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No. 25

House of Representatives

The House met at 10 a.m.

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

Your word, O God, tells us that we should do the works of justice and that we should love mercy. In the quiet of this prayer we admit our own willfulness can sometimes get in the way of Your loving spirit and our own self-centeredness can hinder generosity and forgiveness. We know that it is in the nature of things that we get so involved in our tasks and our eyes do not always look to the heavens for wisdom and vision and strength, but we pray this day that Your spirit will lift our spirits so that justice and mercy will roll down as waters and righteousness like an everflowing stream. Amen.

THE JOURNAL

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

Mr. KUCINICH led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE PRESIDENT

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

THE ISSUE IS SAFETY ON NUCLEAR WASTE STORAGE

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

Mr. GIBBONS. Madam Speaker, the issue of nuclear waste is simply one of the safety. H.G. Wells once said that human history becomes more and more a race between education and catastrophe. Let me say that nothing in the history of mankind has withstood the test of time and the construction of 10,000 years.

What was state-of-the-art technology and engineered safe as late as 1970 has often been shown and proven to be an unsafe solution today. Americans should never allow short-term safety issues that are as serious as nuclear waste to become long-term problems hundreds of years from now.

I believe that standards based on sound science, along with the protection, the safety and the welfare of this Nation's citizens, should be the fundamental threshold when we address nuclear waste storage. H.R. 45, the Nuclear Waste Policy Act of 1999, will mandate upon the State of Nevada and this Nation the most environmentally egregious and deadly decree, a death sentence that preempts the National Environmental Policy Act, the Safe Drinking Water Act, and any other Federal, State, or local laws that may be inconsistent with this bill.

Vote "no" on H.R. 45.

INCENTIVES

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

Mr. KUCINICH. Madam Speaker, today we will be considering H.R. 391, the Small Business Paperwork Reduction Act Amendments. This bill is strongly opposed by the administra-

tion, and four department heads will recommend a veto if the bill is passed in its current form.

The concern stems from a provision that bars agencies from assessing civil penalties for most first-time paperwork violations. This provision allows businesses one free violation, even when the violation is intentional. This sets up a bizarre circumstance where bad-faith actors would have little or no incentive to comply with paperwork requirements. They would know that once caught, they could not be fined.

When bad-faith actors do not file paperwork, it is extremely difficult for the government to detect illegal activity. The government would not be able to identify businesses that are putting workers, consumers, and seniors in jeopardy.

I will be offering an amendment that will provide penalty relief for first-time violators without giving an across-the-board waiver to those who intentionally violate the law. If my amendment is adopted, the veto threat will likely be dropped and the bill can become law. I urge Members' support for my amendment to H.R. 391.

TRIBUTE TO SUSAN B. ANTHONY

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

Ms. ROS-LEHTINEN. Madam Speaker, this Monday will mark the 179th anniversary of the birth of Susan B. Anthony, a prominent figure in our Nation's history whose influence has been as remarkable as any President of the United States. Susan B. Anthony's lifelong work to ensure equal rights for women and essentially equal rights for all mankind can never be forgotten nor understated.

However, some choose to ignore how her struggle to obtain equal rights also included the rights of the unborn. To

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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Susan B. Anthony, abortion could never be separated from her promotion of women's rights. She could not separate the two causes, because to those early feminists, abortion was nothing less than child murder. She said, "We want prevention, not punishment." For her, such prevention meant promoting dignity and true equality for the born and the unborn.

Every American, and especially every female, owes much to pioneers such as Susan B. Anthony. On this upcoming 179th anniversary of her birth, we should all pay tribute to this great American, to this great leader, to this wonderful right-to-life advocate, Susan B. Anthony.

BAN ILLEGAL TRADE RESTRICTIONS

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

Mr. TRAFICANT. Madam Speaker, the trade rep says, don't worry, Congress, we are going to GATT over steel. Wow.

Check this out. Three years ago Europe blocked American beef. Then Europe blocked American bananas. Uncle Sam went to GATT. GATT ruled in our favor. Europe laughed in their face. GATT says, go to the World Trade Organization. We went to the WTO. The WTO ruled in our favor. Europe laughed in their faces. Then they appealed. Three years later, Uncle Sam is being advised to go back to GATT on bananas and beef.

Beam me up. Rip Van Winkel is faster than GATT. America's sovereignty is not predicated on the WTO, Madam Speaker. When it comes to illegal trade, we should never manage it, we should ban it.

INDONESIA

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

Mr. PITTS. Madam Speaker, I rise today to express deep concern over the continuing human rights abuses in Indonesia. This week I chaired a Congressional Human Rights Caucus briefing in which expert witnesses from Indonesia showed photographic evidence and reported on the situation facing their people.

Attacks on ethnic and religious minorities, particularly Chinese minorities, are continuing, and in some instances appear to be orchestrated. Ninety-five churches have been burned or destroyed since May of last year. One photograph showed a security officer standing by while a person's decapitated head was paraded around on a stick.

Violence and human rights abuses continue in regions. Rape victims from last year's riots are intimidated. Churches and mosques are burned.

Christians and Muslims from rural communities are afraid to return to their destroyed homes.

Madam Speaker, I urge the Indonesian government to immediately take steps to protect the fundamental human rights of all people in Indonesia, promptly bring to justice all individuals violating those rights.

DEMOCRATS WANT TO SAVE SOCIAL SECURITY

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

Ms. DELAURO. Madam Speaker, we in the Congress have an historic opportunity to save the twin pillars of retirement security, Social Security and Medicare. We have this opportunity because of a strong economy in this country that has resulted in a Federal surplus for the first time in three decades. At this historic juncture, Democrats propose to do what is right: save Social Security and Medicare while we have the financial ability to do so.

Republicans, on the other hand, want to give a one-time tax break that flies in the face of fiscal responsibility. It is a shortsighted plan. It will not save Social Security and Medicare. It gives a 10 percent tax break to those, most of whom are wealthy in this country. The lion's share of the plan goes to people making more than \$300,000 a year. Middle-class families would get back less than \$100.

As one of their own said in today's Congress Daily, "A 10 percent cut means nothing for most taxpayers." Democrats are for tax cuts, tax cuts that are targeted to middle-class families. The Democratic plan will save Social Security and Medicare, and give tax relief to the people who need it most.

INTRODUCING LEGISLATION TO PREVENT EXPANSION OF AMERICAN MILITARY INTERVENTION WITHOUT CONGRESSIONAL APPROVAL

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

Mr. PAUL. Madam Speaker, we have troops in 144 countries of the world today. President Clinton has announced that he will now send troops to Kosovo. We are bombing in Iraq on a daily basis. We have been in Bosnia now for three years, although we were supposed to be there for six months. We should not go into Kosovo; we should not go there, absolutely, without congressional approval.

I have introduced legislation that will prevent the President from sending troops to further expand our intervention around the world without congressional approval. This is very, very important. We are spending so much money on intervention in so many

countries around the world at the same time our national defense is being diminished. Worst of all, the President is planning to put these thousands of troops under a British commander.

It is time we took it upon ourselves to exert our authority to restrain the President in spreading troops around the world.

FEDERAL GOVERNMENT INTERVENTION IN HIGH TECHNOLOGY INDUSTRY MAY BE DETRIMENTAL TO CONSUMERS

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

Mr. INSLEE. Madam Speaker, my district includes Redmond, Washington, the home of Microsoft.

Madam Speaker, the true beneficiaries of the Internet explosion are consumers. They know it. A recent Wirthlin poll found that 81 percent of the public believes that Microsoft has benefited consumers. The reasons are clear. Microsoft is the leader and perhaps the most dynamic, creative, and productive industry in the history of the world. Technology is improving, prices are falling, and more people own a computer today than ever have before. The innovative people in Microsoft are a major reason for this.

The Federal Government should be cautious before it intervenes in this enterprising industry. The American people are reluctant to allow the government to control the industry because it provides cheaper, more useful products every day without government intervention.

We must not forget that the goal of our laws ought to be protecting the consumer, not the competition. If we focus on what is good for the consumer, the industry will continue to harness the genius of American innovation, and Microsoft will continue to serve as an engine of invention, to our mutual benefit.

IT IS TIME TO TAKE SOCIAL SECURITY OFF-BUDGET

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

Mr. HERGER. Madam Speaker, it is time we really take social security off-budget. While this Congress has worked hard to balance the budget under the manner we currently count Federal dollars, we have only done so by using the social security trust fund surplus.

Let us now raise the bar and balance the budget by walling off the social security surplus. Why should this Congress be content with a budget that is only balanced because we are borrowing from social security?

Everyone here knows it is morally wrong to use the social security surplus to mask our deficit, and our constituents know it, as well. Let us end

this shell game. Madam Speaker, I urge my colleagues to support my legislation, which will wall off social security by removing it from the unified budget calculations.

WHY DO REPUBLICANS WANT TO GIVE TAX CUTS TO THE WEALTHY INSTEAD OF PROTECTING AND EXPANDING MEDICARE WITH THE BALANCE OF THE SURPLUS?

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include therein extraneous material.)

Ms. SCHAKOWSKY. Madam Speaker, I have been pleased to hear some of my Republican colleagues express a willingness to go along with President Clinton's plan to devote 62 percent of the budget surplus to social security. But what I cannot understand is why they would rather take the rest of the surplus and give a tax break to the wealthy, instead of protecting and even expanding Medicare so that it covers prescription drugs.

□ 1045

Before I was elected to public office, I served as director of the Illinois Council of Senior Citizens, and I learned a lot about how hard it can be to grow old in America. Making ends meet on Social Security is not easy, even if one is pretty healthy. But if someone has high blood pressure or diabetes or heart disease or cancer, they could be in real trouble. As any senior can tell us, there are many things Medicare does not pay for, including prescription drugs. In fact, seniors today are paying more of their incomes on health care than before Medicare was enacted in 1965.

Social Security and Medicare. They go hand-in-hand. Seniors understand this. The President understands this. Before giving away the surplus to the rich, I hope the Republicans will get it, too, and support our plan to protect Medicare.

CONGRESS SET TO ELIMINATE MARRIAGE TAX PENALTY

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

Mr. WELLER. Madam Speaker, I rise to really announce some good news, and that is we are ready to make progress on some unfinished business, and that is the issue of eliminating discrimination against married working couples.

My colleagues, let us ask a few questions. Is it not time we eliminated the marriage tax penalty? Is it right—really, is it right—that under our Tax Code married working couples pay higher taxes just because they are married? Is it fair that 21 million married working couples pay on average \$1,400 more just

because they are married than an identical couple living together outside of marriage? In Illinois \$1,400 is one year's tuition at the local community college.

It is simply wrong we are punishing married working couples. Yesterday, we introduced H.R. 6, the Marriage Tax Elimination Act, legislation that now has 224 cosponsors. Think about that; 224 cosponsors. How often do we have a majority of the House as cosponsors of legislation on its first day? That is good news.

I believe we can work together this year to eliminate the most unfair discrimination in the tax code. Let us work together, let us work in a bipartisan way, let us eliminate the marriage tax penalty.

Madam Speaker, I include for the RECORD a letter from a constituent of mine and a press release from the Speaker of the House on the subject matter of my speech this morning.

JANUARY 6, 1999.

DEAR CONGRESSMAN WELLER: Over the past year or so, my husband Shad and I have read with some surprise and some relief about your efforts to eliminate the "marriage tax penalty." When we set out to marry, no one warned us such a tax even existed on married couples. Our relief, of course, came in knowing that our U.S. Representative is trying to do something to right the wrong.

Shad and I are both teachers in Will County. Shad teaches 11th grade English and I teach junior high reading. Neither of us make a lot of money, but we are dedicated to our jobs and the children we teach. You can imagine our surprise when we realized how the marriage tax affects us. When we followed up with tax preparers and your staff, we learned that our 1997 salaries are facing a \$957.00 marriage tax penalty.

We have actually read articles in the paper where scholars have dismissed the marriage tax as inconsequential on a working family's day to day struggle to made ends meet. Instead, they argue that the amount of money lost to the government by eliminating the marriage tax would be a great "tragedy." In fact, during last year's elections, I heard a candidate suggest that if \$1,400 plays such a large stake in a couples decision to marry, perhaps they have no business getting married in the first place. Although I am no economic scholar, and Shad and I would be married despite the financial consequences the government places on our marriage, I take offense to that sort of thought process.

Fourteen hundred dollars may not seem like a lot to some, but as we prepare to bring our first child into the world, we will face a penalty of \$957. That \$957 could buy 3000 diapers or pay for a years worth of tuition for our graduate school education. Aside from the poor message the marriage tax sends to young couples like ourselves, the money it costs—no mater how large or small the amount—could be used on things we need now. It troubles me to know that as Shad and I continue to teach and earn a little more money as time goes by, so too will our "marriage tax" grow.

It appears to me Congressman Weller, eliminating the marriage tax seems to be the right choice. Shad and I will continue to follow your efforts in Washington with great interest (as will our married friends back home). Last year it appeared that Washington was ready to eliminate the marriage tax. What went wrong?

Sincerely,

MICHELLE AND SHAD HALKLAN.

SPEAKER'S STATEMENT ON RESERVING H.R. 6 FOR REPEAL OF MARRIAGE TAX PENALTY

WASHINGTON, D.C.—House Speaker J. Dennis Hastert (R-Ill.) today released the following statement on reserving H.R. 6 for the Marriage Tax Penalty Elimination Act:

"It's ridiculous that our onerous tax code makes it more expensive to be married than to be single. The government should not punish married working couples by taking more of their hard-earned money in taxes than an identical couple living outside of marriage. I am proud to reserve one of this Congress' top bills, H.R. 6, for the Marriage Tax Penalty Elimination Act.

"The Republican-led Congress has a strong commitment to returning more of each American's hard-earned money to his or her own pocket. The government often acts as if it owns the earnings of all Americans, as if each American worked for the government and not the other way around. This is wrong. We believe that all Americans deserve to keep more of their own money—after all, it's your money and you can save and spend it more wisely than Washington can."

J. DENNIS HASTERT,

Speaker of the House.

CONSENSUS IS 62 PERCENT OF BUDGET SHOULD GO TO SAVE SOCIAL SECURITY

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

Mr. WEINER. Madam Speaker, there is now reaching a point of consensus that 62 percent of the surplus in the budget should go to save Social Security and preserve it at least to the year 2055. With God's good graces, we will all be here to enjoy that extended life of Social Security.

What the President has also proposed is equally important, perhaps even more so, and that is that 15 percent, almost \$700 billion, be put away also to help improve Medicare today, and that includes extending prescription drug benefits to seniors.

As much as we have heard about the proposals for tax cuts, an across-the-board tax cut will not get an average senior even through a single year covering their prescription drug costs. Yet, on the other the other side of the aisle, we hear nothing about improving Medicare for today's seniors. Instead, 37 percent of their plan goes to a tax cut, 1 percent goes to defense, and nothing else goes for things like prescription drugs.

My colleagues, with the cost of living adjustment for seniors this year being only 1.2 percent, we need to recognize that today's seniors, not those a generation from now, need prescription drugs covered.

INTRODUCTION OF H.R. 2, DOLLARS TO THE CLASSROOM

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

Mr. PETERSON of Pennsylvania. Madam Speaker, today Republicans in

Congress will introduce H.R. 2, Dollars to the Classroom, a bill that is aimed at improving the quality of our public schools.

This bill, we admit, is a threat to those who believe fervently that Washington knows best, no matter how many times it has demonstrated that it does not. This bill will not please those who wish to expand the Federal education bureaucracy. This bill will alarm those professional administrators who hope to increase Federal involvement and intrusion into the decisions made by local school boards, parents and teachers.

Instead, this bill will give local schools the flexibility to spend Federal education dollars as they see fit: higher teacher salaries in some districts, new libraries or classroom construction in others, perhaps a new computer system in another. Those who bear the consequences of the decisions will be the ones making those decisions.

This is an approach which will enrage the liberals, who have done things the old way, the bureaucratic way, so many times in the past. This bill represents common sense. It puts dollars in our classrooms and not more bureaucrats in Washington.

CLOSE THE SCHOOL OF THE AMERICAS ONCE AND FOR ALL

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

Mr. MOAKLEY. Madam Speaker, we have a school in the United States which teaches Latin American students torture techniques and commando skills and costs the citizens of the United States \$18 million each and every year. The graduates go on to commit some of the worst murders and some of the most horrible atrocities in Latin America.

When I led the team that investigated the Jesuit murders in El Salvador, I was horrified to learn that our School of the Americas had actually trained the killers. Nineteen out of the 26 killers were graduates of the School of the Americas.

That is not an isolated incident, Madam Speaker. Each time we hear of another brutal massacre in Latin America, the School of the Americas graduates are involved. In nearly every instance they planned the killings, covered up the truth, or even pulled the trigger.

Today, Madam Speaker, I will file legislation to close the School of the Americas once and for all.

IS THE ERA OF BIG GOVERNMENT REALLY OVER?

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

Mr. SCHAFFER. Madam Speaker, the President in his 1996 State of the

Union performance said that "The era of big government is over." Now, I suppose it is possible that he meant it, but one would never know it from looking at his record. The President and his liberal allies in Congress are threatening to shut down the government if Congress does not spend more money to create more bureaucracy in Washington, D.C.

Let us take for example the issue of education spending. Now, Republicans want to spend the money but send it to the classroom. Democrats want to grow the Federal bureaucracy and give the bureaucracy a greater role in managing our local schools.

Republicans think the Federal bureaucrats have done enough damage in education. Democrats want to spend money without setting priorities. Republicans want to send more money to the classroom while also keeping within budget agreement caps, which means there must be spending offsets.

If the era of big government is truly over, then it is time for the President's actions to match his words.

SMALL BUSINESS PAPERWORK REDUCTION ACT AMENDMENTS OF 1999

Mr. REYNOLDS. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 42, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 42

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 391) to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements, to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 303 of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. During consideration of the bill for amendment, the chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the min-

imum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from New York (Mr. REYNOLDS) is recognized for one hour.

Mr. REYNOLDS. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of the resolution, all time yielded is for the purpose of debate only.

Madam Speaker, House Resolution 42 is an open rule, providing for the consideration of H.R. 391, the Small Business Paperwork Reduction Act Amendments of 1999. The purpose of this legislation is to reduce the burden of Federal paperwork on small businesses.

The rule waives section 303 of the Congressional Budget Act, prohibiting consideration of legislation providing new budget authority or contract authority for a fiscal year until the budget resolution for that fiscal year has been agreed to, against consideration of the bill.

The rule provides for one hour of general debate, equally divided and controlled by the chairman and the ranking minority member of the Committee on Government Reform and Oversight.

The rule further provides that the bill shall be considered as read.

The Chair is authorized by the rule to grant priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD prior to their consideration.

The rule allows for the chairman of the Committee of the Whole to postpone votes during consideration of the bill and to reduce votes to 5 minutes on a postponed question if the vote follows a 15-minute vote.

Finally, the rule provides for one motion to recommit, with or without instructions.

Madam Speaker, I believe House Resolution 42 is a fair rule. It is an open rule for the consideration of H.R. 391, the Small Business Paperwork Reduction Act Amendments of 1999.

It is my understanding that some Members may wish to offer germane amendments to this bill and, under this open rule, they will have every opportunity to do so.

H.R. 391 is a step in the right direction in relieving our Nation's small businesses from an overwhelming paperwork burden that threatens to bury them.

Time and money required to keep up with government paperwork prevents small businesses from growing and creating new jobs. H.R. 391 gives small

businesses the relief they need from paperwork burdens created by the Federal bureaucracy.

It has been reported that last year it took seven billion man hours to complete government paperwork. Seven billion man hours that could have been spent finding new job markets, expanding business or creating jobs, were instead spent on nothing more than dotting I's and crossing T's in duplicate and triplicate.

Madam Speaker, as a longtime small businessman myself, I know the hurdles that our entrepreneurs face: Strangling red tape, burdensome regulations and mountains of paperwork.

Just a few days ago our Nation marked President Ronald Reagan's 88th birthday, and I am reminded of what President Reagan said in his first inaugural address: that the Federal Government's role is to work with us, not over us; to stand by our side, not ride our back. Government can and must provide opportunity, not smother it; foster productivity, not stifle it.

H.R. 391 recognizes the challenging legacy that President Reagan handed us: to make the Federal Government a catalyst for opportunity rather than an obstacle for growth by fostering communication between Federal agencies and small businesses; helping small businesses come into compliance on civil paperwork mistakes; and making sure all information regarding paperwork requirements is readily available to small businesses.

What the bill does not do is create a threat to public safety and health. H.R. 391 specifically suspends fines only for small businesses on first-time paperwork violations; and only, and I repeat, and only when those violations are not covered by several exemptions, including an exemption for violations that result in actual harm, violate Internal Revenue Service laws, and present an imminent threat to public safety and health.

□ 1030

I would like to commend the gentleman from Indiana (Mr. MCINTOSH) and the chairman, the gentleman from Indiana (Mr. BURTON) for their hard work on H.R. 391. I would urge my colleagues to support this open rule and the underlying bill.

In conclusion, Madam Speaker, House Resolution 42 is a fair, completely open rule, and I urge its adoption.

Madam Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield myself such time as I may consume.

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

Ms. SLAUGHTER. Madam Speaker, I thank the gentleman from New York (Mr. REYNOLDS), my next door neighbor, for yielding me the customary 30 minutes.

Madam Speaker, I do not oppose this rule because it allows Members to offer

all germane amendments. Like all Members of Congress, I support efforts to reduce unnecessary paperwork requirements on small businesses. I have endorsed both legislative and executive efforts to streamline regulations.

