Ohio.
H.R. 3304: Ms. WOOLSEY and Mr. WELLER.
H.R. 3499: Mr. STOKES, Ms. FURSE, and Mr. FALEOMAVAEGA.
H.R. 3514: Mr. ROTHMAN.
H.R. 3523: Mr. STUMP, MS. DUNN of Washington, Mr. SPRATT, Mr. BARRETT of Nebraska, and Mrs. CLAYTON.
H.R. 3526: Mr. ROTHMAN.
H.R. 3553: Mr. WAXMAN and Ms. WOOLSEY.
H.R. 3567: Mr. PALLONE, Ms. STABENOW, and Mr. FAWELL.
H.R. 3601: Mr. KLECZKA and Mr. MANTON.
H.R. 3632: Mr. BOEHLERT.
H.R. 3633: Mr. SOLOMON and Mr. OXLEY.
H.R. 3636: Mr. ALLEN.
H.R. 3641: Mr. BOEHNER.
H.R. 3654: Mr. HASTERT and Mr. GUTKNECHT.
H.R. 3682: Mr. COOK, Mr. HEFLEY, and Mr. PAXON.
H.R. 3704: Mr. FARR of California and Mr. PETERSON of Minnesota.
H.R. 3778: Mr. SANDLIN.
H.R. 3783: Mr. SMITH of Texas, Mr. HOBSON, Mr. PETERSON of Pennsylvania, Mr. KASICH, and Mr. BILIRAKIS.
H.R. 3833: Mr. WEXLER, Mr. OLVER, Mr. MARKEY, Mr. CLAY, and Ms. CHRISTIAN-GREEN.
H.R. 3853: Mr. GINGRICH, Mr. HASTERT, Mr. MCCOLLUM, Mr. BARTON of Texas, Ms. GRANGER, Mr. MICA, Mrs. MYRICK, Mr. PAPPAS, and Mr. PETERSON of Pennsylvania.
H.R. 3861: Mr. WATTS of Oklahoma.
H.R. 3862: Mrs. JOHNSON of Connecticut and Mr. ENGEL.
H.R. 3875: Mr. BERMAN and Mr. LANTOS.
H.R. 3888: Mr. GREENWOOD, Mr. ADERHOLT, and Mr. LEWIS of Kentucky.
H.R. 3938: Mr. PAUL and Mr. THOMPSON.
H.R. 3949: Mr. JOHN, Mr. ENGLISH of Pennsylvania, Mr. CAMP, Mr. GREEN, Mr. DOOLITTLE, Mr. CALVERT, Mr. STUMP, and Mr. GILLMOR.
H.R. 3972: Mrs. FOWLER and Mr. SCHUMER.
H.R. 4006: Mr. HOEKSTRA, Mr. CHRISTENSEN, Mr. PITTS, Mr. ISTOOK, Mr. KING of New York, Mr. RAHALL, Mr. WATTS of Oklahoma, Mr. TIAHRT, Mr. LATOURETTE, Mr. STUPAK, Mr. HILL, Mr. HUTCHINSON, Mr. LEWIS of Kentucky, Mr. SMITH of New Jersey, Mr. TALENT, Mr. COBURN, Mr. MCCOLLUM, and Mr. BALLENGER.
H.R. 4007: Mr. DEUTSCH, Mr. CALVERT, Mr. CUNNINGHAM, Mr. MEEHAN, and Mr. STARK.
H. Con. Res. 52: Mr. UPTON, Mr. GOODLATTE, and Mr. WISE.
H. Con. Res. 203: Mr. CRAMER, Mr. TOWNS, Mr. LEVIN, Mr. GREENWOOD, Ms. BROWN of Florida, Mrs. EDDIE BERNICE JOHNSON of Texas, Mr. WATTS of Oklahoma, Mr. MENENDEZ, Mr. WELLER, and Mr. SMITH of New Jersey.
H. Con. Res. 237: Ms. SLAUGHTER and Mrs. MYRICK.
H. Con. Res. 290: Mr. GOODE and Mr. BOSWELL.
H. Res. 37: Mr. FALEOMAVAEGA, Mr. WEXLER, and Mr. THUNE.
H. Res. 312: Ms. LOFGREN and Mrs. LINDA SMITH of Washington.
H. Res. 313: Mr. SHAYS.
H. Res. 401: Mr. MALONEY of Connecticut.

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. 3396: Mr. QUINN.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2183

OFFERED BY: MR. DELAY

(To the Amendments Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 78: Add at the end the following new title:

TITLE ___—SENSE OF CONGRESS REGARDING APPOINTMENT OF INDEPENDENT COUNSEL

SEC. ___01. SENSE OF CONGRESS REGARDING APPOINTMENT OF INDEPENDENT COUNSEL TO INVESTIGATE CLINTON ADMINISTRATION.

(a) FINDINGS.—Congress finds as follows:

(1) The Independent Counsel Act (chapter 40 of title 28, United States Code) was designed to avoid even the appearance of impropriety in the consideration of allegations of misconduct by high-level Executive Branch officials.

(2) Section 591(a)(1) of title 28, United States Code, requires the Attorney General of the United States to conduct a preliminary investigation whenever the Attorney General finds specific and credible evidence that a covered person ''may have violated any Federal criminal law ...''.

(3) Under the statute (28 U.S.C. 591(b)), the President is a covered person.

(4) The bribery statute (chapter 11 of title 18, United States Code) prohibits Federal officials, including the President, from receiving any benefit in return for any official action.

(5) Numerous published reports describe circumstances that suggest that President Clinton may have received campaign contributions in return for official government actions he took on behalf of the contributors.

(6) Any such scheme may also violate other statutes including the following sections of title 18, United States Code: section 371 (conspiracy to defraud the United States), section 600 (promising of government benefits in return for political support), section 872 (extortion by government officials), and sections 1341, 1343, and 1346 (mail and wire fraud by defrauding the United States of honest services).

(7) On February 13, 1997, the Washington Post reported that the Department of Justice had obtained intelligence information that the government of the People's Republic of China had sought to direct contributions from foreign sources to the Democratic National Committee (''DNC'') before the 1996 presidential campaign.

(8) In March 1995, Johnny Chung, a Democratic National Committee trustee and a businessman from Torrance, California, brought six officials of the government of the People's Republic of China and its state-owned companies, including Hongye Zheng, Chairman of the China Council for the Promotion of International Trade, and Yang Zanzhong, President of China Petro-Chemical Corp., to hear the President give his regular Saturday radio address.

(9) On March 8, 1995, Johnny Chung came to the First Lady's office in the White House seeking various favors for the officials, including admission to the radio address.

(10) Aides to Mrs. Clinton, Margaret Williams and Evan Ryan, suggested that Mr. Chung could get the favors if he helped Mrs. Clinton with her debts to the DNC for holiday parties.