We in Congress have enacted the Paperwork Reduction Act and the Small Business Regulatory Enforcement Fairness Act. Just yesterday, the House passed the Paperwork Elimination Act by a bipartisan vote. The administration, under Vice President Gore, has attacked excessive regulation through its initiative to reinvent government and the implementation of the White House Conference on Small Business recommendations.

In addition, I support many aspects of the underlying bill. H.R. 391 would require Federal agencies to publish paperwork requirements for small businesses so that they can know exactly what is required of them. It would require each Federal agency to establish a liaison for small business paperwork requirements and to help small businesses comply with their legal obligations, and it would establish a task force to consider ways to streamline paperwork requirements even further.

However, it is unfortunate that the Committee on Government Reform has again in this Congress included provisions in this bill that could be dangerous to the health and safety of the American people.

H.R. 391 would prohibit the assessment of civil penalties for most first-time violations of information collection or dissemination requirements if those violations are corrected within six months. The civil penalty provisions in this bill effectively remove agency discretion from regulatory enforcement decisions against the first-time violators. Only if actual serious harm has already occurred or the violation presents "an imminent and substantial danger to the public health and safety" would the agency have any discretion to impose a penalty. This extreme standard will not adequately protect the American public.

Each of us has the responsibility to abide by protections enacted for the safety of the community. Paperwork requirements, such as drivers' licenses, are our way of minimally ensuring that everyone who undertakes a potentially hazardous activity, such as driving, is informed about the potential dangers and knows how to prevent them. If H.R. 391's ban on penalties were applied to drivers' license, there could be no sanction for driving without a license until your driving had already caused actual serious injury or was so dangerous as to pose an imminent substantial danger to others. Such a provision would be outrageous. To protect society, we need the discretion to step in, in a meaningful way, to protect ourselves before the actual harm occurs.

This bill would hamper legitimate agency efforts to protect the American people. For example, its one-size-fits-all prohibition on penalties could en-

danger both our traveling public and our emergency service personnel by weakening the enforcement of reporting requirements for the transportation of hazardous materials.

New methods to ensure the safety of our meats, shellfish, and poultry depend upon providers keeping adequate records and accurate records of their efforts to prevent contamination. This paperwork is not a frivolous add-on, but it is central to ensuring a wholesome product. Noncompliant companies should not have the option of saving money by skipping the paperwork at the cost of endangering the public. In life and death situations such as food safety, providers should not be given a free pass on the first violation. Such a policy could cause the needless deaths of hundreds of our constituents and the serious illness of many thousands more.

Similarly, paperwork requirements are designed to help nursing homes monitor the patients' health and assure appropriate care. For example, records of fluid intakes and output are key tools in diagnosing conditions such as dehydration and infection that, left untreated, can be life-threatening. We should not take discretion away from regulators trying to protect our Nation's most vulnerable citizens.

This bill could also make our workplaces less safe. Tracking the information disclosure and training requirements for working with dangerous chemicals and machinery is not useless paperwork. It assures that our workers have the knowledge needed to protect themselves from on-the-job hazards. An industrial disaster should not be required before agencies can effectively enforce these lifesaving requirements.

H.R. 391's ban on regulatory discretion sends businesses a very bad message. It says that Congress does not consider violation of these health and safety requirements a serious matter.

Curiously, H.R. 391 also preempts State and local discretion in the performance enforcement of health safety and environmental standards. Normally the majority believes that localities should have the autonomy to set priorities for local implementation of Federal standards. But in this bill, they paternalistically prohibit local governments from making their own enforcement decisions.

In reality, this nonenforcement mandate provides no relief to honest businesses, those doing the best they can to obey the law. It gives an unfair advantage to the small minority of businesses that try to undercut their competition by willfully violating or ignoring the law. If this bill were enacted in its current form, those businesses disinclined to follow the law would have no incentive to obey until they had actually been cited for a violation.

For these reasons, this bill is opposed in its current form by the administration and a wide variety of consumer, labor and health advocacy groups, including the Safe Food Coalition, Public

Citizen, the AFL-CIO, Consumer's Union, the National Citizens Coalition for Nursing Home Reform, the American Public Health Association, the Consumer Federation of America, United Auto Workers, the American Lung Association, OMB Watch, USPIRG, and the National Council of Senior Citizens.

Thankfully, the rule we are debating will allow the House to solve many of the problems with this bill. The gentleman from Ohio (Mr. KUCINICH) will offer an amendment that provides for agency discretion in the imposition of civil penalties against first-time violations. The amendment also requires agencies to establish policies to waive or reduce civil penalties for first-time inadvertent violations.

The Kucinich amendment is a common-sense compromise that achieves the goal of not over-penalizing inadvertent, good-faith violations, without risking the health and lives of the public.

Madam Speaker, I support this open rule, and I would urge my colleagues to support the passage of the Kucinich amendment allowed by the rule.

Madam Speaker, I reserve the balance of my time.

Mr. REYNOLDS. Madam Speaker, I yield such time as he may consume to my colleague, the gentleman from California (Mr. DREIER), the outstanding and distinguished chairman of the Committee on Rules.

Mr. DREIER. Madam Speaker, I certainly will not in any way argue with the description the gentleman has provided and I thank him for yielding.

Madam Speaker, I rise in very strong support of this rule. But I am here primarily to extend very hearty compliments to the newest member of the Committee on Rules, the gentleman from New York (Mr. REYNOLDS), who is at this point managing his first rule on the floor, and I know it is the first of what will be many outstanding measures that will be reported out of the committee.

The gentleman from New York (Mr. REYNOLDS) has a stellar background of service as minority leader in the State legislature in New York, and he is bringing that expertise not only to the Committee on Rules but down here on the House floor.

I also want to say that he is joined in this effort, I see, by my predecessor's successor in his congressional seat, the gentleman from New York (Mr. SWEENEY) the former labor commissioner in New York, who has a very interesting background in dealing with paperwork reduction for small businesses and he is going to be describing that. And I suspect we will even hear from the veteran member of the Committee on Rules, the gentleman from Washington (Mr. HASTINGS) who does a great job, too.

As has been said very well by both my friend from New York and my other friend from New York, this is an open rule which allows for the consideration

of the Kucinich amendment and any other amendment that is germane, and I strongly supported our attempt to make that in order.

The bill itself is actually what we really describe as a one-two punch, if we take what was considered yesterday. The gentleman from Indiana (Mr. MCINTOSH) has done a superb job on this measure, following up on passage of the Mandates Information Act, which we were in a very strong bipartisan way able to report out of this institution yesterday.

We know that the burden that is imposed on small businesses is extraordinary. In fact, in a memo that came from the subcommittee of the gentleman from Indiana (Mr. MCINTOSH), when we look at what this bill actually provides, it would put on the Internet a comprehensive list of all the Federal paperwork requirements for small businesses organized by industry, and it offers small businesses compliance assistance instead of fines on first-time paperwork violations that do not present a threat to public health and safety.

It would establish a paperwork czar in each agency who is the point of contact for small businesses on paperwork requirements. And it would establish a task force, including representatives from the major regulatory agencies, to study how to streamline reporting requirements for small businesses.

Madam Speaker, I happen to believe that this measure is a very, very important environmental initiative. For a number of reasons. First and foremost, because it makes it very clear that nothing that is proposed here would in any way jeopardize environment or safety standards at all.

What it will do is, it will in fact decrease the amount of paper. Now, I come from California. The timber industry is a very, very important industry in our State. But frankly, there are more than a few people who are concerned about the constant pumping out of paper. This is the Paperwork Reduction Act. So I consider it to be a very strong pro-environmental measure.

So I think that this is a great win, as I said, a one-two punch, going for mandates information to the measure that the gentleman from Indiana (Mr. MCINTOSH) will be handling. I would like to congratulate my colleague again, the gentleman from New York (Mr. REYNOLDS), for the great job that he is doing and will be continuing to do on the Committee on Rules.

Ms. SLAUGHTER. Madam Speaker, I yield 10 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Madam Speaker, I thank the gentlewoman from New York (Ms. Slaughter) for yielding.

Madam Speaker, I rise in support of this open rule. Our Nation's small businesses are the backbone of our economy and deserve relief from the burdens of unnecessary paperwork.

However, H.R. 391, in its current form, could have wide-ranging and seri-

ous negative, unintended consequences. That is why the administration opposes it. In fact, four department heads have recommended a veto if the bill is passed in its current form.

Similarly, senior citizens' groups oppose the bill. Environment, labor, public health organizations also oppose it. And several State attorneys general oppose it. This opposition stems from a well-intended but dangerous provision in the bill which would bar agencies from assessing civil penalties for most first-time paperwork violations.

Essentially, this means that businesses would have one get-out-of-jail-free card which they can use even when they have willfully and maliciously violated the law. These provisions could interfere with the war on drugs, endanger our drinking water, jeopardize the care in nursing homes, and threaten our pensions, our environment and our health.

Let me give my colleagues an example of the problem. Self-monitoring and reporting are the foundations of the Clean Water Act and the Safe Drinking Water Act. These reporting requirements are designed to give environmental protection officials knowledge of environmental compliance before any harm occurs.

Now, under H.R. 391, the small businesses who run the drinking water systems would have little incentive to comply with reporting requirements because there would be no threat of a fine. The adequacy of the reports would be seriously jeopardized. The EPA would become even more dependent on inspections and not reports when detecting contamination of our drinking water.

However, as I am sure my colleagues know, the EPA only has enough staff to inspect our 200,000 public water systems once every 40 years. Therefore, contamination of our drinking water may go undetected for extremely long periods of time.

Another example: Reporting on toxic emissions. Under the EPA's toxic release inventory, companies that meet reporting thresholds must report their emissions of toxic pollutants into a community's air or water. The requirement that businesses disclose their toxic emissions has prompted significant voluntary emission reductions.

H.R. 391, however, would effectively waive public reporting requirements until a business is caught for a violation. It would thus cripple an effective, voluntary, nonregulatory method of reducing pollution.

Another example, Madam Speaker: Lead poisoning regulations. The Residential Lead-based Paint Hazard Reduction Act of 1992 requires persons who sell or lease housing to give buyers and renters a pamphlet describing lead-based paint hazards. The entire purpose of the law is to prevent children from becoming lead-poisoned by requiring information about the risks of lead-poisoning be distributed before a family moves into a home.

□ 1045

Under H.R. 391, however, this law becomes unenforceable. Even a real estate broker or landlord who deliberately failed to distribute this pamphlet, even if that happened, the EPA could not take enforcement action until after the health of a child has been injured or eminently endangered.

A third example which will be of concern to all Americans: firefighter safety. I believe that, as currently constituted, H.R. 391 undermines worker protection laws with respect to firefighters and emergency workers. They depend, they depend on having adequate information to respond safely and effectively to chemical or fire emergencies. If a business does not report its hazardous chemical inventories as required under the Emergency Planning and Community Right To Know Act, firefighters' lives will be endangered if they are called to respond to a fire at the facility.

Under H.R. 391, however, the failure to report hazardous chemical inventories is not enforceable until after a dangerous situation has already developed.

I think our colleague and good friend the gentleman from Maryland (Mr. HOYER) said it well when he said that this legislation, this H.R. 391, could endanger the lives of America's fire and emergency service workers. Under the guise of exempting first-time violators from fines for paperwork violations, H.R. 391 would eliminate the enforcement of fines against businesses who fail to post notices about whether manufacturing and storage facilities contain hazardous chemicals. If firefighters are not informed of the presence of these dangerous materials, their lives could be needlessly jeopardized.

The International Association of Fire Chiefs, the International Association of Firefighters, the National Fire Protection Association, the National Volunteer Fire Council, the Congressional Fire Service Institute, and the International Fire Association of Arson Investigators have all raised serious concerns about the impact of this legislation. According to these experts, removing or relaxing penalties for failure to comply with regulations that require disclosure of the presence of hazardous materials will almost certainly result in a lack of compliance and raises serious safety issues for firefighters. No amount, and I repeat no amount of remedial action, can compensate for the death or injury of a firefighter after the fact.

Madam Speaker, H.R. 391 also preempts State law. The Federal Government has delegated enforcement of numerous environmental worker safety and health laws to the States. H.R. 391 would prevent States from assessing civil penalties from most first-time violations under these laws. The Congressional Budget Office estimates the States will lose about two million dollars a year in revenue.

Madam Speaker, I will be offering an amendment that will address these concerns that is supported by the administration and by many interest groups. In summary it requires agencies to establish policies that would provide civil penalty relief for first-time violations without giving a free pass to businesses who intentionally break the law.

Currently there is a veto threat on this bill. If my amendment is adopted, the bill would have strong bipartisan support and would likely become law. We should seize the opportunity to provide real relief to our Nation's small businesses, and I urge my colleagues' support for my amendment when I offer it under this open rule.

Mr. REYNOLDS. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, I would like to point out that a paperwork violation in the area of health and safety would not receive a first-time exemption, and certainly that would apply to firefighter safety as well.

Madam Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. Madam Speaker, I thank the gentleman for yielding this time to me, and I thank the gentleman for that brief clarification on this legislation.

Madam Speaker, I rise in support of this open rule and the underlying legislation because this legislation provides some long overdue reforms to address the burden of federally mandated paperwork. As a former small businessman before I got into this life, I know how time consuming these friendly forms can be. Like all working Americans, small business men and women resent these activities that slow down their productivity. Frankly, when a friendly form found its way to my desk when I was in business, I would first look to see if the words "voluntary" or "required" were printed anywhere, and honestly, if I did not have to fill it out, that form would end up in the circular file.

Madam Speaker, that is why Congress needs to pass the Small Business Paperwork Reduction Act and the President needs to sign it into law. This commonsense legislation simply requires that the Internet and the Federal Register list all required paperwork by industry. I know from experience that all of the incoming forms and surveys can be difficult to keep track of especially when we cannot see the relevance or purpose of taking the time to fill out some of these forms. In addition, in the event that a required form ends up in the circular file, this legislation protects that small business owner from unnecessary fines.

The bottom line is that most of the information that the Federal Government collects through forms and surveys is of questionable value to the business community. We do not need alphabet soup agencies and federal bu-

reaucracies involved in market research. That is the responsibility of the private sector. Useless paperwork in my view is one place to start.

Madam Speaker, I would like to thank the author of this bill, the gentleman from Indiana (Mr. MCINTOSH), and I look forward to working with him on other measures to help small businesses succeed.

Ms. SLAUGHTER. Madam Speaker, I yield as much time as he may consume to the gentleman from Ohio (Mr. KUCINICH) to discuss the health and safety issue.

Mr. KUCINICH. Madam Speaker, there are proponents of the bill who are claiming that the current exceptions to the penalty waiver provisions adequately protect the public, and I think it is very important at this moment, Madam Speaker to focus in on why that is not true.

Unfortunately the exceptions to the penalty waiver provisions do not adequately protect the public. They may contain many of the buzz words which imply that the public health and safety is protected, however in reality the benefits of these exceptions are negligible. For instance, one exception permits the assessment of penalties when the violation has already caused actual serious harm. Paperwork requirements are put in place so agencies can prevent an accident before it occurs.

This exception comes too late. It comes into play after the damage has been done.

Furthermore, Madam Speaker, this is an extremely different standard of proof. It is practically impossible to show that a failure to file paperwork, not some intervening event, was the actual cause of the accident.

Another exception allows fines to be assessed when the violation poses a serious and eminent threat to the public health or safety. Again, this is an extremely difficult standard of proof. It is practically impossible to show that the danger posed by a lack of paperwork poses an eminent danger.

For instance, if an employer fails to provide adequate instruction on how to operate dangerous machinery, it would be impossible to prove that this failure created an eminent threat unless the employee has already been injured. That is why this idea about there are current exceptions to the penalty waiver provisions which adequately protect the public is flat out wrong.

Moreover, the exception which allows fines when the failure to fine would impede criminal detection makes little sense. It is the failure to file information, not the failure to fine, that impedes criminal detection.

Mr. REYNOLDS. Madam Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. MCINTOSH) as the sponsor of the legislation.

Mr. MCINTOSH. Madam Speaker, let me commend the gentleman from New York (Mr. REYNOLDS) for this rule and

bringing it forward, and it is a pleasure to see him taking up his new duties on the Committee on Rules as a freshman, and I look forward to working with him.

I support this open rule and look forward to the debate on the bill. I think it is a very serious issue that we will be addressing today in this Congress. I would like to note for the record that when the bill is brought forward, there is going to be a manager's amendment that I will offer that I think will go a long way towards addressing some of the concerns about public health and safety by making it clear that it is the potential to cause serious harm to the public interest which would not create an exemption so that if there is that potential, if the agency determines in advance that there is a potential that certain forms not being posted for hazardous materials could cause serious harm to the public interest, then the provisions of the bill would not apply.

I think with that in mind, Madam Speaker, the rest of the provision of the bill are critically important. This country labors under an enormous paperwork burden coming out of Washington. The total cost is \$229 billion. Now \$229 billion may not sound a lot to people in Washington who are used to spending a budget of \$1½ to \$2 trillion, but when we talk to America's small businesses, the men and women who are running grocery stores, who are running a drug store, who are trying to farm the family farm, the men and women who are operating a doctors office, who work to provide services in our country, \$230 billion is a lot of money, and frankly, they cannot afford to hire hundreds of lawyers, to hire hundreds of accountants in order to keep up with the morass of paperwork that comes from Washington.

It is estimated by the Federal Government that it takes 7 billion man-hours to complete paperwork in 1998, 7 billion man-hours. Oftentimes these reports are contradictory, they are confusing, people make mistakes, and it has been our experience as we held several hearings on this issue and field hearings around the country before that that America's small businesses, the men and women who operate them, on the whole are trying to do their best to complete those requirements. They are good law-abiding citizens who are trying to do a job, they are trying to make their business successful, and they are trying to do what is right in filling out all this government paperwork.

But sometimes they just do not get it right, and then the agencies come in and play gotcha. They come in and say:

"Well, you owe us a thousand dollars here because you didn't fill out this log correctly,".

"Oh, you owe us \$750 here because you didn't bring the book with you to the job site."

Madam Speaker, that is one of the stories that I tell that relate to people that we heard at our hearings. Those

type of penalties where it is very clear that the small businessman or small business woman are being harassed are what we want to stop with this bill.

Frankly, we took President Clinton at his word in 1995 when he said, and I will quote:

"We will stop playing gotcha with decent honest business people who want to be good citizens. Compliance, not punishment, should be our objective."

Madam Speaker, we did take the President at his word and introduce this bill. Since then we found he does not always mean things that he tells the American people. But I think what he was saying there was correct. The government should not be playing gotcha with good law-abiding citizens in this country, and so we provided a 6-month period when the agency points out to the small businessman they need to be doing it differently, where they can correct the mistakes. And as long as there is no harm to the public, as long as there is no danger of allowing criminal activity to go forward, then they will have that 6-month period to correct their mistakes.

I look forward to the debate on this bill, and I look forward to discussing these issues with my colleagues, and I look forward to this House once again in a bipartisan fashion passing a bill that will help America's small businesses.

Again let me say thanks to the gentleman from New York (Mr. REYNOLDS) for bringing forward the rule, thanks to the gentleman from Washington (Mr. HASTINGS) and the gentleman from California (Mr. DREIER) for their eloquent talks earlier today, and I also want to thank the gentleman from Ohio (Mr. KUCINICH) for his work. Although he doesn't support the bill as it is currently written, many of his comments have helped us as we crafted this in order to make sure that we do not create any unintended consequences.

Ms. SLAUGHTER. Madam Speaker, I yield such time as he may consume the gentleman from Ohio (Mr. KUCINICH).

□ 1100

Mr. KUCINICH. Madam Speaker, I want to acknowledge the fact that my good friend the gentleman from Indiana (Mr. MCINTOSH) and I have tried to work together to craft a bill which we could have agreement on. H.R. 391 is not that bill, but it would be nice if it was. I am glad that the gentleman from Indiana (Mr. MCINTOSH) has just indicated in this discussion, where we both favor an open rule, that he will come forward with an amendment to try to make the bill a little bit better.

I would humbly and respectfully suggest to my good friend the gentleman from Indiana (Mr. MCINTOSH), that I have had the chance to look at that amendment, and, while we will be talking about it later, I thought I would mention at this moment, while we have the opportunity, to say that the gentleman is coming along in the right direction, but it is not far enough to pro-

tect some of the health and safety and environmental concerns which we are very concerned about.

I would just like the gentleman to think about this, because in the next two hours, maybe this Congress can come to the whole direction and get support for the amendment which I will be offering under the open rule.

As I have understood the amendment which the gentleman from Indiana (Mr. MCINTOSH) will be bringing forward under this open rule, agencies would still be prevented from assessing fines for intentional and malicious violations. As I understand the amendment which will be offered under this open rule, which I support, the amendment of the gentleman from Indiana (Mr. MCINTOSH) would not provide any protections for the environment, and that the amendment, as I read it, would make it still almost impossible to prove that a violation, not an intervening action, would pose a serious harm.

So while I support the open rule, I thought I would comment that while the amendment that the gentleman from Indiana (Mr. MCINTOSH) will be offering is starting to come in the right direction, we still have some major problems here, so we just do not leap over and defeat the purpose of the open rule, which is to give us the opportunity to bring out our amendments and debate our possibilities, because I am sure Madam Speaker and many in the Congress have read the novel *Catch-22* by Joseph Heller, and what is being offered to the Congress is a *Catch-22*, in which you can fine someone if there is a potential to cause harm, but, Madam Speaker, and this is what this is all going to be about in the next few hours, we do not know if there is a potential harm if there is no paperwork being filed.

So I would say to my friend, the gentleman from Indiana (Mr. MCINTOSH), I am sure the next few hours will be interesting as we are able to explore some of these contradictions under this open rule.

Mr. REYNOLDS. Madam Speaker, I yield 5 minutes to the gentleman from New York (Mr. SWEENEY).

Mr. SWEENEY. Madam Speaker, I want to thank my colleague and friend, the gentleman from New York (Mr. REYNOLDS), for yielding me time.

Madam Speaker, I am pleased to rise in strong support of H.R. 391. As a new Member I sought appointment to the Subcommittee on Regulatory Reform and Paperwork Reduction of the Committee on Small Business in order to pursue this very type of relief for our hard working small business people.

I happen to represent a district in upstate New York where the predominant employers are represented by the small business community, so this is an important measure for my constituents. We know that small businesses are the driving force behind our strong economy, yet they are forced to shoulder nearly two-thirds of the regulatory costs. As has already been stated, total

regulatory costs to businesses in 1998 exceeded \$700 billion, with paperwork accounting for \$229 billion, an astonishing one-third of all costs of regulations.

Madam Speaker, I have real experience in this area. By way of example, I would like to relate to this distinguished body an experience of mine as a former regulator in the State of New York where I served as Labor Commissioner.

As I said, I was a regulator in the state, and, along with the New York State Tax Commissioner, we sat down and compared the forms that the two of us required of the employer community. Laid out in front of the conference room table in my office were 25 forms on which the State Tax Department and the State Labor Department were asking employers to fill out important information.

What we found on those forms is that we had a number of areas of duplication. After laying out those forms on the table and physically highlighting those areas of duplication, we literally found ourselves faced with a sea of yellow. The seemingly simple exercise allowed us to consolidate those 25 forms into just two forms.

I am also proud to say in my tenure as State Labor Commissioner we were able to cut the regulatory burden to the employer community by 50 percent, and yet our worker safety numbers, our safety numbers, were increased because we were able to more smartly apply our resources and dedicate our efforts to ensure safety.

Madam Speaker, think about the time and the productivity saved by this act. Small business owners inherently fear unknown regulations and paperwork, a situation which discourages business start-ups, expansions and job growth.

This bill provides a positive step in changing the punitive manner in which agencies seek regulatory compliance. It provides for a suspension of civil penalties for first-time paperwork violations of small businesses, as long as the violation does not result in harm, impede the detection of criminal activity, or threaten public health or safety. It is called voluntary compliance. It is an effort we used in New York very successfully, and, as I said, and I will repeat, we increased our safety numbers.

Madam Speaker, small business people deserve to work with regulatory agencies in a proactive manner and should not live in fear of the "gotcha" approach of achieving regulatory compliance.

This bill also requires the publication of all Federal paperwork requirements on small businesses and establishes, very importantly so, a single agency point of contact for paperwork information, allowing small business to anticipate the otherwise unknown paperwork hurdles they must clear in launching new business ventures and in turn creating new jobs.

I again praise the work of the bill's sponsors. I thank my friend the gentleman from New York (Mr. REYNOLDS) for affording me this time on behalf of the 22 small businesses, and urge passage of this important bill.

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

Mr. REYNOLDS. Madam Speaker, this bill just simply helps small business.

Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Pursuant to House Resolution 42 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 391.

□ 1107

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 391) to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements, to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses, and for other purposes, with Mrs. EMERSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Indiana (Mr. MCINTOSH) and the gentleman from Ohio (Mr. KUCINICH) each will control 30 minutes.

The Chair recognizes the gentleman from Indiana (Mr. MCINTOSH)

Mr. MCINTOSH. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, today the House takes up a bipartisan bill to ease the burden of government paperwork on America's small businesses, H.R. 391, the Small Business Paperwork Reduction Act Amendments of 1999. This bill would give America's small businesses relief from government paperwork and the agencies "gotcha" techniques, to which the President often refers.

Madam Chairman, as you know, the burden of government paperwork is significant. According to the Office of Management and Budget, paperwork counts for one-third of the total regulatory costs in this country, or about \$230 billion each year. That is \$230 billion that America's small businesses and other businesses pay in order to fill out forms like these that I have brought with me here today. This is the total paperwork that a small businessman or woman would have to fill

out in order to operate a new small business in America for one year. Later on in today's record I will testify as to exactly what those forms are. That is the mountain of paperwork that we are trying to reduce.

We are also trying in this bill to give small businesses a break when they go through the paperwork, when they fill it out. As the gentleman who spoke on the rule told of his story in New York, when they have those 26 redundant forms and they miss one of the lines on it, happen to fill it out incorrectly, we are going to give them a break and let them have six months to go back and correct this.

It takes about seven billion employee hours a year to fill out all the Federal paperwork. That is seven billion hours that a small businessman has to pay someone to fill out those forms, or he or she has to do it themselves.

We heard testimony from many small business owners. They cannot afford to hire lawyers or accountants or an employee that will do all of the paperwork, so they stay up late at night, burning that midnight oil, filling out the forms, so they can be law-abiding small businesses in this country.

Now, last year the Congress passed this bill. It passed with a strong bipartisan majority, 267 to 140. Fifty-four of my colleagues on the Democratic side joined virtually every Republican in supporting this bill. Last week the Committee on Government Reform approved the bill by voice vote and sent it to the floor today.

The bill would do four things, and I think it is important that we focus on this because a lot has been said about this bill that, frankly, is not true.

What are the four things that this bill does? First, it would put on the Internet a list of all of these Federal paperwork requirements, one place where the businesses by industry could go and look. If you are a doctor's office, you would see all of the forms that you have to fill out. If you are a sign company, you would see all of the forms that you have to fill out. If you are a machine tool company, you would see all of the forms that you have to fill out. It would be on the Internet, it is widely accessible, so that every small businessman would know exactly what their responsibilities are.

Second, it would offer small businesses compliance assistance instead of fines on a first time paperwork violation, so that, frankly, we would not be playing "gotcha" with America's small businesses. Government would be saying we are on your side. We think it is important that you fill out these forms, and we will help you do it. If you make a mistake, we will give you time to correct it.

There are times when that provision does not apply, and this is what is important. It does not apply when doing so would harm or threaten the public interest, and, as I mentioned in the debate on the rule, I would like to offer an amendment after our hour of general debate that tightens that language

and addresses some of the concerns to make it clear that if it has the potential to cause serious harm, that would mean there is no exemption from the fine. It would not apply if it would impede criminal detection or if it would involve one of the Internal Revenue laws.

These exceptions we thought were important, because the agencies made a good case why they needed to be able to go forward with civil penalties.

But I will tell you, it is my firm belief that filling out a form does not stop an environmental spill. Filling out a form does not stop somebody who wants to be crooked. If 99 percent of America's businesses are good, honest, decent people, but there is one rotten egg trying to cheat the government, frankly, we are not going to find out because he does not fill out the form. There is much too much reliance on paperwork to do the hard diligent work it takes to ferret out those bad actors.

What we have preserved in this bill are all of the other remedies, criminal sanctions, if someone commits fraud. Many of the agencies have injunctive relief, where if they find a business is doing something that is illegal, doing something that might harm the public, they can come in and close it down.

FDA has been doing that for years now, where they detect that somebody is producing a product, maybe it is apple juice, maybe some other food product that might be harmful, they do not wait to look at the paperwork. They go in with injunctive relief and shut that business down until the problem is corrected. That remedy is still available after this bill.

So this is an important provision, and one that I think it is important we think about correctly in the debate.

The third thing that the bill does is it would create a paperwork czar in each of the agencies who would contact small businesses on paperwork requirements and help them fill out the forms.

□ 1115

This paperwork czar would be an ombudsman for small businesses within the agency where they could feel they could call up and say, how do I do this? How do I fill out this form? I have gone through half the pile already, but I just do not understand this one. What do I need to do to comply with the law?

The fourth one is that it would establish a multiagency task force to study how we can do even better at streamlining those requirements. I was enormously impressed with our colleague from New York who reported that with some effort as the head of the Labor Department in that State, he was able to reduce all of those 20-some forms down to just 2 or 3. It took hard work I am sure to do that, and that is what we hope this multiagency task force will accomplish for us.

These are 4 important goals, 4 things that this legislation accomplishes that will be good for America's small businesses.

Now, one reason that this bill is needed is that the Federal agencies frankly have not been doing their job under the 1995 Paperwork Reduction Act. In 1995, Congress mandated and the President signed into law a bill that told the agencies they must reduce their paperwork by 25 percent, so that we could take a quarter of this pile of paperwork and throw it out the door, as being redundant, unnecessary, something that was not needed.

Well, the record shows the agencies are not doing their job. In 1996, they were supposed to reduce it by 10 percent. In fact, it was only reduced by 2.6 percent. Then, in 1997, they were supposed to reduce it by another 10 percent, and it actually increased, increased by 2.3 percent. And then in 1998 when they were supposed to finish the job, make that 5 percent reduction, the agencies actually increased their paperwork another 1 percent.

So we have seen a net increase since the Paperwork Reduction Act was enacted in 1995. To me, that screams of the need to make a change to that bill and to create the proper mechanisms to actually reduce unnecessary paperwork.

Now, there is another provision in the law that Congress passed in SBREFA, the Small Business Regulatory Enforcement Fairness Act, that was passed in 1996 that mandated that the agencies on their own adopt a policy that would allow small businesses to be exempt from the civil penalties. Very similar to our provision, but what it did was it gave the agencies the latitude for adopting their own policies. It frankly is very similar to the amendment that my colleague, the gentleman from Ohio (Mr. KUCINICH) will bring later today.

Well, the record is clear, frankly, that the agencies are not obeying SBREFA either. In fact, only 22 of the 77 agencies that assess these civil penalties even submitted a plan, and those that did address the question of relief for small businesses did so in a way that often caused more harm. What they said was, we are still going to impose the fine, but then we will allow you to arbitrate, to come in, hire a lawyer, go through an arbitration process, and maybe we will reduce the fine at the end of the day.

As I tried to emphasize earlier, Madam Chairman, America's small businesses are not large corporations, they do not have hundreds of lawyers on their staff to handle those types of cases. They are trying to each day just get a product out the door, do their services, help the public with what they are providing in the way of their service in their community.

So that policy actually does more harm than good. For that reason, I am not able to support the amendment of the gentleman from Ohio (Mr. KUCINICH), because it really just repeats the same language that SBREFA had that the agencies have indicated they have no intention of following through with.

Now, let me mention a couple of actual examples that our hearings on this bill brought forward. Last spring, our subcommittee held 2 hearings. Several small businesses were represented at those hearings.

One lady, Teresa Gearhart, who owns a small trucking company with her husband in Hope, Indiana, a small town in rural Indiana, told us that her company has enough business to grow and add new employees, that she thinks she could actually add 5 more employees in the coming year. But they have made a conscious decision not to do so. I was puzzled by this, quite frankly, and I said, Teresa, why would you not want to expand? You seem to be successful. You offer a great service to the community. She said, we have looked at the paperwork and if we go over a certain threshold, then the amount of paperwork we have to fill out actually goes up, and it is not worth our time, we cannot hire somebody to fill it out. My husband and I already do all the paperwork as it is, and we cannot take anymore. So they made a conscious decision to not grow their small business, to not offer more opportunities for employment in that community, and to not thrive and perhaps have a chance to compete and become one of America's larger businesses.

A second person who testified was Mr. Gary Roberts. Now, Gary is the owner of a small company that installs pipelines in the town of Sulphur Springs, Indiana. He came and told us about a problem that he had with OSHA. Now, when one mentions OSHA to America's small businessmen, instead of saying yes, they come to help me make sure I have a safe work site, they cringe, because they think OSHA is going to come and find something that they have not filled out right in their paperwork and charge them \$750, \$2,000, whatever the fine may be.

This happened to Gary Roberts. He was working on a job, his men were on the site, they had complied with all of the safety requirements to excavate and lay the pipeline, but they had left the manual that repeated all of those requirements that they had been trained on and drilled on back at the office. The OSHA inspector came, he did not find anything wrong, it was a perfectly safe work site. One of the workers actually ran back to the main office and brought the manual to show they had one and had been using it, and they were told, you are out of luck. You did not have it here when I arrived; that is a \$750 fine.

That type of "gotcha" technique is continuing to go on and it is exactly the type of problem that we need to address with this legislation.

We have heard from farmers as well. Mr. Van Dyke, a muck crop farmer in Michigan, was fined this year for not having the proper employment disclosure paperwork. This was his first violation. He had always filled it out, he did not have it for some reason, and he ended up settling for \$17,000. This is a

farmer who has workers who help him harvest his crops who had a \$17,000 fine this year as a result of a paperwork violation.

Now, this is all the paperwork, as I said, that is required for America's small businesses. We need to do better by them. We need to reduce that. We need to put the agencies on the side of small businesses, and we need to do our job in making sure that the Paperwork Reduction Act is working and helping America's small businesses. Madam Chairman, I look forward to the debate on the amendments.

Madam Chairman, I reserve the balance of my time.

Mr. KUCINICH. Madam Chairman, I yield myself such time as I may consume.

I have my remarks prepared, but there is something that I heard the gentleman from Indiana (Mr. MCINTOSH) say relating to the case involving Mr. Roberts, the owner of a small company which installs pipelines in Indiana.

We have been doing some research on this matter, and I would just like to report the results of our research and see if it is out of variance with the information which the gentleman from Indiana has. The inspections which he mentioned took place in 1987 and 1989, during the administrations of Ronald Reagan and George Bush. According to OSHA records, Mr. Roberts' company was not assessed any fine for any of the 3 paperwork violations uncovered during the inspection. Those violations included "no written hazard communication program," "no hazard warning labels on hazardous chemicals being worked with," and "no material safety data sheets for hazardous chemicals."

Instead, Mr. Roberts was fined after OSHA inspectors found substantive violations during 3 separate inspections, including violations determined to be serious. The first inspection on December 2, 1987 found 10 violations involving, among other things, flammable and combustible liquids and electrical hazards. On May 10, 1989, OSHA found 7 more violations, including actual safety violations. The third inspection on November 9, 1989 found 4 serious violations. It was only then, after the third inspection, that the company was fined. This included a \$400 fine for failing to provide sufficient protection for employees from traffic, a \$160 fine for operating equipment without appropriate wheel guards, and a \$400 fine because the construction site did not have, this is a construction site, did not have the required hand rails, guardrails, or get this, manhole covers. No penalties were assessed for 12 other violations uncovered during that inspection, including the paperwork violation referred to by the gentleman from Indiana (Mr. MCINTOSH).

So much of this debate involves mythologies that need to be challenged. For instance, what is a small business? Well, the image I have of a

small business is a mom and pop delicatessen; that is part of my memory growing up in America, but we know there are not many of those left anymore.

Let us look at what a small business, for purposes of this bill, would be identified as. How about a petroleum refining company of up to 1,500 employees. Or, a fire and casualty insurance company with 1,500 employees. Or, a pharmaceutical company with 750 employees. Or, an explosive manufacturer, an explosive manufacturer with 750 employees. That is a small business. They would be exempt from fines, even if they have willfully and intentionally violated the law with respect to reporting requirements. An explosive manufacturer.

Car dealers with \$21 million in annual receipts, gas stations with \$6.5 million in annual receipts, dry cleaners, banks with \$100 million in assets. A small business.

Now, H.R. 391 waives penalties for most first-time violations by "small business concerns." And the bill states that a small business is what is defined by section 3 of the Small Business Act. Just understand when we are speaking of small businesses what we mean and where the impact is on this bill.

The general rule is that a small business has less than 500 employees, but we have to remember that in this case, in this bill and in a number of cases, small business may be even larger.

Now, we all know that small businesses are the backbone of America. They are where the new jobs are being created. However, many small and family-owned businesses spend a great deal of their time and resources learning about and complying with applicable laws. It is good that we are looking at ways to simplify and streamline the resulting paperwork, but we are not looking for ways I hope to give someone a free pass on a willful violation, a get-out-of-jail-free card on a willful violation.

Madam Chairman, I oppose H.R. 391, and I am definitely not alone. The administration strongly opposes it. Four department heads would recommend a veto. A growing number of State attorneys general and labor, environmental, consumer, senior citizens, health and firefighter groups oppose it. The list of opposing groups is daunting, including names like the National Council of Senior Citizens, the AFL-CIO, and the New York State Attorney General's Office.

H.R. 391 contains a number of non-controversial provisions that will reduce the paperwork burden on small businesses. That is good. However, the provisions that prevent agencies from assessing civil penalties for most first-time violations would create a number of unintended, but serious, negative consequences. These provisions could endanger seniors' pensions, threaten the quality of nursing home care, interfere with the war on drugs, undermine food safety protections. Think

about that in an era where pfiesteria has confronted American consumers.

□ 1130

Think about that, in an era where food contamination has become a greater concern. This legislation would also undercut controls on fraud against consumers and investors, and this legislation would threaten the environment and provide a safe harbor for violators, even when the violation is longstanding, intentional, and committed in bad faith.

Of interest to those who are devotees of the Tenth Amendment, this bill would preempt State law. The National Governors Association wrote, and I quote, "States are best able to direct State enforcement policy on the issue, and we believe that Federal preemption of State authority is unjustified."

So I rise not simply as a Member of Congress representing people in the northeast area of the State of Ohio, but I rise on behalf of the State of Ohio in stating that, and of other States who are concerned that a Federal preemption will occur.

Madam Chairman, let me give some examples of the possible pitfalls created by these provisions.

Food safety. In 1996, the FDA implemented the hazardous analysis critical control point, pronounced HACCP, system of seafood inspection. This is a serious inspection program that would prevent the centuries-old what was known as the poke-and-sniff test as the primary method of preventing the sale of seafood contaminated with dangerous pathogens. HACCP, the law, requires seafood companies to identify local food safety hazards, such as toxins, parasites, bacteria, and they have to develop procedures to monitor on-site preventive control measures. Shellfish producers are also required to keep records of the origin of shellfish, in case a recall is necessary. The entire system depends on processing plants to report their own compliance with food safety requirements. It is kind of an honor system.

Under H.R. 391, however, FDA officials will be unable to enforce seafood safety laws because the violations of recordkeeping requirements will be unenforceable. FDA's only alternative, and get this, America, the only alternative that the FDA would have would be to take enforcement action after the consumers have been poisoned.

Opponents of the amendment which I will offer argue that the exception for violations that pose a "serious and imminent danger to the public health or safety" adequately protect the public. This is simply not true. And notwithstanding any other amendment that may be offered, if a business fails to report where it received its oysters, there is no imminent danger. The imminence of the danger only becomes apparent after someone has gotten food poisoning and the agency is attempting a recall of the poisoned foods.

Worker safety. In fact, the exception for imminent and substantial danger

offers little protection under any set of facts. For example, if an employer fails to provide a worker with instructions on how to safely operate machinery, this is a paperwork violation. Again, there is no obvious imminent danger until after the worker has been injured.

Madam Chairman, there are so many things wrong with this bill that even an attempt to amend it, to clean it up, is going to be lacking in sufficient import to be able to protect the health, the safety, the environment, of the people of the United States of America.

I believe the gentleman from Indiana may now have the opportunity to respond to the concerns that I expressed about food safety or any other matter that he certainly has information about.

Madam Chairman, I reserve the balance of my time.

Mr. MCINTOSH. Madam Chairman, I yield myself 30 seconds.

Madam Chairman, what I would simply like to point out, and I think the gentleman knows this, and I would ask him to amend his remarks to reflect this, the FDA has ample authority to go in and close down an unsafe food production facility before any injury to the public. They have used it often. Perhaps the gentleman was misinformed, or in the heat of the debate overstated the case, but I think if he goes back and checks he will realize that that is the case. There are serious things that can happen and that we need regulations for, and the agencies have the tools to do that under this legislation.

Madam Chairman, I yield 3 minutes to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Madam Chairman, I am something unique around here. I actually am a small business person and have run small businesses in the past. I think I have a pretty good understanding of what happens in America.

I am kind of shocked to find out that we are going to have to increase the amount of paperwork that small businesses are obligated to do in order to save America as we know it. I did not know that the minority in the administration are predisposed to the idea that all businessmen are criminals, or that we want to destroy the environment or contaminate America's food supply. I always thought the small businessmen in this country were honest, hard-working men; we try to do the best thing, we get up every morning, we make the payroll, we work hard. We do the things that are necessary to keep this country on track.

Fifty-three percent of the private workforce in this country are represented by the small business people, or are hired by small business people, not just large companies. I would agree with the gentleman that 1,500 employees is a pretty good-sized company, but I did not have that many employees. I had less than 100. I would define that as a small business.

It is tough out there. It is tough to meet all the requirements that are put upon us every single day. So not only am I here to support this gentleman in his legislation, but enthusiastically support it. It amounted to over 7 billion man-hours a year to complete paperwork in 1998, a cost of \$229 billion annually to businesses. It accounts for one-third of regulatory costs in America.

What is wrong with trying to have more efficient operations of the United States government? Do we want more paperwork? Do we want more bureaucracy? I do not think so. This is an opportunity for us to do a small, little bit to cut back on the costs and the burdensome regulations that are placed on businesses every day.

I do not understand why the minority is opposed to this. I guess I do. I guess they want more paperwork and more regulatory costs. But I certainly cannot support that. I am happy to be here to support the gentleman on this good piece of legislation.

Mr. KUCINICH. Madam Chairman, I yield 5 minutes to my good friend, the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Madam Chairman, I had come down here hoping to engage in a high-level debate. I am a little disappointed to see the cynicism and skepticism creep in, and there is some sort of contest here about who is most in love with America's small businesses.