(11) The next day, Mr. Chung gave Ms. Williams a check for $50,000, and received a lunch in the White House mess, a picture with Mrs. Clinton, and admission to the radio address for himself and the officials. Id. Records indicate that on Friday, March 17, 1995, Mr. Chung donated $50,000 to the Democratic National Committee and on April 12, 1995, he donated an additional $125,000.

(12) In commenting on the solicitation in the White House by the First Lady's aides, Mr. Chung said, ''I see the White House is like a subway: You have to put in coins to open the gates.''

(13) On February 6, 1996, Wang Jun attended a coffee at the White House with President Clinton. Mr. Wang is the head of the state-owned company, China International Trade and Investment Corp. (''CITIC''), a $21,000,000,000 conglomerate, and its subsidiary Poly Technologies. Poly Technologies is the primary arms dealing company for the Chinese military. Mr. Wang gained access to the coffee through Charles Yah Lin Trie, an old Arkansas friend of President Clinton and Democratic Party fund-raiser.

(14) After the Wang visit came to public attention, President Clinton said he remembered ''literally nothing'' about the meeting, but he conceded that it was ''clearly inappropriate.''

(15) Mr. Trie had a number of interesting sources of funds. Among other things, in the spring of 1996, Mr. Trie delivered suspicious donations totaling $789,000 to the President's legal defense fund.

(16) Mr. Trie made the donations on three dates: March 21, 1996, $460,000; April 24, 1996, $179,000; and May 17, 1996, $150,000. These donations have now been returned. Recent reports reveal that most of this money came from members of a Taiwan-based religious sect, Suma Ching Hai. President and Mrs. Clinton knew about these suspicious donations at the time, and they concurred in efforts to conceal them until after the election. Notwithstanding that knowledge, President Clinton continued to grant favors to Mr. Trie.

(17) On April 19, 1996, President Clinton appointed Mr. Trie to the Commission on U.S. Pacific Trade and Investment Policy. On April 26, President Clinton signed a letter to Mr. Trie relating to U.S. policy in putting carriers in the Taiwan Straits.

(18) During 1995 and 1996, Mr. Trie received a series of wire transfers in amounts of $50,000 and $100,000 from the Chinese government's state-owned bank, the Bank of China.

(19) Recent Senate testimony reveals that Mr. Trie received $1,400,000 in wire transfers from abroad from 1994 through 1996. At least $220,000 of this money has been traced into the treasury of the DNC.

(20) Of the total Mr. Trie received from overseas, $905,000 came from Ng Lap Seng, a Macao-based businessman who was Trie's partner and who was also known as Mr. Wu. Mr. Ng is an adviser to the Chinese Communist government. Although he is a foreign national who cannot legally make donations to U.S. campaigns, he gave money through two employees to attend a dinner for big contributors with President Clinton on February 16, 1995.

(21) Returning to Mr. Wang's visit to the coffee with President Clinton, just four days before the meeting, Mr. Wang's arms trading company received special permission to import 100,000 assault weapons, along with millions of bullets, into the United States despite the assault weapons ban.

(22) On the day of the coffee, Democratic fund-raiser Ernest G. Green, another Arkansas friend of the President's, delivered a $50,000 donation to the Democratic National Committee. Mr. Green, a managing director at Lehman Brothers, had never before given such a large contribution to the Democratic Party. Mr. Wang used a letter of invitation written by Mr. Green to obtain a visa for Mr. Wang's trip to the White House for coffee. After delivering the check, Mr. Green met with Mr. Wang before Mr. Wang went to the White House.

(23) Several lengthy reports in the Chicago Tribune and the Washington Post detail the depths of Mr. Wang's international arms dealing activities.

(24) Beginning in the summer of 1994, Federal agents began an undercover sting investigation of Poly's efforts to smuggle weapons into the United States. On March 8, 1996, just a month after Mr. Wang's visit with President Clinton, the President of Poly's U.S. subsidiary, Robert Ma, sold his house in Atlanta and fled the country.

(25) On March 18, 1996, Federal agents surreptitiously seized a Poly shipment of 2,000 AK-47 assault rifles in Oakland, California. These weapons had left China on February 18 aboard a vessel belonging to another state-owned company, the Chinese Ocean Shipping Company (''COSCO''). Id. In May, Federal agents hastily shut down the operation when they learned that the Chinese had been tipped to its existence. The stories indicate that the Department is currently investigating to determine the source of the leak.

(26) Smuggling the weapons into the United States has not harmed the fortunes of COSCO. In April 1996, with the support of the Clinton Administration, COSCO signed a lease with the City of Long Beach, California to rent a now defunct navy base in Long Beach, California. In addition, the Clinton Administration has allowed COSCO's ships access to our most sensitive ports with one day's notice rather than the usual four, and it has given COSCO a $138,000,000 loan guarantee to build ships in Alabama. The Administration has made all of these concessions since the coffee with Mr. Wang. That COSCO participated in the shipment of illegal arms does not appear to have dampened the Administration's enthusiasm in any of these matters.

(27) These circumstances strongly suggest that there was a quid pro quo, and that the contributions from Mr. Chung, Mr. Green, and Mr. Trie, may have come from the Chinese government in return for the various government favors described. The President met directly with the Chinese officials whom Mr. Chung and Mr. Trie brought to the White House, and he knew about the suspicious circumstances of Mr. Trie's donations. If the President knew about a quid pro quo, he may have violated section 201 of title 18, United States Code, and the other statutes cited above.

(28) Mr. Chung has admitted that a large portion of the money he raised for the Democrats originated with the People's Liberation Army in China. He has identified the conduit as a Chinese aerospace executive, based in Hong Kong, who is also the daughter of General Liu Huaqing, who was China's top military commander at the time.

(29) Closely related to the allegations concerning the government of the People's Republic of China are the allegations relating to the Lippo Group.

(30) The Lippo Group (''Lippo'') is a multibillion dollar real estate and financial conglomerate based in Indonesia. The Riady family, an ethnic Chinese family living in Indonesia, owns and controls Lippo. The patriarch of the Riady family is Mochtar Riady. His son, James, has known President Clinton since the late 1970s when he interned with an investment bank in Little Rock, Arkansas. Since President Clinton began his first presidential campaign in 1991, members of the Riady family and Lippo's subsidiaries and executives have contributed more than $475,000 to the Democratic Party and its candidates. Lippo and the Riady family have numerous business interests in China and Hong Kong.

(31) In the early 1980s, John Huang, the former Commerce Department official at the center of this controversy, worked for Lippo in Little Rock at the Worthen Bank, in which Lippo had a large stake. In 1986, Mr. Huang moved to Los Angeles to help run the Lippo Bank, which has had a number of problems with banking regulators. In that role, he became Lippo's chief representative in the United States.

(32) Mr. Huang began raising illegal contributions for the Democratic Party as early as 1992. The recent Senate Governmental Affairs Committee hearings revealed that in August 1992 Huang gave a $50,000 contribution to the DNC through Hip Hing Holdings, a U.S.-based Lippo subsidiary. He then requested and received reimbursement for the

contribution from Lippo's Indonesian headquarters. Senator Lieberman said, ''Here's a clear trail of foreign money coming into United States elections.''