I suspect all of us appreciate and acknowledge the importance of America's small businesses. My colleague who just spoke is not the only Member of Congress who is a small business person, nor is it unique among our colleagues here to have a small business experience in their past before they came to this body. So I would hope we start with the assumption that all of us are here intending to do what is best, not just for small businesses, but for America and for our population, including our consumers, and including all of us who have a concern about the environment and law enforcement, and all of the other agencies that are involved in making our quality of life at a high level, or as high a level as possible.

I rise in opposition to this bill, having been somebody who has a long experience with small business and with their regulatory affairs, having represented numerous small businesses as they dealt with regulations and their application.

But I look at this bill, Madam Chairman, and I see it has some good points and it has some deficiencies. The problem that I see is in the efforts to work with the other side to correct some of these deficiencies, and we are met with sort of a challenge that any correction of the bill in a bipartisan manner will take away the opportunity for somebody to be the champion and somebody not to be the champion. I do not think

that is the way we ought to proceed in moving legislation through this body.

There is much in this bill that in fact can be supported. I think that we all agree that businesses should not be burdened or overburdened by overzealous application of the law. The proposal in this bill to publish in the Federal Register an annual list of the requirements that pertain to small business makes sense. We ought to do that.

The establishment of an agency point of contact, a liaison for small businesses to work with, should make compliance easier. That, too, is something everybody should be able to support, as is the proposed task force that would examine how the requirements for information collection can be streamlined.

Everybody here wants to make sure that small business gets a break when it is deserved. We just want to make sure that we do not provide a disincentive for filing reports that protect our health and our safety. I believe we should be able to achieve that goal if we put aside the concept of winners and losers here.

We all agree with my colleague's comments about small business being the backbone of America, creating the majority of new jobs; the fact that small business owners work hard in their communities to help build them, and that we should make sure that everybody in small businesses is encouraged in creating jobs and new jobs. That is something we definitely want to do.

But we know that most small businesses do in fact obey the law. There is no question about that. They are good Americans. We were all good Americans when we were small business people. We salute them, and we are sure Members on both sides of the aisle do.

However, there are problems with this bill, because not all of us are angels, in fact. Some of the small businesses we find in this bill are not in fact small businesses by our normal account of how that word might be defined.

In this bill, I might note, Madam Chairman, there will not be any requirement for the filing of one less piece of paper when this bill passes. Every small business will be filing just as much paper the day after.

As I mentioned, there is nothing actually in this bill that reduces paperwork. If this legislation is enacted, no individual will file one less piece of paper tomorrow or the day after than they would have filed before, but this H.R. 391 would bar agencies from assessing civil fines against those who violate a large variety of laws, even those when the violations were intentional. I do not think that is someplace where small businesses want to go or the American public wants to go.

The administration is strongly opposed to this bill for obvious reasons, as it is currently written. There is a Statement of Administration Policy on the bill which states that if presented

to the President in its current form, the Attorney General, the Secretary of Labor, the Secretary of Transportation, and the Administrator of the Environmental Protection Agency would recommend that the President veto this bill.

All of those people, Madam Chairman, cannot be against small business in America. They do, however, see that this bill needs some remedial action, and they are going to suggest that.

I think when we talk to the amendment the gentleman from Ohio (Mr. KUCINICH) is proposing, it takes that action. It allows and requires, in fact, the agencies to look at the nature and seriousness of a violation, the good faith efforts to comply that might be there, and other relevant factors in determining whether or not there should be a waiver.

I think the American people want to lessen the burden of paperwork everywhere, they want to lessen the burden of regulation, but they want it done in a reasonable way, they want it done with common sense, and in a way that still provides for protection of our health and our safety in all counts.

So I would ask, Madam Chairman, that everyone reconsider their hardened positions and their concept that people are going to be better than others or more a champion of small business, and settle in on what is best, not just for small business, but to help small business keep maintaining the health and safety of the American public; simply allowing agencies to waive when appropriate, but to retain the ability to check all different circumstances when it is appropriate and when it is not.

Mr. MCINTOSH. Madam Chairman, I yield myself 30 seconds.

Madam Chairman, I would mention one of the examples. If we would check and examine the paperwork from a dermatologist in Columbus, Indiana, who does his own lab work, fills out his own forms, he is required to fill out on a form a report that he has been trained on how to change the light bulbs in his microscope.

This is a doctor, highly trained, and a medical technician who could be subject to a civil penalty if he did not fill out a form correctly certifying that he has gone through the training in changing a light bulb. That is the type of paperwork that we need to eliminate, and certainly need to say we are not going to play gotcha and fine you \$1,000 if you do not fill it out right.

Madam Chairman, I yield 3 minutes to my colleague, the gentleman from Oregon (Mr. GREG WALDEN), a new Member.

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

□ 1145

Mr. WALDEN of Oregon. Madam Chairman, I want to follow up on the comments of my colleague from Massachusetts that this bill does not reduce

one piece of paperwork that has to be filed. Well, I would say this is a good step in the right direction. And if that gentleman would like to work with us, I am sure there is a lot of this sort of unnecessary and burdensome paperwork that maybe we could strike a bipartisan effort to eliminate. That should be our absolute goal.

My wife and I, for nearly 13 years, have owned and operated a small business. We have been on the forefront, right there on the battlefield with our neighbors and friends in a small rural town who are trying to make ends meet and employ people and fill out the forms, and risking the fines and the penalties because we did not do it right.

Now, there are those in big companies who can go down the hall and turn to a legal staff or an implementation staff at some point and they can fill out all the forms for them. But in a small business, in a small town, the owner of that business becomes that legal staff. That owner becomes that personnel department. The owner becomes everything in that business. The owner is trying to make ends meet, he or she is trying to meet a payroll and trying to serve their clients and trying to serve their community.

And then the government comes along with another form or another inspection or another penalty. I am regulated by the Federal Government in the business I am in. I have a one-week window to pay the fees each year to that government. And my colleagues can smile about it. I understand that. But this is serious business, because we have a one-week window to fill out the form and send the fee to the Federal Government. If that form is filled out incorrectly or if that fee arrives late, it is a 25 percent penalty that I may be subject to. I cannot send in that form or fee ahead of time. It has to be done in a 5-day window.

This government of ours, unless an individual is right there on the forefront, they cannot appreciate the number of forms and the number of inspections. And not that they come in, in each case and drop the hammer and issue a fine on first-time offenses, but the threat is always there that they will. And in some cases there may be an overzealous inspector, an overzealous bureaucrat who decides to drop the hammer and do that.

That is what we are trying to say here. Give us a break in small business. Give us a little relief. Give us the benefit of the doubt that what we are doing is trying to follow the rules, trying to follow the government's regulations, and do it honestly and fairly.

I do not believe that most small business people in my town, in my district, are trying to circumvent what the government wants them to do. Indeed, the farmers and ranchers and small businesses are trying to follow the rules. But I tell my colleagues what gets unfair is when a fruit grower has farm housing, and OSHA comes in and fines

him \$75 because the toilet paper is out in the toilet paper dispenser in the bathroom. There is a roll on the tank behind, but that does not count.

Madam Chairman, we need to pass this measure and pass it today.

Mr. KUCINICH. Madam Chairman, may I ask how much time remains?

The CHAIRMAN. The gentleman from Ohio (Mr. KUCINICH) has 12½ minutes remaining; and the gentleman from Indiana (Mr. MCINTOSH) has 10 minutes remaining.

Mr. KUCINICH. Madam Chairman, I yield myself such time as I may consume.

Some comment was made about some smiling on this side of the aisle. I am totally unaware of what the gentleman was referring to, but I will submit if this bill passes as written, there will be a lot of people smiling who are deliberately and willfully and intentionally failing to fill out paperwork which relates to the public safety, the public health and the environment of the country. That is where the smiles might be coming from. But they are sure not coming from this side.

There is a lot of discussion about the reduction of paperwork we have heard here. Paperwork, paperwork, paperwork, blah, blah, blah, blah, blah. I want to make it very clear that the controversial positions that the administration and I are opposing have nothing to do with reducing paperwork.

The administration strongly opposes H.R. 391 in the statement of administration policy, which says, in part, and I quote, the waiver provision, the waiver provision for first time violators. The bad actors, not the people who want to keep the law, not the good Americans out there who are faithfully doing the right thing, who are filling out the forms, who are running those businesses who we salute, but the bad actors would get off.

This waiver position would seriously hamper an agency's ability to ensure safety, protect the environment, detect criminal activity, criminal activity, not talking about the small businesses of America who are good Americans who do not violate the law. This waiver provision would seriously hamper the detection of criminal activity and the government's ability to carry out a number of other statutory responsibilities.

If H.R. 391 were presented to the President in its current form, the Attorney General, Secretary of Labor, Department of Transportation, and the Administrator of the Environmental Protection Agency would recommend that the President veto it.

Madam Chairman, I reserve the balance of my time.

Mr. MCINTOSH. Madam Chairman, I yield myself such time as I may consume to note that my colleague uses the terms "willfully", "intentionally", "deliberately" and "off the hook". These are terms that are used in talking about criminals and crooks.

The difference on this bill is fundamental. We do not think America's

small businesses are criminals. On the whole, the vast majority of them are good, decent, honest, hard-working American men and women who deserve to be cut a break when they try to fill out the myriad of paperwork the government asks them to do.

Madam Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. EWING).

Mr. EWING. Madam Chairman, I thank the gentleman for yielding me this time and for allowing me to talk about something that is very close to my heart.

This is my fifth term in the Congress. And from the very beginning, I can tell my colleagues that in Illinois, in the part that I represent, that if there is resentment of government, it comes from how we enforce our rules and regulations. And it comes from people who have good intentions, who are not criminals, who are not trying to poison the environment or poison any citizens. They are there doing their job. But they get some pretty heavy fines for pretty insignificant violations.

This bill does not let anyone off who is doing something criminal. This bill merely says to the regulator, work with these people. It should not be an adversarial relationship between the regulated and the regulator. We need to work together.

I think that is what we have been talking about in this new Congress, is working together, trying to find common ground to do things to make America better. But I am afraid, and I say to my colleagues on the other side, if we played back the tape of today's debate, the vitriolic part is coming from over there. The scare tactics that we are going to do all these terrible things hearken back to the Contract days and the same type of attack on just good common sense legislation.

If we go back to the Contract, most of it was signed by the President, most of it became law, and we are all taking credit for it today. I would just like to see us work together. Work together and let us do some things that are good for Americans.

Mr. KUCINICH. Madam Chairman, I yield 7 minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Madam Chairman, I thank the gentleman for yielding me this time. And I want to express to the previous speaker that I very much agree with his sentiments. I understand what he is saying.

We want to help small business people who get tangled up in regulatory bureaucracy and find themselves a victim from those who are overzealous. But let us step back and look at the bill before us, not what we would like the bill to be. Because if the bill did what the gentleman said, I would support it, and I hope we can get the bill to reflect that goal.

The first problem we have is that we are voting on a bill that never had a hearing. It never had a hearing in a subcommittee, there was never a hear-

ing in the full committee, so the groups and individuals that wanted to give input into this legislation, particularly those who would be affected, do not know why they were not heard, and we have not been able to get their reactions on the record in the usual legislative process.

This bill is called the Small Business Paperwork Reduction Act. We all want to reduce paperwork, but it is a misnomer. I think a better name for this bill, in the way it is framed now, is the Lawbreakers Immunity Act. It is not about small businesses, since it applies to gun manufacturers with a thousand employees, oil refineries with 1500 workers, and drinking water utilities with millions in annual revenues.

And it is not just a bill about paperwork. What is at stake here is the public's right to know about toxic emissions, an employee's right to know about workplace dangers, and a senior's right to know about safe conditions in nursing homes.

Make no mistake about it, the scope of this bill is far-reaching, with huge effects that deserve a full hearing and deliberation. Over 57 groups have expressed their opposition to this bill. Few issues have attracted such a diverse range of voices in opposition. Groups ranging from the State attorneys general, the labor organizations, the National Breast Cancer Coalition, consumer organizations, religious groups, fire fighters, environmentalists, handgun control advocates, they all oppose this bill.

Now, why are all these groups concerned? They were not given a chance to come before a hearing and express their concern. This bill gives first-time violators of important health, environment and consumer protection laws a free pass, making enforcement of our laws more difficult, if not impossible. By taking a blanket waiver approach, the bill creates a disincentive to comply with the law.

Now, let me give my colleagues some examples of this, and it is important to realize that there are serious consequences to this bill. The National Council of Senior Citizens wrote: "We believe that passage of this legislation will present serious problems in regard to the protection of older persons receiving care in nursing homes. Because inspections of nursing homes and their records are often infrequent, passage of H.R. 391 could cause deliberate violations of required procedures."

Let me elaborate a little on that, because I was the author of the Federal law on nursing home standards. Nursing homes have to submit paperwork to show that they are monitoring drug use by their patients; that they are monitoring the treatment and quality of care given to their patients. If they do not submit the paperwork because they know that in submitting that paperwork they will be found to be poorly treating the patients in that nursing home, and therefore they intentionally do not file that paperwork, knowing

that nothing will happen to them for violating law, they will be off scot-free. But the consequences will be a lot of people will be overdrugged in a nursing home and ignored and left to just sit there.

The fire fighters, the International Association of Fire Chiefs joined five other fire service organizations in a letter expressing concern over, and I quote, "Provisions of this legislation that would permit or facilitate the relaxing of regulations designed to warn fire fighters and other emergency personnel of the presence of hazardous materials. The bill raises serious safety issues for fire fighters."

Well, we do not want to do that, and we do not have to do that to give small business people some relief from inadvertent errors in their paperwork obligations.

The Sierra Club, the National Resources Defense Council, they wrote on behalf of their membership stating, and I quote, "Numerous crucial health and environmental programs, including those for tracking hazardous materials, assuring food safety, reporting on hazardous emissions, reporting on drinking water contamination, and giving notice of chemical accidents rely on crucial reporting requirements that would be undercut by this legislation."

□ 1200

The gentleman from Indiana (Mr. MCINTOSH) a few minutes ago told us an anecdote that none of us had ever heard before, about a dermatologist who had to change his light bulb and was fined as a result of that.

Well, we will have to check out whether that was true or not. And the reason we have to check it out is that that gentleman told us last time we had this bill up that OSHA had a regulation, that is the Occupational Health and Safety Administration, which would require that all baby teeth be disposed of as hazardous waste materials rather than given back to the parents.

Well, we were all in dismay over such a regulation. The problem is there was no such regulation. The New York Times investigated this claim and found that it was completely false.

In 1991, under the Bush administration, OSHA issued regulations to protect health workers from blood-borne pathogens. One rule required dental workers to handle extracted teeth safely because they are contaminated with blood. So contrary to this claim, the regulation allowed a gloved dentist or employee to take the tooth, place it in a container, and give it to the parents.

I want to cite the New York Times, February 28, 1995. Too often on the floor of this House Members state things that they just made up, or maybe they heard it from somebody, but it turns out under further examination to be absolutely false. It may fit in with their theory, but if it is not true, it is not very helpful.

This bill has not had hearings. It has not had the airing that it should in the

legislative process. It is astounding that not one of these groups had an opportunity to express their views to our committee. This is a bad bill. It makes intentional violations of vital laws unenforceable. We should not want that.

The CHAIRMAN pro tempore (Mr. GUTKNECHT). The Chair will advise that the gentleman from Ohio (Mr. KUCINICH) has 3½ minutes remaining and the gentleman from Indiana (Mr. MCINTOSH) has 7½ minutes remaining.

Mr. MCINTOSH. Mr. Chairman, I yield 3 minutes to the honorable gentleman from Texas (Mr. DELAY), our whip, who has been laboring in this vineyard even longer than I have. I appreciate his coming to the floor.

Mr. DELAY. Mr. Chairman, I appreciate all the hard work that the gentleman from Indiana has done in trying to bring some reasonableness to the regulatory policy of this country.

I think it is really interesting that some in this House base all their information and the veracity of that information on the New York Times. I would think that it would be more important to go straight to the agency itself and get the real truths from the agency, as the gentleman from Indiana (Mr. MCINTOSH) does, in supporting the claims that he makes.

But Mr. Chairman, I rise today in very strong support of this very reasonable legislation, in support of what the Clinton administration has claimed all the time in reinventing government, to reach out and create partnerships with the private sector and work with the private sector rather than bring down the regulatory hammer on small business people, and this legislation does that.

But in 1995 we passed a bipartisan Paperwork Reduction Bill that required a decrease in the Federal paperwork of 15 percent over the last three years. Do my colleagues know what the result of that legislation has been? Federal paperwork requirements have increased.

Do we have to reinvent the reinvention of government? What part of "decrease" do the bureaucrats and the regulators and their supporters not understand?

Mr. Chairman, the business of America is business; and over the last decade, American businesses have made huge strides to cut waste and improve the efficiency of their operations. But despite all these efforts, America's small businesses still have to spend too much time and too much money filling out unnecessary government paperwork, which prevents them from growing faster and creating new jobs and does not do anything to improve the health, safety, or the environment that the gentleman from California purports.

Remarkably, one-third of all Federal regulatory cost is the result of paperwork requirements. One-third. That amounts to \$229 billion of an albatross roped around the neck of the small business person every year. Over seven billion man-hours are being drowned in this sea of red tape.

Mr. Chairman, Federal regulators need to start complying with the law. And this bill will list Federal paperwork requirements for small business on the Internet. It will assist rather than punish small businesses with their efforts at compliance. And it will create a multi-agency task force and an agency-specific paperwork czar to tackle this problem, and it is a problem.

Above all, it is lenient on first-time offenders when there are no health or safety concerns involved, so the Federal Government does not have to strangle this economy's biggest job creator in red tape and regulations and unnecessary paperwork. This bill takes another step toward lending companies a helping hand with this paperwork morass. I urge that my colleagues support it.

Mr. KUCINICH. Mr. Chairman, I continue to reserve the balance of my time.

Mr. MCINTOSH. Mr. Chairman, I yield 2½ minutes to my colleague, the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. Mr. Chairman, I thank my colleague for yielding.

As part of my work on the Committee on Education and the Workforce, I chair the Subcommittee on Oversight and Investigations, and in 1998 we went to the GAO and we asked them to take a look at paperwork as it affected America's businesses. They came back with a proposal, and they were going to take a look at companies in the State of California, to take a look at the Federal laws and the overlay of State laws that would affect a business within that company. They would take a look at the compliance requirements flowing from the Federal and State laws. They would take a look at the types of assistance that was available to different firms. And then they would take a look at the impact of workplace and tax laws, the impact that they would have on human resource operations.

What did they find? Well, in the State of California they found that there were 26 key Federal statutes that would impact a small- or medium-sized business. Interestingly enough, they also found that there is no single public agency, State or Federal, that would coordinate or provide a single point of contact for these small businesses, no single place to go to to get an understanding of, as a small business person, what do I have to do and how do I comply with the law?

What did these managers tell the GAO? Here are some of the things they said: Rules and regulations from the Federal Government are ambiguous under the law. They are constantly dealing with shifting sands. It means the regulations or the impact or how they are interpreted evolve over time.

What H.R. 391 does is it starts to deal with these kinds of issues. It would put all of the rules or a comprehensive list of all the Federal paperwork require-

ments on the Internet, a single place to go to to get the information. It would offer small businesses compliance assistance. They go to a small business and say, we are going to help you comply with the regulations. Establish a paperwork czar. A single point of contact for small business so that there would be a place to go to to get an understanding. And finally the most important might be that we would get a process that would outline streamlined requirements for small business.

Mr. KUCINICH. Mr. Chairman, I continue to reserve the balance of my time.

The CHAIRMAN pro tempore. The gentleman from Ohio (Mr. KUCINICH) has 3½ minutes remaining, and the gentleman from Indiana (Mr. MCINTOSH) has 2 minutes remaining.

Mr. MCINTOSH. Mr. Chairman, I yield 1 minute to our colleague the gentlewoman from Idaho (Mrs. CHENOWETH).

Mrs. CHENOWETH. Mr. Chairman, I thank the gentleman from Indiana for yielding.

I rise in strong support of H.R. 391, because small businesses are the backbone of our economy. Over the last 25 years, two-thirds of the new jobs in our country were created by small businesses, and overall small business employees are more than half of our private workforce, and they desperately need relief from the burdensome requirements of government, of more and more paperwork.

Regulations imposed by government cost a tremendous amount of money for each family, each working family. In fact, they cost a staggering amount. The typical family of four pays approximately \$6,875 a year because of excessive government regulations. That would go a long way toward a college education, and it goes instead to regulations.

Families actually spend more on regulations than they do medical expenses, food, transportation, recreation, clothing, and savings. That is startling. Paperwork accounts for one-third of these regulatory costs. The American economy needs this bill and needs the relief it will afford.

Mr. KUCINICH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, one of the parts of this debate that I think is perhaps confusing to people is the assertion that paperwork is not important.

We certainly want to relieve American small businesses of any paperwork which is unnecessary. But I think most reasonable Americans would agree that there are certain types of paperwork which can become very necessary.

For example, let us suppose that a jet plane which was a cargo plane had a particular type of cargo which had to be labeled "cargo only" and flown from one destination to another to arrive safely, and the cargo they had in some cases were oxygen cannisters; but let us suppose that cargo which happened to be oxygen cannisters was not labeled "cargo only" and ended up on a passenger plane. It is paperwork.

Well, actually this happened, that some oxygen cannisters ended up on a passenger plane instead of a cargo plane because they were not labeled "cargo only." Paperwork. There was an explosion and 110 people were killed on a ValuJet, which I think everyone remembers the crash in the Florida Everglades. The FAA pointed out that the company knowingly failed to package, mark, label, identify, or certify a shipment of 125 unexpended oxygen generators and 10 empty generators aboard the ValuJet.