(33) Maria L. Haley, a presidential aide, recommended Mr. Huang for a job at the Commerce Department in October 1993. In January 1994 while he was still an employee of Lippo, Mr. Huang received a top-secret security clearance without a full background check.

(34) On July 18, 1994, he became principal deputy assistant secretary for international economic policy in the Department of Commerce. He received a $780,000 severance payment from Lippo. David J. Rothkopf, the deputy undersecretary of commerce, and Jeffrey Garten, the undersecretary, expressed misgivings about Mr. Huang's suitability for the job. In recent Senate testimony, Mr. Garten said that Mr. Huang was ''totally unqualified'' for the job and that ''he should not be involved in China at all.'' Mr. Rothkopf has said his complaints were to no avail and that he ''got the distinct impression that this was a done deal. But it was unclear to me at what level it was done.'' The Riadys have apparently boasted to friends that they placed Huang in the job.

(35) The Commerce Department now acknowledges that Mr. Huang attended 109 meetings at which classified information might have been discussed. Phone records show that Mr. Huang made at least 70 calls to Lippo during his tenure at the Commerce Department, many of which occurred near the time of the briefings. He had contacts with officials of the Chinese Embassy. Mr. Huang also maintained an office at a private investment firm with Arkansas and Asian ties, Stephens, Inc., where he made numerous phone calls and received faxes and packages during his Commerce tenure.

(36) Mr. Huang began to raise money illegally before he even left the Commerce Department, and the DNC attributed these donations to his wife. In mid-1995, he expressed an interest in going to the DNC to raise funds. DNC Chairman Don Fowler did not think that the move was necessary and took no action.

(37) In September 1995, the President and his closest adviser, Bruce Lindsey, met with Mr. Huang, James Riady, and C. Joseph Giroir, a former law partner of Mrs. Clinton's who was close to the Riadys, regarding Mr. Huang's desire to move to the DNC. The President has acknowledged that he had a role in recommending Mr. Huang for the DNC job, and other former Clinton aides with ties to Asia, including Mr. Giroir, apparently mounted a concerted campaign to bring about Mr. Huang's job there. In December 1995, Mr. Huang moved to the DNC with the title finance vice chairman. After Mr. Huang left, his Commerce Department position was eliminated. Id. Strangely, however, Mr. Huang kept his security clearance long after he left the Commerce Department.

(38) At the DNC, Mr. Huang embarked on an unusual fund-raising drive in which he raised $3,400,000. Of that amount, the DNC has identified $1,6000,000 as being illegal, improper, or sufficiently suspect that it will be sent back to donors. Many of these donations came from fictitious donors and, in at least one case, a dead person. One of the most egregious examples is the $450,000 donated by Arief and Soraya Wiriadinata. Until December 1995 when they left the country, this couple lived in a modest townhouse in Northern Virginia. Mr. Wiriadinata was a landscape architect, and Mrs. Wiriadinata was a homemaker. Despite these modest circumstances, the couple wrote 23 separate checks to the DNC totaling $425,000 from November 9, 1995 until June 7, 1996. However, Mrs. Wiriadinata is the daughter of Hashim Ning, a partner of the Riadys in owning Lippo. Democratic Party officials had concerns about the legality of Mr. Huang's activities as early as July 1996, but they did not remove him from his job.

(39) The Wiriadinatas are not the only conduit through which Lippo money apparently benefited the Clintons. Existing Independent Counsel Kenneth Starr is reportedly investigating whether payments that Lippo made to Webster Hubbell were made to buy his silence in the Whitewater investigation. These payments reportedly included paying for a vacation the Hubbell family took to Bali in the summer of 1994.

(40) One possible quid pro quo for this Lippo money is the possibility that Lippo bought Mr. Huang's position in the Commerce Department as well as the accompanying access to classified information. In addition, during September 1996, the President announced that he was designating 1.7 million acres of Utah wilderness as a national monument. This designation abruptly halted plans to mine the world's largest deposit of clean-burning ''super compliance coal.'' The President made this move with virtually no consultation with people in the affected area of Utah. The second largest deposit of this kind of coal lies in Indonesia, and critics suggest that the designation was made as a reward to Lippo.

(41) If there was a quid pro quo for Mr. Huang's position at the Department of Commerce, his access to classified information, the designation of the national monument, or all three, then there may have been a violation of section 201 of title 18, United States Code, and the other statutes mentioned above. The President's direct involvement includes his participation in the September 1995 meeting at which Mr. Huang expressed his desire to go to the DNC and his participation in the designation of the national monument.

(42) On February 20, 1997, the Wall Street Journal reported that a Miami computer executive with close ties to the government of Paraguay had a number of dealings with the White House.

(43) The computer executive, Mark Jimenez, is a native of the Philippines, and he is a legal resident of the United States. His company, Future Tech International, sells computer parts in Latin America, including Paraguay. He apparently has close ties to the government of Paraguay. Since 1993, Mr. Jimenez and his employees have given over $800,000 to the Democratic Party, the Clinton-Gore campaign, and other private initiatives linked to President Clinton, like the effort to restore the President's birthplace. Mr. Jimenez has visited the White House at least twelve times since April 1994, and on at least seven of these occasions, he met personally with President Clinton.

(44) The timing of some of these donations strongly suggests that there was a quid pro quo. From February through April 1996, Mr. Jimenez and various officials of the government of Paraguay met in the White House with presidential adviser and former chief of staff, Mack McLarty regarding threats to the government of Paraguay. On March 1, the State Department recommended that Paraguay no longer receive American foreign aid because it had not done enough to stop drug smuggling. President Clinton then issued a waiver allowing the continued aid despite the State Department's finding.

(45) On April 22, the military of Paraguay attempted a coup against the President of Paraguay, Carlos Wasmosy. The White House allowed President Wasmosy to take refuge in the American embassy in Asuncion and took other steps to support him. The same day, Mr. Jimenez gave $100,000 to the Democratic National Committee.

(46) In addition, during February 1996, Mr. Jimenez attended one of the now famous White House coffees. Ten days later, he gave another $50,000 to the Democratic National Committee. On September 30, 1996, Mr. Jimenez arranged for a White House tour for a number of business friends who were attending a meeting of the International Monetary Fund. The same day, he sent $75,000 to the Democratic National Committee. The close coincidence of Mr. Jimenez's contributions with the favors he received is highly suspicious. The President's direct involvement includes his calling President Wasmosy to assure him of American support with respect to the coup attempt and his direct participation in the coffee in question. If there was a quid pro quo involved, these incidents may violate section 201, of title 18, United States Code, and the other statutes cited above.

(47) In February, the Washington Post reported that on September 4, 1995, First Lady Hillary Clinton stopped over in Guam on the way to the International Women's Conference in Beijing, China. She ended her visit with a shrimp cocktail buffet hosted by Guam's governor, Carl T. Gutierrez, a Democrat. Three weeks later, a Guam Democratic Party official arrived in Washington with more than $250,000 in campaign contributions. Within six additional months, Governor Gutierrez and a small group of Guam businessmen had produced an additional $132,000 for the Clinton-Gore reelection campaign and $510,000 in soft money for the Democratic National Committee.

(48) In December 1996, the Administration circulated a memo that would have granted a long sought reversal of the Administration's position on labor and immigration issues in a way that was very favorable to businesses in Guam. The story gave the following reason for this shift: Some officials also attribute the administration's support for the reversal to the money raised for the president's reelection campaign. One senior U.S. official said ''the political side'' of her agency had informed her that the administration's shift was linked to campaign contributions. ''We had always opposed giving Guam authority over its own immigration,'' the official said. ''But when that $600,000 was paid, the political side switched.'' United States officials from three other agencies added that they too had been told that the policy shift was linked to money.

(49) Various published reports discussed below indicate that the President was intimately involved in the details of fundraising for his reelection. As President, he ultimately controls the Administration's policy. Thus, if these assertions prove true, a reasonable mind could reach the conclusion that the President knew about and condoned a direct quid pro quo for these policy changes. If he did so, such a quid pro quo would violate section 201 of title 18, United States Code, and the other statutes.

(50) At least three criminal statutes address the use of the White House for political purposes. Section 600 of title 18, United States Code, prohibits the promising of any government benefit in return for any kind of political support or activity. Section 607 of title 18, United States Code, prohibits the solicitation or receipt of contributions for Federal campaigns in Federal buildings. Section 641 of title 18, United States Code, prohibits the conversion of government property to personal use.

(51) During January 1995, President Clinton authorized a plan under which the Democratic National Committee would hold fundraising coffees and sleepovers in the White House. During 1995 and 1996, the White House held 103 of the coffees. To quote the New York Times, ''[t]he documents [released by the White House] themselves make explicit

that the coffees were fund-raising vehicles....[they] also make clear that the Democratic National Committee was virtually being run out of the Clinton White House despite the President's initial efforts after the election to draw a distinction between his own campaign organization and the committee.'' The Los Angeles Times said: ''The result [of the coffees] was not only lucrative, according to some involved, but occasionally bizarre—sometimes the political equivalent of the bar scene in the film 'Star Wars.' The president and vice president were surrounded by rotating casts of rich strangers with unknown motives or backgrounds, including some from faraway places who didn't speak the same language.''

(52) These reports indicate that Democratic Party fundraising staff have said in interviews that they directly sold access to the President and Vice President at the coffees. The New York Times quoted a Democratic fund-raiser's response to a White House denial that there was a requirement for a coffee participant to make a contribution as: ''I don't understand why they continue to deny the obvious.'' The Los Angeles Times quoted a fund-raiser as saying: ''I can't count the number of times I heard, 'Tell them they can come to a coffee with the President for $50,000.' It was routine. In fact, when [staffers] said, 'This is all I can raise,' they were told, 'Keep selling the coffees.' ''

(53) In short, these reports make it obvious that the coffees, which President Clinton directly authorized, were nothing but fundraising events. According to the New York Times, the Democratic National Committee raised $27,000,000 from 350 people who attended White House coffees.

(54) President Clinton also entertained 938 overnight guests in the White House during his first term. This, too, became a means of fund-raising. When the original plan to hold coffees was suggested to the President, he not only approved it, but also originated the idea of the overnight visits. On the memo suggesting the plan, he wrote, ''Ready to start overnights right away ... get other names at 100,000 or more, 50,000 or more.'' The New York Times reports that these guests donated $10,210,840 to the Democratic Party from 1992 through 1996. The New York Times said about the President's notation: ''The memorandum to Mr. Clinton and the response from the President show Mr. Clinton's direct involvement in authorizing the fund-raising practices that are now under scrutiny by Congressional and Justice Department investigators.''

(55) At least one document the White House has recently released strongly suggests that President Clinton made telephone solicitations from the White House. The document, written by Vice President Gore's deputy chief of staff, David Strauss, contained the notation, ''BC made 15 to 20 calls, raised 500K.'' Other documents indicate that presidential adviser Harold Ickes also proposed that President Clinton make fund-raising calls. President Clinton has said that he cannot remember whether he made the calls. If President Clinton made these calls from the White House, he may have violated section 607 of title 18, United States Code.

(56) The circumstances of the coffees, the sleepovers, and the possible telephone calls strongly suggest that the President may have violated the following provisions of title 18, United States Code: (1) Section 600 (by promising government access in return for campaign contributions). (2) Section 607 (by soliciting campaign contributions in Federal buildings). (3) Section 641 (by converting Federal property, the White House, to his own private use).

(57) Under the independent counsel statute (28 U.S.C. 591(b)(1)), the Vice President is a covered person. Based on published reports, the Attorney General has sufficient grounds to investigate whether Vice President Gore may have violated Federal criminal law.

(58) On April 29, 1996, Vice President Gore attended a fund-raiser at the Hsi Lai Buddhist Temple in Hacienda Heights, California. This fund-raiser, organized by John Huang, brought in $140,000 for the Democratic National Committee. When the event first came to public attention, the Vice President claimed that the event was intended as ''community outreach'' and that ''[i]t was not billed as a fund-raiser'' and ''no money was offered or collected or raised''. The Vice President made this claim notwithstanding reports that checks changed hands at the event and that virtually everyone else involved thought the event was an explicit fund-raiser.

(59) In January 1997, the Vice President admitted that he knew the event was ''a finance-related event.'' A month later, documents released by the White House revealed that the Vice President's staff had referred to the event as a fund-raiser in making inquiries to the National Security Council staff about the appropriateness of the event. The National Security Council advised that he should proceed with ''great, great caution'', but the Vice President proceeded to go forward with the fund-raiser. This event is apparently now under investigation by a Federal grand jury.

(60) Hsi Lai Temple, if it is like most religious organizations, is a tax-exempt organization under section 501(c) of the Internal Revenue Code. If that is so, it may not ''participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office.'' (section 501(c)(3) of the Internal Revenue Code of 1986). By holding such an obviously political event, the Temple violated its tax exempt status, and Vice President Gore actively and enthusiastically participated in that violation. That action may violate section 371 of title 18, United States Code, as a conspiracy to defraud the United States by interfering with the functions of the Internal Revenue Service, and section 7201 of the Internal Revenue Code of 1986, as an evasion of the income tax.

(61) On March 2, 1997, the Washington Post reported thatVice President Gore ''played the central role in soliciting millions of dollars in campaign money for the Democratic Party during the 1996 election'' and that he was known as the administration's ''solicitor-in-chief''. The next day, Vice President Gore held a nationally televised press conference in which he admitted making numerous calls from the White House in which he solicited campaign contributions. He said that he made these phone calls with a DNC credit card. His spokesman later clarified that the card that he used belonged to the Clinton-Gore reelection campaign (statement of Vice Presidential Communications Director Lorraine Voles, dated March 5, 1997). The use of the Clinton-Gore credit card suggests that the solicitations were for ''hard money'' which goes to campaigns rather than ''soft money'' which goes to parties.