So we cannot say paperwork is not important. I think that we have to keep having incentives to comply. And the only way we have an incentive to comply is to make sure we do not waive the penalties, because otherwise we end up with the condition where lives are jeopardized. That is what so many people are saying, paperwork can save lives, that there is a reason to have paperwork.

That is why the International Association of Fire Chiefs pointed out that removing or relaxing penalties for failure to comply with regulations that require disclosure of the presence of hazardous materials will almost certainly result in lack of compliance and raise serious safety issues for fire fighters. So there is a reason to have paperwork.

More than that, we need to have compliance; and the only way we have compliance is we do not waive the penalties. This legislation is about waiver of penalties for violators.

The AFL-CIO said that H.R. 391 would make the American workplace more dangerous than it currently is and needlessly remove safeguards currently in place to protect American workers.

Many environmental organizations are opposed to this legislation. The Sierra Club and the Natural Resource Defense Council said, "Numerous crucial health and environmental programs, including those for tracking hazardous materials, assuring food safety, reporting on hazardous emissions, reporting on drinking water contamination, and giving notice of chemical accidents, rely on crucial reporting requirements that would be undercut by this legislation." And there are dozens and dozens of groups who have similar concerns.

We are for small business. We support those small businesses who are trying to do the right thing. We want to lessen their burden. But no one in America wants to remove all paperwork, which would create a circumstance where America's health, safety and environment would be jeopardized.

Mr. MCINTOSH. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, in closing the debate on this bill, and then we will move into amendments, let me put into the RECORD all the groups who are supporting the legislation, from the National Federation of Independent Businesses, United States Chamber of Commerce, the National Restaurant Association, the Academy of General Den-

istry, and about three dozen other groups who support this bill.

Mr. Chairman, one of the speakers on the other side of the aisle said that they view this bill as the Lawbreakers' Immunity Act, and I think that just about sums up the difference of opinion here. They view small businesses as potential criminals, crooks, people who are looking for ways to get out of their requirements to obey the law.

We view them as decent, honest men and women who are struggling to do a job, provide a service, build a product. And they are confronted every day, every time they hire a new employee, with a mountain of paperwork this high.

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We want to give them a break. We want to reduce that paperwork. We want to say to them if they make a mistake or they do not fill out one of the forms right, we will give them a chance to correct it and get their paperwork in order. It is that simple.

So, Mr. Chairman, I would urge my colleagues today to once again show bipartisan support as we did last year in the last Congress for this paperwork reduction bill.

Mr. PACKARD. Madam Chairman, I rise today in support of H.R. 391, the Small Business Paperwork Reduction Act. It is time we cut the red tape of the government and give some long overdue assistance to our nation's small business owners.

The Small Business Paperwork Reduction Act will streamline federal paperwork requirements and waive fines for minor, first-time paperwork violations. Previous legislation has forced small businesses to spend over seven billion hours filling out paperwork. This costs small business owners over \$229 billion dollars in expenditures.

Simply stated, H.R. 391 will allow business owners the opportunity to correct minor mistakes without being fined thousands of dollars. It is time we take the fear of federal agencies away from the law-abiding citizens of this nation.

Madam Chairman, this is just common sense. It is time we reduce the burden of frivolous paperwork and the enormous costs associated with it for our nation's small business owners.

Mr. EHRLICH. Madam Chairman, I rise today in support of H.R. 391, the Small Business Paperwork Reduction Act Amendments of 1999, introduced by my colleague, Representative DAVID MCINTOSH.

Small business enterprises are the engine of our national economy. Today, small businesses generate half of all U.S. jobs and sales. Compared to larger businesses, they hire a greater proportion of individuals who might otherwise be unemployed—part-time employees, employees with limited educational background, the young and elderly individuals, and current recipients of public assistance.

Yet, the smallest firms bear the heaviest regulatory burden. Firms under 50 employees spend on average 19 cents out of every revenue dollar on regulatory costs. These businesses desperately need relief from the burden of government paperwork.

These entrepreneurs live in constant fear of fines for an innocent mistake or oversight. The time and money required to keep up with government paperwork prevents small businesses from growing and creating new jobs. Paperwork accounts for one third of total regulatory costs, or \$225 billion. In 1996, it required 6.7 billion man hours to complete government paperwork.

This legislation will give small businesses the much needed relief from the burden of paperwork. H.R. 391 will place on the Internet a comprehensive list of all federal paperwork requirements for small businesses, organized by industry, as well as establish a point of contact in each agency for small businesses concerned with paperwork requirements. In this way, the auto parts dealer in Essex, MD, and the corner grocer in Dundalk, MD, will have a government-paid advisor—rather than having to pay a high-priced lawyer.

Further this legislation encourages cooperation and proper compliance by offering small businesses compliance assistance instead of fines on first-time paperwork violations which do not present a threat to public health and safety. Lastly, it will establish a task force to streamline reporting requirements for small businesses.

This legislation is a positive step in addressing the demands for reform from many of my small businessmen and women in the 2nd District of Maryland.

Madam Chairman, please join me in strongly supporting this common-sense paperwork reduction bill for small business.

The CHAIRMAN pro tempore (Mr. GUTKNECHT). All time for general debate has expired.

Pursuant to the rule, the bill is considered read for amendment under the 5-minute rule.

The text of H.R. 391 is as follows:

H.R. 391

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 "Small Business Paperwork Reduction Act Amendments of 1999".

SEC. 2. FACILITATION OF COMPLIANCE WITH FEDERAL PAPERWORK REQUIREMENTS.

(a) REQUIREMENTS APPLICABLE TO THE DIRECTOR OF OMB.—Section 3504(c) of chapter 35 of title 44, United States Code (commonly referred to as the "Paperwork Reduction Act"), is amended—

(1) in paragraph (4), by striking ";" and inserting a semicolon;

(2) in paragraph (5), by striking the period and inserting a semicolon; and

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

"(6) publish in the Federal Register on an annual basis a list of the requirements applicable to small-business concerns (within the meaning of section 3 of the Small Business Act (15 U.S.C. 631 et seq.)) with respect to collection of information by agencies, organized by North American Industrial Classification System code and industrial/sector description (as published by the Office of Management and Budget), with the first such publication occurring not later than one year after the date of the enactment of the Small Business Paperwork Reduction Act Amendments of 1999; and

"(7) make available on the Internet, not later than one year after the date of the enactment of such Act, the list of requirements described in paragraph (6)."

(b) ESTABLISHMENT OF AGENCY POINT OF CONTACT; SUSPENSION OF FINES FOR FIRST-TIME PAPERWORK VIOLATIONS.—Section 3506 of such chapter is amended by adding at the end the following new subsection:

“(i)(1) In addition to the requirements described in subsection (c), each agency shall, with respect to the collection of information and the control of paperwork—

“(A) establish one point of contact in the agency to act as a liaison between the agency and small-business concerns (within the meaning of section 3 of the Small Business Act (15 U.S.C. 631 et seq.)); and

“(B) in any case of a first-time violation by a small-business concern of a requirement regarding collection of information by the agency, provide that no civil fine shall be imposed on the small-business concern unless, based on the particular facts and circumstances regarding the violation—

“(i) the head of the agency determines that the violation has caused actual serious harm to the public;

“(ii) the head of the agency determines that failure to impose a civil fine would impede or interfere with the detection of criminal activity;

“(iii) the violation is a violation of an internal revenue law or a law concerning the assessment or collection of any tax, debt, revenue, or receipt;

“(iv) the violation is not corrected on or before the date that is six months after the date of receipt by the small-business concern of notification of the violation in writing from the agency; or

“(v) except as provided in paragraph (2), the head of the agency determines that the violation presents an imminent and substantial danger to the public health or safety.

“(2)(A) In any case in which the head of an agency determines that a first-time violation by a small-business concern of a requirement regarding the collection of information presents an imminent and substantial danger to the public health or safety, the head of the agency may, notwithstanding paragraph (1)(B)(v), determine that a civil fine should not be imposed on the small-business concern if the violation is corrected within 24 hours of receipt of notice in writing by the small-business concern of the violation.

“(B) In determining whether to provide a small-business concern with 24 hours to correct a violation under subparagraph (A), the head of the agency shall take into account all of the facts and circumstances regarding the violation, including—

“(i) the nature and seriousness of the violation, including whether the violation is technical or inadvertent or involves willful or criminal conduct;

“(ii) whether the small-business concern has made a good faith effort to comply with applicable laws, and to remedy the violation within the shortest practicable period of time;

“(iii) the previous compliance history of the small-business concern, including whether the small-business concern, its owner or owners, or its principal officers have been subject to past enforcement actions; and

“(iv) whether the small-business concern has obtained a significant economic benefit from the violation.

“(3) In any case in which the head of the agency imposes a civil fine on a small-business concern for a first-time violation of a requirement regarding collection of information which the agency head has determined presents an imminent and substantial danger to the public health or safety, and does not provide the small-business concern with 24 hours to correct the violation, the head of the agency shall notify Congress regarding such determination not later than 60 days

after the date that the civil fine is imposed by the agency.

“(4) Notwithstanding any other provision of law, no State may impose a civil penalty on a small-business concern, in the case of a first-time violation by the small-business concern of a requirement regarding collection of information under Federal law, in a manner inconsistent with the provisions of this subsection.”.

(c) ADDITIONAL REDUCTION OF PAPERWORK FOR CERTAIN SMALL BUSINESSES.—Section 3506(c) of title 44, United States Code, is amended—

(1) in paragraph (2)(B), by striking “; and” and inserting a semicolon;

(2) in paragraph (3)(J), by striking the period and inserting “; and”; and

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

“(4) in addition to the requirements of this Act regarding the reduction of paperwork for small-business concerns (within the meaning of section 3 of the Small Business Act (15 U.S.C. 631 et seq.)), make efforts to further reduce the paperwork burden for small-business concerns with fewer than 25 employees.”.

SEC. 3. ESTABLISHMENT OF TASK FORCE TO STUDY STREAMLINING OF PAPERWORK REQUIREMENTS FOR SMALL-BUSINESS CONCERNS.

(a) IN GENERAL.—Chapter 35 of title 44, United States Code, is further amended by adding at the end the following new section:

“§ 3521. Establishment of task force on feasibility of streamlining information collection requirements

“(a) There is hereby established a task force to study the feasibility of streamlining requirements with respect to small-business concerns regarding collection of information (in this section referred to as the ‘task force’).

“(b) The members of the task force shall be appointed by the Director, and shall include the following:

“(1) At least two representatives of the Department of Labor, including one representative of the Bureau of Labor Statistics and one representative of the Occupational Safety and Health Administration.

“(2) At least one representative of the Environmental Protection Agency.

“(3) At least one representative of the Department of Transportation.

“(4) At least one representative of the Office of Advocacy of the Small Business Administration.

“(5) At least one representative of each of two agencies other than the Department of Labor, the Environmental Protection Agency, the Department of Transportation, and the Small Business Administration.

“(c) The task force shall examine the feasibility of requiring each agency to consolidate requirements regarding collections of information with respect to small-business concerns, in order that each small-business concern may submit all information required by the agency—

“(1) to one point of contact in the agency;

“(2) in a single format, or using a single electronic reporting system, with respect to the agency; and

“(3) on the same date.

“(d) Not later than one year after the date of the enactment of the Small Business Paperwork Reduction Act Amendments of 1999, the task force shall submit a report of its findings under subsection (c) to the chairmen and ranking minority members of the Committee on Government Reform and Oversight and the Committee on Small Business of the House of Representatives, and the Committee on Governmental Affairs and the Committee on Small Business of the Senate.

“(e) As used in this section, the term ‘small-business concern’ has the meaning given that term under section 3 of the Small Business Act (15 U.S.C. 631 et seq.).”.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“3521. Establishment of task force on feasibility of streamlining information collection requirements.”.

The CHAIRMAN pro tempore. During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

Are there any amendments to the bill?

AMENDMENT OFFERED BY MR. MCINTOSH

Mr. MCINTOSH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MCINTOSH:

Page 4, beginning on line 8, strike “caused actual serious harm to the public” and insert “the potential to cause serious harm to the public interest”.

Page 5, beginning on line 1, strike “an imminent and substantial danger” and insert “a danger”.

Page 5, line 6, strike “an imminent and substantial danger” and insert “a danger”.

Page 6, line 13, strike “an imminent and substantial danger” and insert “a danger”.

Page 8, after line 24, insert the following:

“(6) At least two representatives of the Department of Health and Human Services, including one representative of the Health Care Financing Administration.

Mr. MCINTOSH (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MCINTOSH. Mr. Chairman, let me say very briefly this is an amendment that I think we have broad support for. It is a manager’s amendment, frankly to respond to some of the concerns that there may be a potential harm to the public rather than an actual harm that would be addressed by the paperwork. I frankly am confident that the bill will cover that, but working particularly with the gentleman from California (Mr. THOMAS) and his staff on his subcommittee, we have crafted this amendment to make it very clear that where there is a potential to cause serious harm to the public interest or any type of danger to the public interest, that we will allow the agencies to go ahead and impose, in addition to all of their other remedies, a civil fine.

It also provides for two representatives from the Department of Health and Human Services, including one from the HCFA, to serve on the task force that we are creating. I think they will be a very beneficial addition and would welcome this amendment.

Mr. Chairman, I hope that it will receive support by all of my colleagues here, and then I understand the gentleman from Ohio (Mr. KUCINICH) also has an amendment where there will be some differences.

Mr. Chairman, I yield to the gentleman from Virginia (Mr. DAVIS) to address the amendment in the bill.

Mr. DAVIS of Virginia. Mr. Chairman, I thank my colleague for recognizing me on this. Let me just note this ought to take care of a number of concerns that were raised in the preliminary debate on this when we talked about the crashed ValuJet and so on, but language in this amendment when it talks about threats and harms and so on in section 2(b) really makes sure that those kind of paperwork violations are taken care of.

Am I correct in that assumption?

Mr. McINTOSH. Yes, absolutely.

Mr. DAVIS of Virginia. Mr. Chairman, as my colleagues know, I think what we do not want to do is get our small businesses in a "gotcha" situation where they fail to file one of the reams of technical filings and paperwork that we so often require in laws and amendments.

And if my friend would bear with me, Steve Lampges is the owner of Maysville Grain and Fertilizer in Maysville, Oklahoma, employs 13 people. As part of his business, Steve sells chemicals used for fertilizer. Three years ago Steve decided to switch from selling chemicals in 2½ gallon containers to a more environmentally friendly system of selling from bulk storage. His reward for switching to bulk storage of chemicals was a new set of environmental rules and regulations which he acknowledged and complied with. In fact, Steve built a container storage building that was praised by Oklahoma State officials as a model for other agri suppliers.

In Steve's second year of providing fertilizer chemicals from bulk storage he failed to submit the pesticide production report required by the Federal EPA and was fined the maximum allowable penalty of \$5,500. He submitted the 2-page form to EPA, but they continued to insist on the fine, and even when the government admitted it was in the public's interest to settle this action, the settlement offered by EPA was \$3,300.

Steve recently put up his hands, admitted he can no longer fight with an EPA that seems determined to put him out of business, and he paid the settlement. But he cites this multi-year battle with EPA as the straw that has broken his company's back, and is unsure of the business's future.

This is the kind of horror story we hear from companies doing environ-

mentally friendly things, getting caught in reams of paperwork and having a Federal bureaucracy that will not bend and work with them to help them comply where the public is not endangered in any way, shape or form, and they are not harmed at all. But the "gotcha" mentality that we sometimes find in Federal regulators is putting small businesses like this around the country out of work, and I think this amendment protects the public, but at the same time I think puts the proper emphasis on allowing our small businesses to grow and prosper as we pass reams of more rules and regulations which we force them to comply with.

Would the gentleman agree with that?

Mr. McINTOSH. Mr. Chairman, absolutely, and I appreciate Mr. Davis' example there. We have heard hundreds of those in the various hearings that we have held on regulatory oversight, including the two on this bill that we held last year.

Mr. DAVIS of Virginia. Mr. Chairman, it just seems to me that the health, the safety, the environment does not need to be jeopardized with this amendment. We can in fact protect that. We can give our regulatory agencies the ultimate judgment. But when we get into these technical violations, when a company is late filing some paperwork or a new form comes in that maybe they did not get it when they inquired, or their country attorney went and inquired and did not know about, that instead of saying, "We got you, you owe us, we're going to put you out of business and we're going to make you pay," that we can work with these small companies, help them nurture and grow, help employ people, help tax bases in these small communities across the country and suburban areas as well.

And it is a question, I think as the gentleman noted, do we trust the businesses to do the right thing, or do we think to come after them as if they are somehow crooks to begin with? The vast majority of small businesses are trying to do the right thing by their employees, by their customers and by the Federal rules and regulations, and I think this is a good sound amendment that gets to the crux of a lot of the opposition of this bill, and I congratulate the gentleman and hope that the House will support it.

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

The amendment offered by the gentleman from Indiana (Mr. McINTOSH) is a step forward, but the bill would still preempt State law. It still does not exempt intentional violations. It still provides no environmental protections. It still has inadequate exceptions for the public health because it requires a high burden of proof, and exemption therefore has a potential to cause serious harm. And there is still a Catch 22: We cannot discover violations that threaten the public safety without the paperwork.

So this bill does, even with the amendment, still jeopardize public health, but I would say the amendment is a step forward, and I accept the amendment.

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

Mr. Chairman, I thank the gentleman from Indiana (Mr. McINTOSH), and I rise today in support of H.R. 391, the Small Business Paperwork Reduction Act Amendments of 1999.

Mr. Chairman, H.R. 391 provides our Nation's small businesses with desperately needed relief from the burden of government paperwork which has continued to grow each year. The number of hours required to complete government paperwork has increased more than 350 percent since 1980. Clearly we should do all we can to help relieve government paperwork demands that this Federal Government places on its citizens, and H.R. 391 helps us in this process.

Specifically, the legislation does the following:

It requires the posting on the Internet of a comprehensive list organized by industry of all Federal paperwork requirements for small businesses, it offers small businesses compliance assistance rather than fines for first time paperwork violations that present no threats to public health and safety, and it establishes a single individual in each agency to be the point of contact for small businesses on questions about paperwork requirements.

Mr. Chairman, these are all common sense provisions that every Member of this House should support.

Let me say also that they are consistent with other actions the House has already taken. Earlier this week the House passed H.R. 439, the Paperwork Elimination Act. This legislation will allow small businesses to take advantage of the information age when responding to government information demands. Both of these bills are designed to help small businesses meet the requirements that the government places on them in an efficient and fair manner.

I also want to address some of the concerns that have been raised by the opponents of this legislation. Some have claimed that H.R. 391 lets small business scofflaws go free, and that it protects drug traffickers, and that it undermines the ability to uncover illegal activity. But when I hear some of these statements, I am reminded of the story of Chicken Little in his warning that the sky is falling in. The fact is that the bill already contains numerous exemptions to ensure that bad actors are not rewarded for negligent or illegal behavior.

In conclusion, Mr. Chairman, let me simply state that I am a former small business owner. I know the frustrations that can be created by having to fill out mountains of paperwork from the Federal Government. This frustration easily turns to outrage when one is

fined for a small paperwork violation that they may not even have been aware of. H.R. 391 will remedy this situation.

This legislation simply ensures that small business owners who are honest law-abiding citizens, and this will cover the vast majority of them, are not penalized for a minor first time paperwork violation.

I urge all Members to take a good look at all amendments that are offered and possibly to reject the Kucinich amendment and support H.R. 391.

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

The CHAIRMAN pro tempore. Without objection, the gentleman from Indiana is recognized for 5 minutes.

There was no objection.

Mr. MCINTOSH. Mr. Chairman, I will not use all that time. I just wanted to thank the gentleman from Ohio (Mr. KUCINICH) for accepting this amendment, and we have no other speakers on this portion of it, but we will address his amendment when it comes up. I wanted to thank him for accepting it.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Indiana (Mr. MCINTOSH).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MR. KUCINICH

Mr. KUCINICH. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KUCINICH:

Page 4, strike line 1 and all that follows through page 6, line 24, and insert the following:

“(B) establish a policy or program for eliminating, delaying, and reducing civil fines in appropriate circumstances for first-time violations by small entities (as defined in section 601 of title 5, United States Code) of requirements regarding collection of information. Such policy or program shall take into account—

“(i) the nature and seriousness of the violation, including whether the violation was technical or inadvertent, involved willful or criminal conduct, or has caused or threatens to cause harm to—

“(I) the health and safety of the public;

“(II) consumer, investor, worker, or pension protections; or

“(III) the environment;

“(ii) whether there has been a demonstration of good faith effort by the small entity to comply with applicable laws, and to remedy the violation within the shortest practicable period of time;

“(iii) the previous compliance history of the small entity, including whether the entity, its owner or owners, or its principal officers have been subject to past enforcement actions;

“(iv) whether the small entity has obtained a significant economic benefit from the violation; and

(v) any other factors considered relevant by the head of the agency;

“(C) not later than 6 months after the date of the enactment of the Small Business Paperwork Reduction Act Amendments of 1999, revise the policies of the agency to implement subparagraph (B); and

“(D) not later than 6 months after the date of the enactment of such Act, submit to the Committee on Government Reform of the House of Representatives and the Committee on Governmental Affairs of the Senate a report that describes the policy or program implemented under subparagraph (B).

“(2) For purposes of paragraphs (1)(B) through (1)(D), the term ‘agency’ does not include the Internal Revenue Service.”.