(62) Documents that the White House has only recently released reveal that Vice President Gore made 86 fundraising calls from his White House Office. More disturbingly, these new records reveal that Vice President Gore made twenty of these calls at taxpayer expense. This use of taxpayer resources for private political uses may violate section 641 of title 18, United States Code, (converting government property to personal use).

(63) On its face, the conduct to which Vice President Gore admitted appears to be a clear violation of section 607 of title 18, United States Code. Section 607 of such title makes it unlawful for ''any person to solicit ... any [campaign] contribution ... in any room or building occupied in the discharge of official [government] duties....''.

(64) Recent reports have completely undermined these two claims with respect to the calls that Vice President Gore made. The Washington Post on September 3, 1997, reported that at least $120,000 of the money he solicited from his office was ''hard money.''. As the story notes, ''The [hard] money came from at least eight of 46 donors the vice president telephoned from his White House office to ask for contributions to the Democratic National Committee, according to records released by Gore's office.'' The American people should be are deeply troubled by the length of time it took for these records, which have apparently been under Vice President Gore's control, to come to public light. With respect to the second claim, no person has made any claim that Vice President Gore made these calls from any place other than his office, an area clearly covered under section 607 of title 18, United States Code, as a ''room or building occupied in the discharge of official [government] duties.''

(65) The Washington Post also asserted that Vice President Gore made the telephone solicitations ''with an urgency and directness that several large Democratic donors said they found heavy-handed and inappropriate.'' The story quoted two donors as follows: ''Another donor recalled Gore phoning and saying, 'I've been tasked with raising $2,000,000 by the end of the week, and you're on my list.' The donor, a well-known business figure who declined to allow his name to be used, gave about $100,000 to the DNC. The donor said he felt pressured by the Vice President's sales pitch. 'It's revolting,' said the donor, a longtime Gore friend and supporter. Yet another major business figure and donor who was solicited by Gore, and who refused to be identified, said, 'There were elements of a shakedown in the call. It was very awkward. For a Vice President, particularly this Vice President who has real power and is the heir apparent, to ask for money gave me no choice. I have so much business that touches on the Federal Government--the Telecommunications Act, tax policy, regulations galore.' The donor said he immediately sent a check for $100,000 to the DNC.''.

(66) Although the Vice President may legally solicit campaign contributions, it is not legal to exert pressure based on government actions. The bribery statute (section 201(b)(2) of title 18, United States Code) provides that a public official may not ''directly or indirectly, corruptly demand[], [or] seek[], ... anything of value personally or for any other person or entity, in return for: (A) being influenced in the performance of any official act; ...'' In addition, section 872 of title 18, United States Code, prohibits government officials from engaging in acts of extortion. Through the use of untoward pressure, the Vice President may have violated these statutes.

(67) Sufficient specific and credible evidence exists to warrant a preliminary investigation under the independent counsel statute.

(68) The fund-raising disclosures have blown up into the biggest scandal in the United States since Watergate.

(69) This situation is paralyzing the President, preoccupying Congress and fueling public cynicism about our political system.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Attorney General Reno should apply immediately for the appointment of an independent counsel to investigate alleged criminal conduct relating to the financing of the 1996 Federal elections.

H.R. 2183

OFFERED BY: MR. DELAY

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 79: Add at the end the following new title:

TITLE ___—SENSE OF CONGRESS REGARDING FUNDRAISING ON FEDERAL PROPERTY

SEC. ___01. SENSE OF CONGRESS REGARDING APPLICABILITY OF CONTROLLING LEGAL AUTHORITY TO FUNDRAISING ON FEDERAL PROPERTY.

(a) FINDINGS.—Congress finds the following:

(1) On March 2, 1997, the Washington Post reported that Vice President Gore ''played the central role in soliciting millions of dollars in campaign money for the Democratic Party during the 1996 election'' and that he was known as the administration's ''solicitor-in-chief''.

(2) The next day, Vice President Gore held a nationally televised press conference in which he admitted making numerous calls from the White House in which he solicited campaign contributions.

(3) The Vice President said that there was ''no controlling legal authority'' regarding the use of government telephones and properties for the use of campaign fundraising.

(4) Documents that the White House released reveal that Vice President Gore made 86 fundraising calls from his White House office, and these new records reveal that Vice President Gore made 20 of these calls at taxpayer expense.

(5) Section 641 of title 18, United States Code, (prohibiting the conversion of government property to personal use) clearly prohibits the use of government property to raise campaign funds.

(6) On its face, the conduct to which Vice President Gore admitted appears to be a clear violation of section 607 of title 18, United States Code, which makes it unlawful for ''any person to solicit...any (campaign) contribution...in any room or building occupied in the discharge of official (government) duties''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Federal law clearly demonstrates that ''controlling legal authority'' prohibits the use of Federal property to raise campaign funds.

H.R. 2183

OFFERED BY: MR. DELAY

(To the Amendments Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 80: Add at the end the following new title:

TITLE ___—REPEAL OF MEDIA EXPENDITURE EXEMPTION

SEC. ___01. REPEAL MEDIA EXEMPTION FROM TREATMENT AS EXPENDITURE UNDER FEDERAL ELECTION LAW.

Section 301(9)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(9)(B)) is amended by striking clause (i).

H.R. 2183

OFFERED BY: MR. DELAY

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 81: Add at the end of section 301(20) of the Federal Election Campaign Act of 1971, as added by section 201(b) of the substitute, the following:

''(C) EXCEPTION FOR LEGISLATIVE ALERTS.—The term 'express advocacy' does not include any communication which—

''(i) deals solely with an issue or legislation which is or may be the subject of a vote in the Senate or House of Representatives; and

''(ii) encourages an individual to contact an elected representative in Congress in order to exercise the right protected under the first amendment of the Constitution to inform the representative of the individual's views on such issue or legislation.''.

H.R. 2183

OFFERED BY: MR. DELAY

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 82: Strike section 301(20)(B) of the Federal Election Campaign Act of 1971, as added by section 201(b) of the substitute, and insert the following:

''(B) NONAPPLICATION TO PUBLICATIONS ON VOTING RECORDS.—The term 'express advocacy' shall not apply with respect to any communication which provides information or commentary on the voting record of, or positions on issues taken by, any individual holding Federal office or any candidate for election for Federal office, unless the communication contains explicit words expressly urging a vote for or against any identified candidate or political party.''.

H.R. 2183

OFFERED BY: MR. DELAY

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 83. In section 301(8)(C) of the Federal Election Campaign Act of 1971, as added by section 205(a)(1)(B) of the substitute, strike clause (vi) and redesignate clauses (vii) through (x) as clauses (vi) through (ix).