Mr. KUCINICH. Mr. Chairman, this amendment replaces the controversial provisions that would prevent the assessment of civil penalties and preempt State law with language that requires agencies to implement policies for reducing or waiving penalties against first time violators in appropriate circumstances. Again, it replaces the provisions that prevent the assessment of civil penalties and preempt State law with language that requires agencies, we are going to require agencies to implement the policies for reducing or waiving penalties against first time violators in appropriate circumstances. The agencies would be required to implement these policies within six months and report to Congress on those policies six months later. So there is a strong attempt here to make sure that businesses who operate in good faith are rewarded.

This amendment dovetails a provision in the Contract with America. Section 223 of the Small Business and Regulatory Enforcement Act which enjoyed overwhelming bipartisan support in Congress when it was signed into law three years ago, that provision required agencies to implement policies for waiving or reducing penalties under appropriate circumstances. However, SBREFA, as it is called, did not target relief to first-time violators. Some of the SBREFA policies specifically provide relief for first- and second-time violators. However, many agencies did not specifically address the subset of violations. My amendment would require that every agency draft policies providing relief for first-time violations.

This amendment has numerous benefits. It would provide penalty relief to first time violators without giving a “get-out-of-jail-free” card to those who intentionally violate the law. It would provide relief without encouraging businesses to ignore their paperwork objections. It would protect the integrity of our system of regulation, which depends on self reporting instead of relying on surprise inspections.

□ 1230

It would protect the integrity of the laws that protect our seniors, workers and the environment. It would protect our drinking water, nursing homes, pensions, and more.

Mr. Chairman, the political reality is that without my amendment, this bill will doubtfully become law. Many environmental, labor, consumer and health groups, as well as several States Attorney General, have voiced their opposition to the bill. Moreover, the administration strongly opposes it and four agency heads have threatened a veto.

A similar bill did not pass the House with a veto-proof margin this year. It will doubtfully become law if my amendment is not adopted. On the other hand, if my amendment is adopted, the bill, likely, will be non-controversial and likely will gain overwhelming support.

We should seize this opportunity to provide real relief to small businesses who are waiting for Congress to provide them with relief. I urge the support of my amendment.

Mr. MCINTOSH. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as I said before, this bill has enjoyed much bipartisan support, and while there has been controversy swirling around the provision to suspend fines for first time paperwork violations so small businesses can have the chance to correct innocent mistakes, that controversy often has, frankly, overstated the cause.

I appreciate the gentleman from Ohio's efforts to point out legitimate concerns, as we did in the amendment today and the one earlier, in drafting a very clear statement that if there is a potential for actual law breaking or potential for harm to the public, that then those fines would go forward.

But, sadly, I cannot support the gentleman's amendment today, because it does not add anything new to the current law to protect small businesses. This amendment replaces the bill's suspension of fines with a provision that the agencies develop policies on the reduction, elimination and delaying of fines for first-time paperwork violations under appropriate circumstances.

This amendment essentially duplicates existing law. As I stated earlier, under Section 223 of the Small Business Regulatory Enforcement Fairness Act, or SBREFA for short, the agencies are already required to have these policies in place. They were supposed to submit them to Congress by March 31 of 1998, nearly a year ago. But nearly a year later, many of these agencies, including six cabinet departments, have not submitted their plans to Congress. In fact, only 22 of the 77 agencies that assess penalties have sent any policy at all.

This amendment simply reverts back to the status quo. It simply says to America's small businesses, we are going to ask the agencies to submit a policy, but not ask them to change their behavior when they play “gotcha” with innocent men and women who are attempting to run their small businesses.

It is clearly not working. It does not do anything to help the small businesses, and that is why the NFIB, the Chamber of Commerce and the National Restaurant Association have made opposition to this amendment a key vote today.

Last year we did amend the bill, as I stated earlier, in response to some of those concerns. I think the bill is a good bill today with the new amendment we adopted just a few minutes

ago. It does make sure that the agencies can protect the environment, can protect health and safety and can protect and enforce the laws. But what it also does is says to the agencies, we want to give America's small business a break. When you have innocent small businessmen, not law breakers, but innocent small businessmen who make a mistake, they deserve to have a chance to correct that mistake.

I do believe that is the fundamental difference in this debate. Last year in the debate one of the members of my committee said that they thought this would be an excuse for small business not to file the paperwork required of them, that a small business person should not be let off the hook.

That view, that America's small businesses are looking for excuses not to comply with the law, simply is not what we found. Most of America's small businesses try to follow the law, they try to fill out the forms, they try to do what is required. Every day it seems they get a new requirement or are confronted with a stack like the one we have here before us when they hire a new employee.

They are working hard to follow those requirements. They are not criminals, they are not crooks, they are not people looking for excuses to not obey the law. They are not people trying to pollute. They are people who are trying to help clean up the environment, doctors trying to help with the public health, small businessmen providing a service in their community.

I think that we have to recognize that, and that in this bill, with the provision we have with the six month leniency that allows them to correct any of those mistakes, we are saying to the American small businessman and woman, we know you are trying to do a good job, and we are going to be on your side; we are going to switch the emphasis towards compliance, and not, I repeat, not assess you with penalties and fines.

Last week I received a letter from the Small Business Administration advocacy, Mr. Glover, who is a member of the Clinton Administration and who does support this legislation. One of the things I would like to do is quote from that letter where he says, "Small businesses generally want to comply with the law, but are inundated with these requirements. In some cases, violations occur not because small businesses are ignoring the law, but simply are unaware that such requirements exist. As always, there are a few out there that will try to take advantage of the law, and I believe section 2(b), which we have in the bill as it currently stands, leaves enough discretion to allow the agencies to punish those bad apples."

Mr. Glover, I think, also would recognize that those bad apples are few and far between, and that is where we need to direct our enforcement, not harassing the vast majority of America's small businesses who are trying to comply with the law.

For that reason, I would ask my colleagues to vote no on the Kucinich amendment, and allow the bill to go forward with the strong bipartisan support as it was drafted and previously amended.

Mr. LEWIS of Georgia. Mr. Chairman, I move to strike the last word.

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

Mr. LEWIS of Georgia. I yield to the gentleman from Ohio.

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

Mr. Chairman, the National Governors Association wrote a letter to our leader, the gentleman from Missouri (Mr. GEPHARDT), and I would like to quote from it. "We applaud the goal of reducing paperwork burdens for small businesses and would support the Federal Government taking steps to ensure that information collection and paperwork requirements on small businesses are reasonable. However, we must express concern over the preemption of state authority in section," and they spell out the section of the Small Business Paperwork Reduction Act of 1999.

"As governors, we understand the critical role that small businesses play in our economy. We appreciate the importance of ensuring that Federal reporting requirements on small businesses are sensible and that enforcement of those requirements are reasonable. Clearly the Federal Government can direct its own enforcement policy on this matter. Likewise, states are best able to direct state enforcement policy on this issue, and we believe that Federal preemption of state authority is unjustified. We urge you to take our views into consideration as you move this legislation forward." It is signed by Governor Thomas Carper and Governor Michael Leavitt.

My amendment addresses these concerns and removes the preemption provision.

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

Mr. Chairman, first of all let me just say that I have great respect for the gentleman from Ohio (Mr. KUCINICH), a member of our committee, a very hard working member, and I appreciate the input the gentleman gives us on a lot of legislation. The gentleman has helped a great deal. However, I disagree with the gentleman's amendment, and I would like to say why.

First of all, small business people across this country are overburdened by Federal regulations and paperwork, unnecessary paperwork, and, because of that, many of them have had their overhead increased to such a degree that they have to start letting people off. They have to lay people off. It has an adverse economic impact on them.

This legislation passed the House I think with 54 Democrat votes, it was a bipartisan bill last session. This bill is extremely important for the small businessman, the backbone of the economy of the United States of America.

Now, there have been some misstatements made by some of the special interest groups that want this bill to die. They have said that workers are going to "die on the job" because of this, that the environment is going to be "devastated," senior citizens in nursing homes are going to "perish." Fortunately, none of that is true.

I want my colleagues who are paying attention to this to listen to the safeguards in the bill, and I will not be redundant, because I think the gentleman from Indiana (Mr. MCINTOSH) has done an outstanding job of not only getting this bill to the floor and being the author of it, but also explaining it.

Agencies do not have to suspend fines if the violation causes any actual serious harm. That is in the legislation. They do not have to suspend fines if the violation presents a threat to public health or safety. That would take care of the senior citizens in nursing homes and so forth. They do not have to suspend fines if doing so would impede the detection of criminal activity.

These are very broad exceptions, and the agencies involved, if they detect any violations of the law, they can impose these fines. However, if it is a legitimate mistake that a small businessman has made, he has six months to rectify the situation. If he does not, then the penalties will be imposed.

So I think if an honest mistake is made by a small businessman, he should not be penalized by the agencies of the Federal Government, and, for that reason, I think this legislation is extremely important, and, although I have great respect for the gentleman from Ohio (Mr. KUCINICH), I urge my colleagues to defeat his amendment and pass the McIntosh bill as written.

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

Mr. Chairman, streamlining our Nation's regulatory system and eliminating overhanded regulations in our Nation's small businesses is a good idea. Paperwork reduction is an important part of these reforms, and who could be against reducing paperwork?

But what we are talking about today is far more important than just paperwork reduction. In our eagerness to shred paperwork, it is important that we be careful not to shred basic protections in areas like food safety, nursing home care, the environment and crime control.

These regulations can often mean the difference between life or death. At first glance, this bill sounds like a godsend, but, as the old saying goes, the devil is in the details, and the details here are a one-size-fits-all, blanket waiver for even deliberate violations of Federal law and Federal reporting requirements, that could result in serious and grave consequences to our public safety.

Mr. Chairman, consider the issue of gun sales to criminals. Mr. Chairman, I include for the RECORD a letter from Sarah Brady, the Chairperson of the

Board of Handgun Control, detailing how this bill would weaken the reporting requirements of the Brady law.

HANDGUN CONTROL,

Washington, DC, February 11, 1999.

Hon. HENRY A. WAXMAN,
Ranking Minority Member, House of Representatives,
Committee on Government Reform,
Washington, DC.

DEAR REPRESENTATIVE WAXMAN: As the House prepares to debate H.R. 391, The Small Business Paperwork Reduction Act Amendments of 1999, I am writing to express our concern over a portion of the bill that may allow federally licensed firearms dealers to forego completion of background checks on gun purchasers using the new national criminal instant background check system.

Title 18, Section 922(t)(5) imposes a civil fine of not more than \$5,000 on any federally licensed firearms dealer (FFL) who transfers a firearm to a prohibited purchaser if that FFL knowingly fails to check that individual's eligibility through the national criminal instant check system.

Firearms-related violence is one of our country's greatest concerns. In conjunction with state and local law enforcement agencies, the Bureau of Alcohol, Tobacco and Firearms has developed a comprehensive national firearms trafficking strategy aimed at reducing violent crime by investigating and prosecuting those individuals who are illegally supplying firearms to violent criminals.

Failure to comply with the "paperwork requirement" of the Brady Law poses a public safety threat to all Americans. There are over 100,000 federally licensed firearm dealers and most are small businesses. If each received a first time violation waiver, 100,000 dangerous weapons would be on the streets of our country.

We understand that Representative Dennis Kucinich (D-OH) will offer an amendment that will preserve individual agencies' ability to fine deliberate violations of their reporting requirements. I urge all Members to support the Kucinich Amendment.

Sincerely,

SARAH BRADY,
Chair.

Mr. Chairman, the Brady law is a law, I would point out, which has stopped over a quarter of a million handgun sales to felons and fugitives of justice.

Last November, the Bureau of Alcohol, Tobacco and Firearms issued a permanent regulation to implement the Brady Handgun Violence Prevention Act. A key part of these regulations are verification and reporting requirements by gun dealers that are designed to prevent the sale of firearms to a class of restricted individuals that includes convicted felons, fugitives from justice, domestic abusers and others.

Specifically, the Brady act imposes a \$5,000 civil fine on gun dealers who fail to perform criminal background checks on prospective buyers. The blanket amnesty provisions of H.R. 391 would remove the incentives for sellers to abide by these reporting requirements.

Under this bill, gun dealers are given a free pass to sell weapons to criminals with impunity. According to Sarah Brady,

Failure to comply with the paperwork requirement of the Brady law posts a public safety threat to all Americans. There are

over 100,000 federally licensed firearm dealers, and most are small businesses. If each received a first time violation waiver, 100,000 dangerous weapons could be on the streets of our country.

Now, the proponents of this bill may argue that the bill includes an exception that would prevent this from happening by giving to an agency head the discretion to oppose a fine if he or she determines it involves criminal activity. But, in reality, the threshold established in this exception as a practical matter virtually is impossible to achieve.

It is extremely difficult to prove that not conducting a particular background check definitely impedes or interferes with detecting criminal activity. Remember, in the mind of an unscrupulous gun dealer, he knows he has a free pass to sell guns to criminals, unless he gets caught.

□ 1245

And a scrupulous dealer has every reason to skirt the regulations because it would help maximize his profits.

But do not take my word or Sarah Brady's word for it. The Justice Department has also raised concerns. In a February 2nd letter from Acting Assistant Attorney General Dennis Burke, the Department of Justice stated that two standards set forth in the bill's exception were "inappropriate." According to the Department of Justice, and I quote, "It may be difficult for an agency to determine that the failure to impose penalties would in a given case interfere with the detection of criminal activity."

Again, the point of the Brady law reporting requirements is principally to prevent criminals from getting guns.

Mr. Chairman, particularly in the area of protection against firearms, agencies should not be hamstrung or have to wait until serious harm occurs before imposing civil penalties. Every bill has unintended consequences. But in this case, although the consequences may be unintended, they are foreseeable and potentially deadly. All it takes is one dealer to pass up a background check for a life to be lost in a shooting.

I strongly urge my colleagues to oppose House Resolution 391 in its current form and to support the Kucinich amendment, which reduces paperwork and injects some common sense reforms into our regulatory system without jeopardizing public safety.

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

Mr. BLAGOJEVICH. I yield to the gentleman from Ohio.

Mr. KUCINICH. Mr. Chairman, I pointed out earlier that the bill still preempts State law, and State officials have opposed H.R. 391. The Attorney General of the State of New York has said the most objectionable element of the legislation is the preemption of State enforcement efforts.

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

Mr. Chairman, I just wanted to say something. One of the things that bothers me in this debate is the assumption that small business people have an intention to do something dishonest. That is like saying that school teachers have the intention not to teach; that doctors have the intention to commit malpractice. If we continue in this country with the assumption that small businesses' goal is to do everything opposite of what the Federal Government would want them to do, we will not be long in terms of being an economic power.

To say that a gun dealer will blatantly disregard the Brady law if this bill is passed is absurd. There are significant penalties for doing that which will not be abated by this law.

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

Mr. COBURN. I yield to the gentleman from Indiana.

Mr. MCINTOSH. Mr. Chairman, I thank the gentleman for yielding me this time.

I appreciate the gentleman's remarks. In fact, it is that fundamental difference in the viewpoint of the good citizens of our country who run our small businesses, whether they are frankly lawbreakers, as they have been called today in the debate, or whether they are good, honest, decent people who are struggling to keep the doors open, struggling to provide a service, struggling to provide a good, and trying to comply with all of the paperwork.

As I mentioned earlier, this is the paperwork that has to be filled out, two huge volumes like this, whenever a small businessman employs a new employee. That is what they have to do. They have to make sure they get it all right. And then there are lots of other paperwork requirements as well.

I mentioned one of the people who testified at our hearing on regulatory problems, Dr. Proetst, who is a dermatologist, who told me he could be fined for failing to report to the government that he has been properly trained on how to change a light bulb in his microscope.

Now, when we have doctors, and the gentleman from Oklahoma (Mr. COBURN) knows this himself, who are having to spend their time filling out the forms rather than treating patients, that is bad enough. But for them to be subject to a several-hundred-dollar or a several-thousand-dollar fine because they have not reported that they know how to change a light bulb, something is drastically wrong.

Mr. COBURN. Mr. Chairman, let me reclaim my time and give a couple of examples.

Under OSHA now, every medical office, every container that might contain anything that would be contaminated, has to be labeled. So even if one has a container behind closed doors under a sink, one still has to have a nice orange label there that totally ruins the decor that somebody might

get there. If a child pulls that label off and I fail to report that, that it was not present until I could get another label there, and if I were to be inspected, or caught, that is subject to a fine under OSHA.

If the laboratory in my office, under its approval and certification procedures, makes an error on a testing, but yet we fail somehow, not to fill out the paperwork but if I as the medical director of that laboratory fail to sign that piece of paper, and when we are inspected, if I missed one of them, missed signing one of them, then I lose my CLEA license for failure to comply with a piece of paper that has nothing to do with the quality of care that we give our patients, has nothing to do with the certification and accreditation of that laboratory, but is simply based on a paperwork error that was never intended. It was just a mistake, a misstep, an oversight. Not because it was intended to violate the law, but because there are so many requirements that have so little benefit that are carried to such great extent by the bureaucracy that the penalty of it becomes, the penalty is not the fine, the penalty is that I do not get to practice medicine, I get to spend my time filling out paperwork for the Federal Government.

So with that, let us consider the examples that are very real that we all encounter if we are in any small business, on how the tremendous paperwork burden is affecting and cutting our productivity, eliminating our ability to enhance the wealth of those around us, offer jobs and opportunity to those that do not have it today.

I yield to the gentleman from Indiana (Mr. MCINTOSH).

Mr. MCINTOSH. Mr. Chairman, let me just say very emphatically, the bottom line, and I do appreciate the earlier work of the gentleman from Ohio (Mr. KUCINICH) with this as we fine-tuned this bill, but the amendment that he presents today frankly guts this bill and its chief provision of allowing small businesses to have a chance to really correct the mistakes that are innocent mistakes. It is as basic as that. What it does is revert back to the existing law which is not being complied with by the agencies. So I must ask our colleagues to vote "no" on this amendment.

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

Mr. Chairman, I rise in support of the Kucinich amendment. I want to clarify what the disagreements are on this legislation. No one disagrees with the idea, as far as I know, that we ought to reduce the amount of paperwork which burdens small and large businesses. Unnecessary paperwork is inexcusable, and I think a great deal of credit goes to Vice President GORE in his efforts to reinvent government, to try to avoid the requirements that so much paperwork be required from different businesses.

The second thing we do not disagree about is that if a small businessman or woman inadvertently does not do what is required by way of paperwork regulations, we do not want them to be fined or penalized in any way when they do it inadvertently. The Kucinich amendment would make sure that if it is an inadvertent violation, there would be amnesty for the person violating the law.

The difference that we have is that the Kucinich amendment makes clear that if there is a danger to the public safety, if there is danger to the environment or health, and the violation is intentional, that we do not preclude the agency from giving the sanction to fit the offense.

The bill before us assumes that any time a violation occurs, it is innocent, but that is just not true. There are people who do wrong things on purpose, and if we tell them, if they do something wrong on purpose, they do not have to worry about being sanctioned, we are suggesting that they ought to go ahead and violate the requirements of the paperwork regulations. Now, that means that the businessperson who is trying to comply with the regulations is going to be put at a disadvantage with somebody who is not doing what they ought to do to meet the requirements of the law.

Now, this is not some insignificant matter, because there are far-reaching consequences for our Nation's health, environmental, consumer protection laws, that the Kucinich amendment would preserve the integrity of these laws while at the same time providing relief to first-time violators in appropriate circumstances. Not all circumstances, but appropriate ones. And the bill before us would give them a pass for all circumstances.

We have received a number of letters from our colleagues who are experts in certain areas. The gentleman from New York (Mr. TOWNS) is one of Congress's leading fighters against lead poisoning of children, and he described how H.R. 391 would undermine lead hazard disclosure, putting thousands of children at risk. We ought not to give that kind of encouragement for people who violate the law and put children at risk.

Our colleague from the State of Maryland (Mr. HOYER) is one of the co-chairs of the Congressional Fire Fighters Caucus, and he has pointed out that H.R. 391 would endanger the lives of fire fighters because this bill gives a first-time free pass to businesses that fail to report the storage of hazardous chemicals on site. This is different than somebody who does not change a light bulb. No one wants to penalize that person. But not to report hazardous chemicals that are stored on site which could hurt fire fighters is just not reasonable.

The gentleman from Massachusetts (Mr. MARKEY) is one of the leading congressional experts on the Securities and Exchange Commission, and he tells us that the bill undermines the SEC's ability to protect investors from fraud.

The gentleman from New Jersey (Mr. PALLONE) is a champion of the right-to-know laws which require polluters to report the level of their toxic emissions, and he says these laws would be unenforceable under this legislation.

The amendment that the gentleman from Indiana (Mr. MCINTOSH) offers, he claims would solve the problem, but it does not. We still have the goal of many reporting requirements, which is to prevent the public from being placed in danger, undermined. It defeats the purpose of these reporting requirements, to prevent enforcement until after the public is already in danger. That is locking the barn door after the horse has already gone.

We do not have adequate exceptions to protect the public health. Expert after expert has considered this argument and rejected it. Let me say who some of these experts are.

The CHAIRMAN. The time of the gentleman from California (Mr. WAXMAN) has expired.

(By unanimous consent, Mr. WAXMAN was allowed to proceed for 2 additional minutes.)

Mr. WAXMAN. Mr. Chairman, the Department of Justice, the Securities and Exchange Commission, the Environmental Protection Agency, the Attorneys General of California and New York, local district attorneys, State enforcement officials all reject this.

Now, why State enforcement officials? Because this bill is so far-reaching that it gives a free pass to violate local laws or laws that are enforced at the State level. My colleagues do not have to take my word for it, just listen to what the experts are saying.

It is amazing to me that Mr. MCINTOSH did not try to work out with us on the Democratic side a way to resolve this issue, because what we would all like to see is a bill that would say, if there is an inadvertent violation of some paperwork requirement, that person, that business person should not be fined or sanctioned. But if there is an intentional violation, if there is a violation that affects public health and safety, that person should not get a free pass. That person should not be told in advance, "Go ahead and violate this paperwork requirement, we are going to turn the other way and not even pay attention to it." No one should defend that position.

Now, we hear from the other side of the aisle that they have addressed it, but they have not worked with us to make sure that they have addressed it adequately, and therefore, the Department of Justice, the State attorneys general, these people who work in the field, who were not given a chance to come in and even testify are now writing to us and saying, support the Kucinich amendment and have this problem dealt with adequately, so that we have some discretion with the agency to look at the violation and see if it is appropriate to sanction them under the circumstances at hand.

□ 1300

In fact, what we are being told is not to trust the agency to look at the facts of the case and deal with it in a reasonable manner. We are saying, trust all small business people, no matter what. I think that puts in jeopardy the reasons why we have legitimate requirements for paperwork to be filed.

I go back to nursing homes. We do not know if a patient is being abused in a nursing home unless we can look at some of the paperwork that is required of the nursing home when they inspect their own premises. If they do not have to file that paperwork because they know that even if they are by law supposed to and they are going to be left off the hook, it is an incentive for them to lower their standards.

Support the Kucinich amendment.

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

Mr. Chairman, I rise today in support of the Kucinich amendment. I have written a Dear Colleague letter at the request of the fire services of this country, both paid and volunteer. I understand that letter has been quoted from by the gentleman from Ohio (Mr. KUCINICH) and perhaps others. I appreciate the reference of the gentleman from California.

The amendment of the gentleman from Indiana, as I think the gentleman from California has said, has an objective that all of us I think support. The issue is the impact of the legislation if not amended as the gentleman from Ohio (Mr. KUCINICH) proposed. I support the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

As cochair of the Congressional Fire Services Caucus, I want to share with the House what I believe this legislation's impact would be on fire fighters. Despite what this amendment would say, this legislation, absent the Kucinich amendment, might well endanger the lives of the brave men and women in the fire service.

Why? Why? Because I believe this amendment, if it fails to pass, the disclosure of hazardous material will decrease. Disclosure will decrease, and one of these days a fire fighter in the Members' districts or mine will have to respond to a fire or Hazmat incident, and they are not going to know what they are dealing with. That is critically important, that they have a prenotice and knowledge of what the fire may be dealing with, what causes it and what fumes are being presented by the fire, and other matters of critical safety concerns to our fire fighters. They are not going to know what they are dealing with, and someone is going to get hurt or killed.

While some argue that this legislation still allows a regulatory agency to fine the offending small business, that is not the point. I do not think any of us are really interested in fining small businesses. I know I am not. Any fine we can levy after the fact, however, is of little solace to many fire fighters or their surviving families.

Mr. Chairman, I am a strong proponent of small business. It is a critical element in our economy. I, too, want to relieve them from needless and redundant paperwork. In fact, we have done some things to accomplish that objective in years past. I, too, want to relieve them from having to pay onerous fines from accidental or inadvertent paperwork errors.

However, without this Kucinich amendment, I very much fear that the legislation will encourage and result in the failure to notify, consistent with local and national requirements, our local firefighting departments, paid or volunteer, of the hazards they may face in a critical situation where there would be no time to find out or to in fact solve the breach after the fact. So that is why I rise in support of the Kucinich amendment.

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

Mr. HOYER. I yield to the gentleman from Indiana.

Mr. MCINTOSH. Mr. Chairman, when I saw the gentleman's Dear Colleague, I was concerned about it. It is a question that none of us want to see our brave men and women who are fire fighters put in danger. As I understand it, the concern is that those notices, the Hazmat notices, are needed because without them there could be a potential to cause serious harm to the public; specifically, to the fire fighters who would go in and fight those battles.

Mr. HOYER. That is the concern.

Mr. MCINTOSH. The gentleman from Maryland may not find this sufficient, but we did try to address that in an amendment that was, by voice vote, accepted earlier.

The gentleman from Ohio (Mr. KUCINICH) did not find it enough to satisfy his concerns, but we changed the wording in the bill that said if there is that potential to cause serious harm, we do not have to actually show that harm has been caused, then the agency could decide that the civil penalty would continue to apply in that circumstance.

So as author of the bill and author of that amendment, I would say it is certainly my intention that that type of regulation would continue to be subject to a fine where there is a potential for serious harm to the public, including our fire fighters.

Mr. HOYER. Mr. Chairman, I appreciate two things, I suppose. First of all, I appreciate the fact that the gentleman recognizes that we are raising a legitimate concern, which I think is the import of the gentleman's comments and subsequent actions; and secondly, that he has taken action which he believes will ameliorate the fears that we have, or perhaps not eliminate, but certainly ameliorate.

The problem, I say to my friend, the gentleman from Indiana, is that if we give to businesses, and although we call them small businesses, in this case it is up to 1,500, I believe, employees.

The CHAIRMAN. The time of the gentleman from Maryland (Mr. HOYER) has expired.

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

Mr. HOYER. Mr. Chairman, these can be businesses which do in fact have very significant risk factors attendant to their production or attendant to storage on-site of Hazmat material.

I am still concerned, even in light of the gentleman's amendment, which I think is a step in the right direction, that perhaps we have not gone far enough if they believe that they can nevertheless say that, well, we did not think it was a risk, and therefore we did not meet the letter of the request, either of the local, State, or Federal legislation.

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

Mr. HOYER. I yield to the gentleman from Indiana.

Mr. MCINTOSH. Mr. Chairman, let me assure the gentleman that in this particular area, we will continue to work to make sure the legislative history is clear that that type of potential serious harm to the public and fire fighters will be taken care of.

Mr. HOYER. I appreciate the gentleman's observation. We will look forward to working with him.

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

Mr. Chairman, I think the intended purpose of the legislation before us is quite laudable. Although I have yet to hear any real cogent arguments against the amendment pending before the House, we are told by the author of the bill that it is going to gut the bill.

I do not think that is sufficient enough for any of us in this Chamber to not support the amendment before us, which I think is a reasonable correction to the bill, because in its current form I do not think the bill is passable. One can only look to last session, where early on in the session the House passed the legislation, it went over to the Senate, and they did not even take the time to take it up and debate it, even though there was a Senate counterpart also introduced in the Senate.

If in fact the authors of the legislation are serious about getting this bill signed into law, I think it is imperative that they work with not only this side of the aisle but the gentleman from Ohio (Mr. KUCINICH) to see if there is some kind of accommodation that can be had to address some serious flaws in the legislation.

We have heard from the gentleman from Maryland (Mr. HOYER) about a problem that is contained, should this bill become law. We have heard from the gentleman from California (Mr. WAXMAN) about nursing home regulations. We have heard about various other problems that could arise, and know full well that there is a reason this government asks business people,

large and small, to submit the various filings.

Let me point out that years back I was a small business person, also. We had between eight and 12 employees in the business. As I look at that stack of paper that is bounced around all the time, I cannot for the life of me figure out what filings the gentleman from Indiana is talking about, because we covered our employees with workmans comp, unemployment comp, we filed the FICA tax, we filed the quarterly Federal income tax, the State, and never did I see all those forms. So unless in the past few years those forms have multiplied like rabbits, I think that stack of paper, at least with this Member, is to be questioned.

Nevertheless, if the gentleman is serious about passing this legislation, let us look seriously at the Kucinich amendment.

The Labor Department requires every employer once a year to file a form 5500. The form itself indicates what the health of the pension plan for the employer is, whether or not there may be actual contributions on behalf of the employee. Under this legislation, an employer would not have to file that, regardless that it is important, in a timely manner.

Nevertheless, the reason for having that filed once a year is to let all the employees know whether or not that employer has submitted those funds into the various pension plans, be they 401(k) or whatever they might be.

We had a situation recently in my district where a company by the name of Louis Allis that subsequently went bankrupt, but prior to that withheld the contributions for the employees for their 401(k) plan, but never submitted them on to the plan managers. The effect of that was that the employees of that particular company have lost out on about \$200,000 of contributions the employer should have made.

Again, the reason for the law and for the form to be filed is to let the employees know that those dollars have been deposited in their name in their accounts. So I think all of us have a particular problem that can be cited with the bill as originally introduced.

I think the Kucinich amendment would provide some reasonable relief from those problems ever occurring, yet give the small business people in the country some relief from the paperwork and from forfeitures where basically the error on the employer's part was just an oversight.

Again, I have a story on that side of the equation also, wherein a hotel owner in my district was fined by OSHA because on the closet door he did not post the chemicals that were contained inside, even though the chemicals were basically household chemicals. Under the bill and under the Kucinich amendment, that particular employer, that business owner, would get relief.

So what the bill tries to do in one fell swoop, in one-size-fits-all, which that

side always accuses Democrats of attempting to do, but under their one-size-fits-all plan, I think they have some very unintended purposes. Again, if the authors of the legislation really want to see this bill become law, I think we should look at the Kucinich amendment.

I ask the Members on both sides of the aisle to give the amendment support when it comes to a vote.

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

Mr. KLECZKA. I yield to the gentleman from Indiana.

Mr. MCINTOSH. Mr. Chairman, the gentleman asked a very good question, what are some of the forms.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. KLECZKA) has expired.

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

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

Mr. KLECZKA. I yield to the gentleman from Indiana.

Mr. MCINTOSH. Mr. Chairman, I will just briefly list some of these forms: the insurance information for COBRA; EEO form 1, listing race and gender of all of the employees; the EEOC employee evaluation, to document for them on that; the EEOC—

Mr. KLECZKA. Mr. Chairman, let me reclaim my time and ask the gentleman, are all those filings the initial filing upon hiring the employee, or is that the filings an employer would go through after an employee has been with him or her for a period of years?

Mr. MCINTOSH. These are for a new employee. Some of them are asking the employee when they join the firm to sign, and then it is basically information when they quit, like the COBRA, health insurance coverage that they would be eligible for. But this is for when you hire a new employee. Mr. Chairman, I will submit the full list for the RECORD.

GROUPS KEY VOTING KUCINICH AMENDMENT
National Federation of Independent Business;
National Restaurant Association;
Small Business Survival Committee; and
United States Chamber of Commerce.

GROUPS SUPPORTING SMALL BUSINESS
PAPERWORK REDUCTION ACT
Academy of General Dentistry;
Agricultural Retailers Association;
American Electroplaters and Surface Finishers Society;
American Farm Bureau Federation;
American Feed Industry Association;
American Health Care Association;
Associated Builders and Contractors, Inc.
Chemical Producers & Distributors Association;
Food Marketing Institute;
Institute of Scrap Recycling Industries, Inc.;
IPC—Association Connecting Electronic Industries;
Metal Finishing Suppliers Association;
National Association of Convenience Stores;
National Association of Metal Finishers;
National Association of Plumbing-Heating-Cooling Contractors;

National Association for the Self-Employed;
National Automobile Dealers Association;
National Federation of Independent Business;
National Grange;
National Grain Sorghum Producers;
National Grocers Association;
National Paint and Coatings Association;
National Pest Control Association, Inc.;
National Restaurant Association;
National Retail Federation;
National Roofing Contractors Association;
National Small Business United;
National Tooling and Machining Association;
Painting and Decorating Contractors of America;
Printing Industries of America;
Small Business Coalition for Regulatory Relief;
Small Business Legislative Council;
Society of American Florists;
United Egg Association;
United Egg Producers; and the
U.S. Chamber of Commerce.

U.S. SMALL BUSINESS ADMINISTRATION,
Washington, DC, February 9, 1999.

Hon. DAVID MCINTOSH,
Chairman, Subcommittee on National Economic Growth, Natural Resources and Regulatory Affairs, House of Representatives, Washington, DC.

DEAR CHAIRMAN MCINTOSH: This is in reply to your request for the Office of Advocacy's comments on H.R. 391, the "Small Business Paperwork Reduction Act Amendments of 1999." While I have not had an opportunity to review the recently issued committee report in detail, I believe this bill will benefit small businesses nationwide. I understand that the current bill is essentially the same as the one on which I testified last year (H.R. 3310).

In my testimony before the subcommittee on March 5, 1998, I stated that paperwork and reporting requirements remain a major problem for small businesses that are confronted with requirements to complete a myriad of reports mandated by government. Enclosed is a copy of that testimony.

The issues I spoke of then have not gone away. Small businesses remain flooded by a sea of paperwork and reporting requirements. While it is true that there are existing statutes and regulations that address paperwork concerns, these measures are not enough.

This bill ensures that a single agency will be responsible for compiling an inventory of all reporting and record-keeping requirements. This compilation will provide significant insights into paperwork burdens overall. The legislative proposal also creates a task force to study the feasibility of streamlining information collection from small business. The inventory will be an invaluable resource for the task force.

The 1995 White House Conference on Small Business specifically included a recommendation that the Federal government publish an inventory of all small business paperwork requirements. H.R. 391 essentially implements this recommendation and would achieve two purposes. First, small businesses would be able to find, in one place, a compilation of paperwork and reporting requirements. Second, policymakers, both inside and outside the Federal government, would have the opportunity to review this inventory, and make informed decisions about eliminating duplicative and unnecessary mandates. The "gas station" rule that I cited last year, requiring gas stations to report that they do, in fact, store gasoline, probably would not have remained in effect as long as eleven years with a centralized inventory and a task force to examine the need

and usefulness of the reports. (A final rule virtually eliminating all gas stations from filing reports was published last week by EPA.) The inventory might also help guide decision makers as to the advisability of imposing new mandates.

Compliance with the Paperwork Reduction Act would be significantly enhanced by the availability of such an inventory. I strongly support this provision of the bill.

The White House Conference also recommended that agencies not assess civil penalties for first time, violators, where the violation is cured within a reasonable time. This bill adopts that approach for paperwork violations that do not involve serious health and safety risks, and where compliance is achieved within a reasonable time. I, too, support this approach.

Small businesses generally want to comply with the law, but are inundated with these requirements. In some cases, violations occur not because small businesses are ignoring the law, but simply are unaware that such requirements exist. As always, there are a few out there that will try to take advantage of the law. I believe section 2(b) leaves enough discretion to allow agencies to punish those "bad apples."

I am pleased to offer my support for the conceptual underpinnings of the proposed legislation, and I look forward to working with you and the Subcommittee.

Sincerely,

JERE W. GLOVER,
Chief Counsel for Advocacy.

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

Mr. Chairman, I rise simply in support of the Kucinich amendment. For the life of me, having listened to this entire debate on the amendment, I have not heard any real justification from the other side as to why they would not try to correct this bill and improve this bill by agreeing to accept the terms of the Kucinich amendment.

I have listened for some time here. What we are talking about on one side is an alleged reduction of paperwork. I repeat what I said earlier in talking about the bill, that the bill would not reduce one single piece of paperwork. The real crux of this addresses the issue that when someone fails to file a piece of paperwork that speaks to the health and safety, what action would be taken.

We all agree there should be some leeway for people who make innocent misfilings or failings to file. That is why the Kucinich amendment talks about the agency being able to look at the nature or seriousness of the alleged violation, whether or not there were good faith efforts to comply and other relevant factors, and in those instances where it is appropriate, to waive it; but not a carte blanche waiver, which in effect is a disincentive for some bad actors to not file papers.

We are talking about a business community that by and large is full of good actors. We all understand that. But regulations are for the bad actors, and to make sure they do not do that, and there is no reason not to put in the Kucinich amendment language so that the bad actors are not encouraged not to file on issues where safety and health are very important.

We have also heard a lot of discussion about the fact that this might be some sort of a partisan effort. I do not think that is the case at all. I think the evidence for that lies in who are the groups that support the Kucinich amendment, and make a point that they are very interested in health and safety.

We talked about the fire fighters. The International Association of Arson Investigators, the International Association of Fire Chiefs, the International Association of Fire Fighters, the National Fire Protection Association, the National Volunteer Fire Council, all under the category of fire fighters, believe that the Kucinich amendment is necessary.

□ 1315

Senior citizens: The National Citizens Coalition for Nursing Home Reform and the National Council of Senior Citizens believe the Kucinich amendment is necessary.

Under the category of health: The Alliance to End Childhood Lead Poisoning, the American Lung Association, the American Public Health Association, the National Breast Cancer Coalition, the Physicians for Social Responsibility all understand that we could have a situation where waivers are made only in the right and proper conditions.

In the consumer category: Coalition for Consumer Rights, Consumers Union, Consumers Federation of America, the Institute for Agricultural and Trade Policy, Safe Food Coalition.

And public interest groups: The Center for Science in the Public Interest, the Government Accountability Project, the League of Women Voters, the National Partnership for Women and Families, OMB Watch, Public Citizen, U.S. PIRG.

Returning to the state attorneys general: The States of California, New York and Vermont.

Other State and local officials, including the California District Attorneys Association.

And environmental interest groups: The American Oceans Campaign, the Environmental Defense Fund, the Friends of the Earth, the League of Conservation Voters, National Environmental Trust, National Resources Defense Council, the Sierra Club, the Wilderness Society.

Mr. Chairman, I suggest all of these groups cannot be wrong; that there has to be some semblance of reasonableness in their position that the Kucinich amendment makes sense. And again I say, I heard no reason why the opposition does not stand up, take this bill off the floor and work with the gentleman from Ohio (Mr. KUCINICH), work with other Members on this side of the aisle and the other side of the aisle who understand the seriousness of giving carte blanche waivers to bad actors and, instead, giving it a process that allows the proper actors to get the waivers they deserve, under the proper

criteria being applied, and still insist that the right paperwork for safety and health reasons be filed, and that those that willingly misfile or do not file receive the action they should receive.

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

Mr. TIERNEY. I yield to the gentleman from Tennessee.

Mr. FORD. Mr. Chairman, as a member of the committee, I certainly join with Mr. MCINTOSH and others in echoing what the gentleman from Maryland (Mr. HOYER) and others have said, and certainly the gentleman from Ohio (Mr. KUCINICH), in supporting paperwork reduction and making it possible for businesses to operate in a competitive way without onerous regulations. Nonetheless, I cannot help but wonder how so many organizations could be wrong in their assessment of this legislation, which is why I support the Kucinich amendment so forcefully.

I would just quote from two attorney generals, which was really the turning point for me and I hope for some of my colleagues on the other side. The Attorney General of the State of California, in regards to the McIntosh legislation, says, "In fact, the effect of the legislation would deprive States and local authorities of the ability to regulate matters which present potential harm to the public for violation of local laws, even in situations where the violator may act with the knowledge of and intent to evade local laws and regulations."

I think that my colleague, the gentleman from California (Mr. WAXMAN), said it best when he talked about putting businesses in an unfair advantage, particularly those who seek to comply with the law, in allowing those who know the law to intentionally evade the law knowing they will not be penalized.

I am hopeful we can find some agreement. On a personal note, this committee has certainly been riddled with a lot of divisions along partisan lines. Hopefully, this is one time we can come together and help bring this House together on this important piece of legislation. I would ask for Members to support the Kucinich amendment and do the right thing.

The CHAIRMAN pro tempore (Mr. GUTKNECHT). The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

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

RECORDED VOTE

Mr. KUCINICH. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 210, noes 214, not voting 10, as follows:

[Roll No. 19]

AYES—210

Abercrombie	Andrews	Baldwin
Ackerman	Baird	Barcia
Allen	Baldacci	Barrett (WI)

Becerra
Bentsen
Berkley
Berman
Berry
Billbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Chabot
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummins
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gephardt
Gilman
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard

NOES—214

Aderholt
Archer
Army
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggart
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bono
Boyd
Bryant
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady

Cannon
Castle
Chambliss
Chenoweth
Coble
Coburn
Collins
Combust
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English

Ortiz
Owens
Pallone
Pascarell
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Klecicka
Klink
Kucinich
LaFalce
Lampson
Larson
Lazio
Lee
Levin
Lewis (GA)
Lipinski
Lowe
Lucas (KY)
Luther
Maloney (CT)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-
McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Oliver

Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrist
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes

Hayworth
Hefley
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kasich
Kelly
Kingston
Knollenberg
Kuykendall
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalfe
Mica
Miller (FL)

Brady (TX)
Buyer
Gejdenson
Herger

Miller, Gary
Mollohan
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw

NOT VOTING—10

Hyde
Kolbe
Lantos
Lofgren

□ 1337

Messrs. McHUGH, HEFLEY, EWING, BARRETT of Nebraska and Mrs. CUBIN changed their vote from "aye" to "no."