H.R. 2183

OFFERED BY: MR. DELAY

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 84: In section 301(8) of the Federal Election Campaign Act of 1971, as amended by section 205(a)(1)(B) of the substitute, add at the end the following:

''(F) For purposes of subparagraph (C), no communication with a Senator or Member of the House of Representatives (including the staff of a Senator or Member) regarding any pending legislative matter, including any survey, questionnaire, or written communication soliciting or providing information regarding the position of any Senator or Member on such matter, may be construed to establish coordination with a candidate.''.

H.R. 2183

OFFERED BY: MR. DELAY

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 85: In section 301(8)(A)(iii) of the Federal Election Campaign Act of 1971, as added by section 205(a)(1)(A)(iii) of the substitute, strike ''for the purpose of influencing'' and all that follows and insert the following: ''if the value being provided is a communication that is express advocacy.''.

H.R. 2183

OFFERED BY: MR. DOOLITTLE

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 86: Add at the end the following new title:

TITLE ___—TERMINATION OF TAXPAYER FINANCING OF PRESIDENTIAL ELECTION CAMPAIGNS

SEC. ___01. TERMINATION OF TAXPAYER FINANCING OF PRESIDENTIAL ELECTION CAMPAIGNS.

(a) TERMINATION OF DESIGNATION OF INCOME TAX PAYMENTS.—Section 6096 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(d) TERMINATION.—This section shall not apply to taxable years beginning after December 31, 1998.''

(b) TERMINATION OF FUND AND ACCOUNT.—

(1) TERMINATION OF PRESIDENTIAL ELECTION CAMPAIGN FUND.—

(A) IN GENERAL.—Chapter 95 of subtitle H of such Code is amended by adding at the end the following new section:

''SEC. 9014. TERMINATION.

''The provisions of this chapter shall not apply with respect to any presidential election (or any presidential nominating convention) after December 31, 1998, or to any candidate in such an election.''

(B) TRANSFER OF EXCESS FUNDS TO GENERAL FUND.—Section 9006 of such Code is amended by adding at the end the following new subsection:

''(d) TRANSFER OF FUNDS REMAINING AFTER 1998.—The Secretary shall transfer all amounts in the fund after December 31, 1998, to the general fund of the Treasury.''

(2) TERMINATION OF ACCOUNT.—Chapter 96 of subtitle H of such Code is amended by adding at the end the following new section:

''SEC. 9043. TERMINATION.

''The provisions of this chapter shall not apply to any candidate with respect to any presidential election after December 31, 1998.''

(c) CLERICAL AMENDMENTS.—

(1) The table of sections for chapter 95 of subtitle H of such Code is amended by adding at the end the following new item:

''Sec. 9014. Termination.''

(2) The table of sections for chapter 96 of subtitle H of such Code is amended by adding at the end the following new item:

''Sec. 9043. Termination.''

H.R. 2183

OFFERED BY: MR. DOOLITTLE

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 87: Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 510. TERM LIMITS FOR STAFF DIRECTOR AND GENERAL COUNSEL OF FEDERAL ELECTION COMMISSION.

(a) IN GENERAL.—The first sentence of section 306(f)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437c(f)(1)) is amended by striking ''by the Commission'' and inserting the following: ''by an affirmative vote of not less than 4 members of the Commission and may not serve for a term of more than 4 consecutive years''.

(b) EFFECTIVE DATE.—The amendment made by subsection (b) shall apply with respect to any individual serving as the staff director or general counsel of the Federal Election Commission on or after January 1, 1999, without regard to whether or not the individual served as staff director or general counsel prior to such date.

H.R. 2183

OFFERED BY: MR. DOOLITTLE

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 88: Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 510. PERMITTING COURTS TO REQUIRE FEDERAL ELECTION COMMISSION TO PAY ATTORNEY'S FEES AND COSTS TO CERTAIN PREVAILING PARTIES.

Section 309 of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

''(e) In any action or proceeding brought by the Commission against any person which is based on an alleged violation of this Act or

of chapter 95 or 96 of the Internal Revenue Code of 1986, the court in its discretion may require the Commission to pay the costs incurred by the person under the action or proceeding, including a reasonable attorney's fee, if the court finds that the law, rule, or regulation upon which the action or proceeding is based is unconstitutional or that the bringing of the action or proceeding against the person is unconstitutional.''.

H.R. 2183

OFFERED BY: MR. DOOLITTLE

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 89: Section 201 is amended by striking subsection (c).

H.R. 2183

OFFERED BY: MR. DOOLITTLE

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 90: Section 201(b) is amended to read as follows:

(b) DEFINITION OF EXPRESS ADVOCACY.—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431) is amended by adding at the end the following:

''(20) EXPRESS ADVOCACY.—The term 'express advocacy' means a communication containing express words of advocacy of election or defeat of a candidate, such as 'vote for', 'elect', 'support', 'cast your ballot for', '(name of candidate) for Congress', 'vote against', 'defeat', or 'reject'.''.

H.R. 2183

OFFERED BY: MR. FOSSELLA

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 91: Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 510. PROHIBITING NON-CITIZEN INDIVIDUALS FROM MAKING CONTRIBUTIONS 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) 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.

H.R. 2183

OFFERED BY: MR. GILLMOR

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 92: Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 510. PROTECTING EQUAL PARTICIPATION OF ELIGIBLE VOTERS IN CAMPAIGNS AND ELECTIONS.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et. seq.), as amended by adding at the end the following new section:

''PROTECTING EQUAL PARTICIPATION OF ELIGIBLE VOTERS IN CAMPAIGNS AND ELECTIONS''

''SEC. 326. Nothing in this Act may be construed to prohibit any individual eligible to vote in an election for Federal office from making contributions or expenditures in support of a candidate for such an election (including voluntary contributions or expenditures made through a separate segregated fund established by the individual's employer or labor organization) or otherwise participating in any campaign for such an election in the same manner and to the same extent as any other individual eligible to vote in an election for such office.''

H.R. 2183

OFFERED BY: MR. MILLER OF FLORIDA

(To the Amendment Offered By: Mr. Shays and Mr. Meehan)

AMENDMENT NO. 93: Page 39, line 3, insert ''(a) IN GENERAL.—'' before ''Section''.

Page 41, after line 6, insert the following:

(b) REPORTING AND DISCLOSURE.—

(1) REQUIREMENTS.—Section 201(b) of the Labor Management and Disclosure Act of 1959 is amended—

(1) in paragraph (3), by striking ''$10,000'' and inserting ''40,000'';

(2) by redesignating paragraphs (5) and (6) as (7) and (8), respectively; and

(3) by inserting after paragraph (4), the following:

''(5) a functional allocation that—

''(A) aggregates the amount spent for (i) officer payments, (ii) employee payments, (iii) fees, fines, and assessments, (iv) office and administrative expense and direct taxes, (v) educational and publicity expenses, (vi) professional fees, benefits, (vii) contributions, gifts and grants, and

''(B) specifies the total amount reported for each category in subparagraph (A) and the portion of such total expended for (i) contract negotiations, (ii) organizing, (iii) strike activities, (iv) political activities, and (v) lobbying and promotional activities,;''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on December 31, 2000.

H.R. 2183

OFFERED BY: MR. MILLER OF FLORIDA

(To the Amendment Offered By: Mr. Schaffer of Colorado)

AMENDMENT NO. 94: Page 39, line 3, insert ''(a) IN GENERAL.—'' before ''Section''.

Page 41, after line 6, insert the following:

(b) REPORTING AND DISCLOSURE.—

(1) REQUIREMENTS.—Section 201(b) of the Labor Management and Disclosure Act of 1959 is amended—

(1) in paragraph (3), by striking ''$10,000'' and inserting ''40,000'';

(2) by redesignating paragraphs (5) and (6) as (7) and (8), respectively; and

(3) by inserting after paragraph (4), the following:

''(5) a functional allocation that—

''(A) aggregates the amount spent for (i) officer payments, (ii) employee payments, (iii) fees, fines, and assessments, (iv) office and administrative expense and direct taxes, (v) educational and publicity expenses, (vi) professional fees, benefits, (vii) contributions, gifts and grants, and

''(B) specifies the total amount reported for each category in subparagraph (A) and the portion of such total expended for (i) contract negotiations, (ii) organizing, (iii) strike activities, (iv) political activities, and (v) lobbying and promotional activities,;''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on December 31, 2000.

H.R. 2183

OFFERED BY: MR. PAXON

(To the Amendments Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 95: Add at the end the following new title:

TITLE —UNION DISCLOSURE

SEC. 01. UNION DISCLOSURE.

(a) IN GENERAL.—Section 201(b) of the Labor Management Reporting and Disclosure Act of 1959 (29 U.S.C. 431(b)) is amended—

(1) by striking ''and'' at the end of paragraph (5); and

(2) by adding at the end the following:

''(7) an itemization of amounts spent by the labor organization for—

''(A) contract negotiation and administration;

''(B) organizing activities;

''(C) strike activities;

''(D) political activities;

''(E) lobbying and promotional activities; and

''(F) market recovery and job targeting programs; and

''(8) all transactions involving a single source or payee for each of the activities described in subparagraphs (A) through (F) of paragraph (7) in which the aggregate cost exceeds $10,000.''.

(b) COMPUTER NETWORK ACCESS.—Section 201(c) of the Labor Management Reporting and Disclosure Act of 1959 (29 U.S.C. 431(c)) is amended by inserting ''including availability of such reports via a public Internet site or another publicly accessible computer network,'' after ''its members,''.

(c) REPORTING BY SECRETARY.—Section 205(a) of the Labor Management Reporting and Disclosure Act of 1959 (29 U.S.C. 435(a)) is amended by inserting after ''and the Secretary'' the following: ''shall make the reports and documents filed pursuant to section 201(b) available via a public Internet site or another publicly accessible computer network. The Secretary''.

H.R. 2183

OFFERED BY: MR. PICKERING

(To the Amendments Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 96: Add at the end the following new title:

TITLE ___—PROHIBITING FUNDRAISING ON RELIGIOUS PROPERTY

SEC. ___01. PROHIBITING FUNDRAISING EVENTS ON RELIGIOUS PROPERTY.

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:

''PROHIBITING FUNDRAISING EVENTS ON RELIGIOUS PROPERTY

''SEC. 323. (a) IN GENERAL.—It shall be unlawful for any political committee to sponsor directly or indirectly any event which is held on any religious property for the purpose of raising amounts in support of any political party or the campaign for electoral office of any candidate.

''(b) RELIGIOUS PROPERTY DEFINED.—In subsection (a), the term 'religious property' means any church, synagogue, mosque, religious cemetery, or other religious property.''.

H.R. 2183

OFFERED BY: MR. WHITFIELD

(To the Amendments Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 97: Add at the end the following new title:

TITLE ___—BAN ON COORDINATED SOFT MONEY ACTIVITIES BY PRESIDENTIAL CANDIDATES

SEC. ___01. BAN ON COORDINATION OF SOFT MONEY FOR ISSUE ADVOCACY BY PRESIDENTIAL CANDIDATES RECEIVING 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) BAN ON COORDINATION OF SOFT MONEY FOR ISSUE ADVOCACY.—

''(1) IN GENERAL.—No candidate for election to the office of President or Vice President who is certified to receive amounts from the Presidential Election Campaign Fund under this chapter or chapter 96 may coordinate the expenditure of any funds for issue advocacy with any political party unless the

funds are subject to the limitations, prohibitions, and reporting requirements of the Federal Election Campaign Act of 1971.

''(2) ISSUE ADVOCACY DEFINED.—In this section, the term 'issue advocacy' means any activity carried out for the purpose of 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 (without regard to whether the activity is carried out for the purpose of influencing any election for Federal office).''.

(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.

H.R. 2183

OFFERED BY: MR. WHITFIELD

(To the Amendments Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 98: In section 323(a) of the Federal Election Campaign Act of 1971, as added by section 101 of the substitute, insert after paragraph (1) the following new paragraph (and redesignate paragraph (2) as paragraph (3)):

''(2) EXCEPTION FOR CERTAIN ACTIVITIES.—Paragraph (1) shall not apply with respect to the use of funds for voter identification, get-out-the-vote activity, or generic campaign activity conducted in connection with an election in which a candidate for Federal office appears on the ballot.''

H.R. 2183

OFFERED BY: MR. WHITFIELD

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 99: In section 323(b)(2)(A)(i) of the Federal Election Campaign Act of 1971, as added by section 101 of the substitute, strike ''120 days'' and insert ''7 days''.

H.R. 2183

OFFERED BY: MR. WHITFIELD

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 100: In section 323(b)(2) of the Federal Election Campaign Act of 1971, as added by section 101 of the substitute, strike subparagraph (A) and insert the following:

''(A) IN GENERAL.—The term 'Federal election activity' means a communication that refers to a clearly identified candidate for Federal office (regardless of whether a candidate for State or local office is also mentioned or identified) and is made for the purpose of influencing a Federal election (regardless of whether the communication is express advocacy).''

H.R. 2183

OFFERED BY: MR. WHITFIELD

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 101: In section 323(b)(2)(B)(i) of the Federal Election Campaign Act of 1971, as added by section 101 of the substitute, strike '', provided the campaign activity is not a Federal election activity described in subparagraph (A)''.

H.R. 2183

OFFERED BY: MR. WHITFIELD

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 102: In section 323(b)(2)(B)(iv) of the Federal Election Campaign Act of 1971, as added by section 101 of the substitute, strike ''only a candidate for State or local office'' and insert ''a candidate for Federal, State, or local office''.

H.R. 2183

OFFERED BY: MR. WHITFIELD

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 103: In section 323(b)(2)(B) of the Federal Election Campaign Act of 1971, as added by section 101 of the substitute, strike clause (v) and insert the following:

''(v) the Federal share of a State, district, or local party committee's administrative and overhead expenses; and''.

H.R. 2183

OFFERED BY: MR. WHITFIELD

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 104: Strike title I (and conform the table of contents accordingly).

In section 307(a), strike ''section 103(c) and section 203'' and insert ''section 203''.

In section 401, strike ''(as amended by section 101)''.

Redesignate section 324 of the Federal Election Campaign Act of 1971, as added by section 401, as section 323.

In section 507, strike ''sections 101 and 401'' and insert ''section 401''.

Redesignate section 325 of the Federal Election Campaign Act of 1971, as added by section 507, as section 324.

H.R. 2183

OFFERED BY: MR. WHITFIELD

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 105: In section 323 of the Federal Election Campaign Act of 1971, as added by section 101 of the substitute, strike subsection (d) and redesignate subsection (e) as subsection (d).

H.R. 2183

OFFERED BY: MR. WHITFIELD

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 106: In section 323 of the Federal Election Campaign Act of 1971, as added by section 101 of the substitute, strike subsection (c) and redesignate subsections (d) and (e) as subsections (c) and (d).

H.R. 2183

OFFERED BY: MR. WHITFIELD

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 107: Add at the end of title I the following new section (and conform the table of contents accordingly):

SEC. 104. INCREASE IN CONTRIBUTION LIMIT FOR CONTRIBUTIONS TO CANDIDATES BY PERSONS OTHER THAN PACS.

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 ''$3,000''.

H.R. 2183

OFFERED BY: MR. WHITFIELD

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 108: Amend section 102(b) to read as follows:

(b) INCREASE IN AGGREGATE ANNUAL CONTRIBUTION LIMIT FOR INDIVIDUALS.—Section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(3)) is amended by striking ''$25,000'' and inserting ''$50,000''. Add at the end of title I the following new section (and conform the table of contents accordingly):

SEC. 104. INCREASE IN CONTRIBUTION LIMIT FOR CONTRIBUTIONS TO CANDIDATES BY PERSONS OTHER THAN PACS.

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 ''$3,000''.

H.R. 2183

OFFERED BY: MR. WHITFIELD

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 109: Strike section 201(c).

H.R. 2183

OFFERED BY: MR. WHITFIELD

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 110. Strike section 303 (and redesignate the succeeding provisions and conform the table of contents accordingly).

H.R. 2183

OFFERED BY: MR. WHITFIELD

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 111: Strike section 304 (and redesignate the succeeding provisions and conform the table of contents accordingly).

H.R. 2183

OFFERED BY: MR. WHITFIELD

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 112: In section 3210(a)(6)(A) of title 39, United States Code, as amended by section 503 of the substitute, strike ''during the 180-day period'' and all that follows and insert the following: ''during the 90-day period which ends on the date of the general election for the office held by the Member.''.

H.R. 2183

OFFERED BY: MR. WHITFIELD

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 113: Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 510. REQUIRING FEDERAL ELECTION COMMISSION TO OBSERVE FIRST AMENDMENT LIMITS IN REGULATORY ACTIVITIES.

Section 307 of the Federal Election Campaign Act of 1971 (2 U.S.C. 437d) is amended by adding at the end the following new subsection:

''(f)(1) When developing prescribed forms and making, amending, or repealing rules pursuant to the authority granted to the Commission by subsection (a)(8), the Commission shall act in a manner that will have the least restrictive effect on the rights of free speech and association so protected by the First Article of Amendment to the Constitution of the United States.

''(2) When the Commission's actions under paragraph (1) are challenged, a reviewing court shall hold unlawful and set aside any actions of the Commission that do not conform with the principles set forth in paragraph (1).''.

H.R. 2183

OFFERED BY: MR. WHITFIELD

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 114: Insert after section 601 the following new section (and redesignate the succeeding sections and conform the table of contents accordingly):

SEC. 602. APPLICATION OF STRICT SCRUTINY AS STANDARD FOR REVIEW.

In any action brought to construe the constitutionality of any provision of this Act or any amendment made by this Act, the court may not find the provision or amendment to be consistent with the Constitution of the United States unless the court finds that the provision or amendment carries out a compelling governmental interest in the least restrictive manner possible.

H.R. 2183

OFFERED BY: MR. WHITFIELD

(To the Amendment Offered By: Mr. Shays or Mr. Meehan)

AMENDMENT NO. 115: Amend section 204 to read as follows (and conform the table of contents accordingly):

SEC. 204. REPEAL OF LIMITATIONS ON AMOUNT OF COORDINATED EXPENDITURES BY POLITICAL PARTIES IN CONGRESSIONAL ELECTIONS.

(a) IN GENERAL.—Section 315(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)) is amended by striking paragraph (3).

(b) CONFORMING AMENDMENTS.—Section 315(d)(1) of such Act (2 U.S.C. 441a(d)(1)) is amended by striking ''paragraphs (2) and (3)'' and inserting ''paragraph (2)''.

Strike section 402 (and conform the table of contents accordingly).

H.R. 2183

OFFERED BY: MR. WICKER

(To the Amendments Offered By: Mr. Shays)

AMENDMENT NO. 116: Add at the end the following new title:

TITLE ___—PROHIBITING USE OF WHITE HOUSE MEALS AND ACCOMMODATIONS FOR POLITICAL FUNDRAISING

SEC. ___01. PROHIBITING USE OF WHITE HOUSE MEALS AND ACCOMMODATIONS FOR POLITICAL FUNDRAISING.

(a) IN GENERAL.—Chapter 29 of title 18, United States Code, is amended by adding at the end the following new section:

''§ 612. Prohibiting use of meals and accommodations at White House for political fundraising.

''(a) It shall be unlawful for any person to provide or offer to provide any meals or accommodations at the White House in exchange for any money or other thing of value, or as a reward for the provision of any money or other thing of value, in support of any political party or the campaign for electoral office of any candidate.

''(b) Any person who violates this section shall be fined under this title or imprisoned not more than three years, or both.

''(c) For purposes of this section, any official residence or retreat of the President (including private residential areas and the grounds of such a residence or retreat) shall be treated as part of the White House.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 29 of title 18, United States Code, is amended by adding at the end the following new item:

''612. Prohibiting use of meals and accommodations at white house for political fundraising.''.

H.R. 2183

OFFERED BY: MR. WICKER

(To the Amendments Offered By: Mr. Shays)

AMENDMENT NO. 117: Add at the end the following new title:

TITLE ___—PHOTO IDENTIFICATION REQUIREMENT FOR VOTERS

SEC. ___01. PERMITTING STATE TO REQUIRE VOTERS TO PRODUCE PHOTOGRAPHIC IDENTIFICATION.

Section 8 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6) is amended—

(1) by redesignating subsection (j) as subsection (k); and

(2) by inserting after subsection (i) the following new subsection:

''(i) PERMITTING STATES TO REQUIRE VOTERS TO PRODUCE PHOTO IDENTIFICATION.—A State may require an individual to produce a valid photographic identification before receiving a ballot for voting in an election for Federal office.''.