Mr. BECERRA changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mr. GUTKNECHT). Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. GUTKNECHT, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 391) to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements, to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses, and for other purposes, pursuant to House Resolution 42, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore (Mr. LAHOOD). Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. KUCINICH. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 274, noes 151, not voting 8, as follows:

[Roll No. 20]

AYES—274

Aderholt	English	Linder
Archer	Etheridge	Livingston
Army	Everett	LoBiondo
Bachus	Ewing	Lucas (KY)
Baker	Fletcher	Lucas (OK)
Ballenger	Foley	Luther
Barcia	Forbes	Manzullo
Barr	Fossella	McCarthy (MO)
Barrett (NE)	Fowler	McCarthy (NY)
Bartlett	Franks (NJ)	McCollum
Barton	Frelinghuysen	McCrery
Bass	Frost	McHugh
Bateman	Gallegly	McInnis
Bereuter	Ganske	McIntosh
Berkley	Gekas	McIntyre
Berry	Gibbons	McKeon
Biggart	Gilchrist	Metcalfe
Bilbray	Gillmor	Mica
Bilirakis	Gilman	Miller (FL)
Bishop	Goode	Miller, Gary
Bliley	Goodlatte	Minge
Blunt	Goodling	Mollohan
Boehner	Gordon	Moore
Bonilla	Goss	Moran (KS)
Bono	Graham	Moran (VA)
Boswell	Granger	Murtha
Boyd	Green (WI)	Myrick
Bryant	Greenwood	Napolitano
Burr	Gutknecht	Nethercutt
Burton	Hall (OH)	Ney
Callahan	Hall (TX)	Northup
Calvert	Hansen	Norwood
Camp	Hastings (WA)	Nussle
Canady	Hayes	Ose
	Hayworth	Oxley
	Hefley	Packard
	Herger	Paul
	Hill (IN)	Pease
	Hill (MT)	Peterson (MN)
	Hilleary	Peterson (PA)
	Hinojosa	Petri
	Hobson	Pickering
	Hoekstra	Pickett
	Holden	Pitts
	Horn	Pombo
	Hostettler	Pomeroy
	Houghton	Porter
	Hulshof	Portman
	Hunter	Price (NC)
	Hutchinson	Pryce (OH)
	Istook	Radanovich
	Jenkins	Ramstad
	John	Regula
	Johnson (CT)	Reynolds
	Johnson, Sam	Riley
	Jones (NC)	Rivers
	Jones (OH)	Roemer
	Kaptur	Rogan
	Kasich	Rogers
	Kelly	Rohrabacher
	Kind (WI)	Roukema
	King (NY)	Royce
	Kingston	Ryan (WI)
	Knollenberg	Ryun (KS)
	Kuykendall	Salmon
	Doyle	Sanchez
	Largent	Sandlin
	Latham	Sanford
	LaTourette	Saxton
	Lazio	Scarborough
	Leach	Schaffer
	Lewis (CA)	Sensenbrenner
	Lewis (KY)	Sessions

Shadegg	Stump	Walden
Shaw	Sununu	Walsh
Sherwood	Sweeney	Wamp
Shimkus	Talent	Watkins
Shows	Tancred	Watts (OK)
Shuster	Tanner	Weldon (FL)
Simpson	Tauscher	Weldon (PA)
Sisisky	Tauzin	Weller
Skeen	Taylor (MS)	Weygand
Skelton	Taylor (NC)	Whitfield
Smith (MI)	Terry	Wicker
Smith (TX)	Thomas	Wilson
Smith (WA)	Thornberry	Wise
Souder	Thune	Wolf
Spence	Tiahrt	Wu
Spratt	Toomey	Young (AK)
Stabenow	Trafciant	Young (FL)
Stearns	Turner	
Stenholm	Upton	

NOES—151

Abercrombie	Gonzalez	Neal
Ackerman	Green (TX)	Oberstar
Allen	Gutierrez	Obey
Andrews	Hastings (FL)	Olver
Baird	Hilliard	Ortiz
Baldacci	Hinche	Owens
Baldwin	Hoefel	Pallone
Barrett (WI)	Holt	Pascrell
Becerra	Hooley	Pastor
Bentsen	Hoyer	Payne
Berman	Inslee	Pelosi
Blagojevich	Jackson (IL)	Phelps
Blumenauer	Jackson-Lee	Quinn
Boehlert	(TX)	Rahall
Bonior	Jefferson	Rangel
Borski	Johnson, E. B.	Reyes
Boucher	Kanjorski	Rodriguez
Brady (PA)	Kennedy	Ros-Lehtinen
Brown (CA)	Kildee	Rothman
Brown (FL)	Kilpatrick	Roybal-Allard
Brown (OH)	Klecza	Sabo
Campbell	Klink	Sanders
Capuano	Kucinich	Sawyer
Carson	LaFalce	Schakowsky
Clay	Lampson	Scott
Clayton	Larson	Serrano
Clyburn	Lee	Shays
Conyers	Levin	Sherman
Costello	Lewis (GA)	Slaughter
Coyne	Lipinski	Smith (NJ)
Crowley	Lowey	Snyder
Cummings	Maloney (CT)	Stark
Davis (IL)	Markey	Strickland
DeFazio	Martinez	Stupak
DeGette	Mascara	Thompson (CA)
DeLauro	Matsui	Thompson (MS)
Deutsch	McDermott	Thurman
Dicks	McGovern	Tierney
Dingell	McKinney	Towns
Dixon	McNulty	Udall (CO)
Doggett	Meehan	Udall (NM)
Engel	Meek (FL)	Velazquez
Eshoo	Meeks (NY)	Vento
Evans	Menendez	Visclosky
Farr	Millender-	Waters
Fattah	McDonald	Watt (NC)
Filner	Miller, George	Waxman
Ford	Mink	Weiner
Frank (MA)	Moakley	Wexler
Gejdenson	Morella	Woolsey
Gephardt	Nadler	Wynn

NOT VOTING—8

Brady (TX)	Kolbe	Maloney (NY)
Buyer	Lantos	Rush
Hyde	Lofgren	

□ 1356

Mr. NEAL of Massachusetts and Mr. STUPAK changed their vote from "aye" to "no."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT CONCERNING EMIGRATION LAWS AND POLICIES OF MONGOLIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 100-19)

The SPEAKER pro tempore (Mr. LAHOOD) 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 Ways and Means and ordered to be printed:

To the Congress of the United States:

On September 4, 1996, I determined and reported to the Congress that Mongolia was not in violation of the freedom of emigration criteria of sections 402(a) and 409(a) of the Trade Act of 1974, as amended. This action allowed for the continuation of normal trade relations status for Mongolia and certain other activities without the requirement of an annual waiver.

As required by law, I am submitting an updated report to the Congress concerning the emigration laws and policies of Mongolia. The report indicates continued Mongolian compliance with U.S. and international standards in the area of emigration.

WILLIAM J. CLINTON.

THE WHITE HOUSE, February 11, 1999.

GENERAL LEAVE

Mr. MCINTOSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 391, the bill just passed.

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

There was no objection.

PRESIDENTIAL AND EXECUTIVE OFFICE FINANCIAL ACCOUNTABILITY ACT OF 1999

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 44 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 44

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 437) to provide for a Chief Financial Officer in the Executive Office of the President. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. During consideration of the bill for amendment, the chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be

printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1400

The SPEAKER pro tempore (Mr. GUTKNECHT). The gentleman from Texas (Mr. SESSIONS) is recognized for one hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 44 is an open rule providing for consideration of H.R. 437, the Presidential and Executive Office Financial Accountability Act of 1999, a bill that will build on the success of the CFO, Chief Financial Officers Act of 1990, by providing a CFO in the Executive Office of the President of the United States.

H. Res. 44 is an open rule, providing one hour of general debate, divided equally between the chairman and ranking minority member of the Committee on Government Reform. The rule provides that the bill will be for consideration as read. Members who have preprinted their amendments in the record prior to their consideration will be given priority in recognition to offer their amendments if otherwise consistent with House rules.

The rule allows for the chairman of the Committee of the Whole to postpone votes during consideration of the bill and to reduce votes to 5 minutes on a postponed question if the vote follows a 15 minute vote. Finally, the rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, this legislation builds on the legislation the House passed just this week, the Mandates Information Act, by making the Federal Government more accountable. Additionally, it is one more example of a common theme in this Republican Congress, making the Federal Government accountable to the American people.

As an original cosponsor and advocate of the identical legislation, H.R. 1962, that passed the House 413 to 3 in the 105th Congress, I am pleased that the Presidential and Executive Financial Accountability Act is before us

today. The other body was unable to take up this important legislation in the last Congress.

This legislation brings the agencies of the Executive Office of the President under the requirements of the Chief Financial Officers, or CFO, Act. The CFO Act was inspired by the realization that billions of dollars was lost through waste, fraud and abuse in the Federal Government each year.

As chairman of the Results Caucus, a bipartisan team of Members focused on ridding our Federal Government of its major management problems, I have seen report after report which has focused on insufficient and inefficient financial management systems that fail to produce consistent and reliable data.

In fact, the General Accounting Office in a report issued in January of this year gave details about the Department of Defense's accounting system. It reported that "over \$9 billion in known military operating materials and supplies were not reported." That same Defense Department did not have reliable information on important items of inventory, including "the number and location of military equipment items, such as F-4 engines and service craft."

The CFO Act was designed to improve financial management and to coordinate internal controls and financial accounting. Chief Financial Officers oversee all financial management activities in their agencies and report directly to the head of an agency on financial matters. It certainly is clear that such practices are needed in the White House.

This legislation fixes an oversight in the original CFO Act. Unfortunately, the original act never applied to the Executive Office of the President. H.R. 437, the Presidential and Executive Office Accountability Act of 1999, will do so in a way that recognizes that unique circumstances of that office exist. It will establish a chief financial officer in the executive offices of the President, and will review and audit the White House's financial systems and its records. The CFO duties are to comply with those requirements set forth in the CFO Act, but is limited by discretion of the President.

When the annual fiscal report on the Federal Government was recently released, the government accounting office told us that "significant financial system weaknesses, problems with fundamental record keeping, incomplete documentation and weak internal controls, including computer reports, prevent the government from accurately reporting a large portion of its assets, liabilities and costs."

In other words, this administration cannot tell you how much money it receives, how much money it spends and what it spends its money on, what property it owns, where that property goes, or how much that property is worth. There is no evidence that the executive offices at the White House are any different from those reports that have been issued already.

Passage of this bill is another signal to the taxpayers that we will ferret out waste, fraud and abuse wherever it is found. Once again, the White House is not immune to this, and, thus, is no different than any other agency.

Mismanagement is found throughout the Executive Branch also. Investigation after investigation has turned over evidence of waste, fraud and abuse. The White House Travel Office, the White House Communications Agency, the FBI files matter, are all evidence that the White House needs its own watchdog. This legislation puts us on the right track.

I urge my colleagues to pass this fair, open rule and the underlying legislation.

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

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

Mr. Speaker, H.R. 437, the Presidential and Executive Office Financial Accountability Act of 1999, is identical to a bill passed by the House in the 105th Congress under suspension of the rules by a roll call vote of 413 to 3. The Senate failed to act on this legislation in the last Congress, and so the House is again considering this proposal.

Mr. Speaker, H.R. 437 will be considered under an open rule, but, because there was no opposition to the bill when the Committee on Rules held its hearing Tuesday, it is unlikely there will be any substantive amendments offered to it.

The bill requires the President to appoint or designate a chief financial officer in the Executive Office of the President in order that financial management practices in the Office of the President might be brought into conformity with the practices in the 24 cabinet departments or major agencies that have been in place since the passage of the Chief Financial Officers Act of 1990 and the Government Management Reform Act of 1994.

Mr. Speaker, I know of no opposition to this legislation or to this rule.

Mr. Speaker, I reserve balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. Mr. Speaker, I rise in support of the rule for H.R. 437, the Presidential and Executive Office Financial Accountability Act. I commend the chairman of the Committee on Rules, the gentleman from California (Mr. DREIER), and the ranking member, the gentleman from Massachusetts (Mr. MOAKLEY), on this fair and open rule. I am pleased that Members have the opportunity to amend the bill at any point, and I urge my colleagues to support this resolution.

As the Vice Chair of the Committee on Government Technology, I am committed to the sound management of our Nation's government. This year the subcommittee has an ambitious agenda of hearings and legislation designed to

make government more efficient. As an original cosponsor of the Executive Office Financial Accountability Act, I am pleased that the House has affirmed the importance of the subcommittee's work and that it will consider this act as one of its first orders of business.

Mr. Speaker, every CEO in corporate America, every director of a large non-profit institution, even the leaders of our Nation's churches and synagogues, rely on one key individual within their organization, the chief financial officer.

Why do all of these leaders rely upon the CFO? It is to protect the resources of their shareholders, their donors, their congregations. It is to guard against mismanagement and inefficiencies, waste, fraud and abuse. It is to ensure that there is in place the sound fiscal management and strict internal controls that allow their organizations to run smoothly and achieve their goals.

Nine years ago this body voted to give the CEOs of our major Executive Branch agencies the same important resource that America's CEOs have enjoyed and relied upon for decades, the chief financial officer. In the nine years since our agencies created these offices, billions of dollars in taxpayer dollars have been saved through more efficient management practices and the ferreting out of waste, fraud and abuse.

Yet, today, some of our Nation's most important government business is handled in offices that lack this key resource, the office of the U.S. Trade Representative, the Office of Drug Control Policy, OMB, the White House Office, National Security Council and seven others.

Mr. Speaker, the nature of the work of these executive offices is no less deserving of these important financial safeguards and efficiencies than our other Executive Branch agencies. In fact, with a budget of more than \$246 million this year, the Executive Office of the President would rank among the top 200 companies in the Chicago area.

Let us give to the CEO of our Nation's highest office, the President, the same important resource enjoyed by all the other CEOs in America. Let us ensure that taxpayer dollars are guarded from waste, mismanagement and inefficiencies in all areas, in all offices of government.

I urge my colleagues to support the bill sponsored by the gentleman from California (Mr. HORN), which will extend the CFO act to the Office of the President. In addition, I hope all Members will support this open rule.

Mr. SESSIONS. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the distinguished chairman of the Committee on Rules.

Mr. DREIER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise to extend congratulations to my friend from Dallas for the very, very hard work he has put

into the product that we are seeing here. I say that not because of his work on the Committee on Rules, but because he formerly served as a member of the Committee on Government Reform and Oversight and has been very, very involved in many of these key issues which were designed to increase accountability and ensure that we streamline operations so that we can deal with the taxpayer dollar in the most effective way.

The prospect of establishing a chief financial officer to look at the litany of questions that are there is the right thing to do.

When I think of the beginning that the gentleman from Texas (Mr. SESSIONS) has launched here as a member of the Committee on Rules in managing his first rule on the floor, I know it is an indication of the fine work to come, because it has been evidenced in the work he has done on so many other committees in the past.

□ 1415

So I appreciate his fine leadership here, and I strongly support the rule, and I urge my colleagues to join in a bipartisan way in supporting both the rule and the underlying legislation.

Mr. SESSIONS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. SESSIONS). Pursuant to House Resolution 44 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 437.

□ 1418

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 437) to provide for a Chief Financial Officer in the Executive Office of the President, with Mr. CALVERT in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from California (Mr. HORN) and the gentleman from Texas (Mr. TURNER) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. HORN).

Mr. HORN. Mr. Chairman, for purposes of debate, I will be yielding myself and others particular time to speak on this issue, and at this time I yield myself such time as I may consume.

Mr. Chairman, during a speech in Ashland, Kentucky in March of 1829, the distinguished former Speaker of this House, Henry Clay said, "Government is a trust, and the officers of the

government are trustees, and both the trust and the trustees are created for the benefit of the people." If the government is created for the benefit of the people, as Clay so eloquently argued, the government must be accountable to the people.

The Constitution of the United States recognizes the need for accountability in its Federal Government. It is in the spirit of this concept that the framers of the Constitution formulated a three-branch, separation of powers form of government, instilled with a system of checks and balances. The nature of oversight, which is to monitor, review, supervise, or investigate executive activities, was implied in the Constitution rather than explicitly enumerated. In "Congress Investigates: 1792-1794," historian Arthur M. Schlesinger, Jr., noted, "expressed authority to conduct investigations and compel testimony was not considered necessary to make an explicit grant of authority, because the power to make the laws implied the power to see whether they were faithfully executed."

Congress oversees the executive branch by reviewing, monitoring and supervising the implementation of public policy. Early Congresses developed their oversight by using techniques such as special investigations, reporting requirements, and resolutions of inquiry. Public laws and congressional rules have enhanced Congress' implied power under the Constitution to conduct such an oversight.

It was not until the Legislative Reorganization Act of 1946, the so-called La Follette-Monroney Act, that oversight was given explicit recognition by statute. That Act required Senate and House committees to exercise "continuous watchfulness" over programs and agencies within their jurisdiction. The House Committee on Government Operations, which grew out of that act, the predecessor of the present Committee on Government Reform and Oversight, was given an explicit oversight mandate in connection with its broad jurisdiction.

The creation of the Committee on Government Reform and Oversight stemmed from the concept that the Federal Government must be financially accountable to the taxpayer by verifying the way in which government spends taxpayers' monies. The Committee on Government Reform and Oversight has existed in many forms since the earliest days of the Republic.

We have had dozens of committees on executive expenditures, and under the Budget and Accounting Act of 1921, it was made very clear that the President at last would have a unified budget to send to the Congress, and an office then known as the Bureau of the Budget to help him design that budget. That office is now the Office of Management and Budget, OMB.

But another interesting thing happened in 1921, and that was the development of the General Accounting Office in the legislative branch, headed by a

Comptroller General of the United States with a 15-year term, the emphasis being on the fiscal accounting primarily of the executive branch.

With the 1946 act, the La Follette-Monroney bill, program review also came under the purview of the General Accounting Office. So chief financial officers, in essence the idea has gone back 200 years, that the legislative branch wants to make sure that the leadership of the executive branch have the tools that will help them administer the laws and faithfully see that they are carried out.

It has been stated that the bipartisan Chief Financial Officer Act of 1990 was one of the most important legislative efforts in the last half century, and has gone very far in improving the government's fiduciary accountability. After several years of oversight and legislative hearings, Congress passed and the President signed the bill into law on November 15, 1990. This act sought to improve financial management practices by creating a new leadership structure for Federal financial management.

The Act created, among other things, two new positions within the Office of Management and Budget: a chief financial officer and a deputy chief financial officer of the Federal Government, the executive branch. It also instituted chief financial officers in each of the major cabinet departments and independent agencies. The Act was intended to improve agency accounting and financial management, to assure reliable financial information, and to deter waste, fraud and abuse of government resources.

Since passage of the Chief Financial Officer Act, other congressional initiatives have attempted to bring the major Federal departments and agencies into compliance with existing Federal financial management laws. The Government Management Reform Act of 1994 established a requirement for department and agency heads to submit to the Office of Management and Budget audited financial statements. In addition, the Act established a mandate for the department and agency heads to submit to the President and Congress an audited financial statement covering all Federal executive branch agencies for the preceding year.

That bipartisan legislation gave the executive branch five years in order to give us a balance sheet, and progress is slowly being made. But once we get the systems there, we can use the comptrollership and the financial officer function to assure that deterrence is made to any that would abuse the fiscal resources of the taxpayer as budgeted by Congress to the executive branch.

The Chief Financial Officer Act and those initiatives have incorporated concepts developed over 50 years to improve the Federal Government's financial management. The Federal Government must perform its financial management practices in a more business-like manner, we all know that, using

financial practices that have proved successful in the private sector, in the nonprofit sector, in universities, in any organized human entity. Obtaining better control of government spending will restore public confidence. It will also serve to eliminate the unacceptable costs associated with waste, fraud, abuse and mismanagement that are prevalent in many types of government spending, and with money that would be better used in helping people in programs that have been created by the President and by the Congress.

Those who administer Federal departments and agencies must be accountable to the citizens and taxpayers of the Nation for their financial management. This right and proper notion should be no less true for the executive office of the President. In that spirit today, we are proposing to extend application of the Chief Financial Officer Act of 1990 to the Executive Office of the President.

The Executive Office of the President is a collection of various agencies, most of which seek to advise the President and help him in the management role that he has as the chief executive of the United States in charge of the executive branch of government. Under President Franklin Roosevelt's Executive Order 8248 of September 8, 1939, divisions within the executive office and functions were designed and defined and established by that order. A variety of agencies were transferred to the Executive Office of the President by President Roosevelt's Reorganization Plans I and II of 1939. After that, often by statute or other Presidents.

The executive office currently now consists of the Executive Residence, the White House; the Council of Economic Advisors, which was authorized under President Truman; the Council on Environmental Quality; the National Security Council, another major agency authorized during the Truman administration; as well as the Offices of the Vice President; Office of Administration, to try to bring some order out of the functions within the Executive Office of the President; and of course the very powerful Office of Management and Budget, OMB, the descendent of the Bureau of the Budget that started out in the Treasury in 1921, until President Roosevelt reorganized it and put it in this executive office. Also, the National Drug Control Policy. Then there is the Office of Policy Development, the Science and Technology Policy that goes back to President Eisenhower; and the United States Trade Representative, a key position to coordinate other cabinet officials in terms of America's global economy and trade.

Over the years, in both Democratic and Republican administrations, there have been some egregious examples of financial waste and abuse in the Executive Office of the President due to poor accounting controls. For example, a chief financial officer might have uncovered and corrected the unorthodox

accounting practices that prevailed in the White House Travel Office. That was not a partisan situation; that was a bipartisan Travel Office that did not have the kinds of financial safeguards they should have had in many areas. A chief financial officer would have provided the Travel Office managers with the guidance and the expertise that they sorely needed, but they never received.

Similar to the chief financial officers in 24 Federal departments and agencies, a chief financial officer in the Executive Office of the President would enhance accountability and ensure fiscal responsibility throughout the Executive Office of the President. H.R. 347, the Presidential and Executive Office Financial Accountability Act of 1999, will accomplish this goal. Specifically, the bill would ensure that the Executive Office of the President complies with The Chief Financial Officers Act.

H.R. 437 stems from the Presidential and Executive Office Accountability Act of 1996, which passed the House by an overwhelming margin of 410 to 5 in the 104th Congress. The purpose of that act was to apply Federal workplace laws to the Executive Office of the President. Unfortunately, with little time remaining in the 104th Congress, several provisions of the House-approved bill, including the provision to apply the Chief Financial Officer Act to the Executive Office of the President, were removed prior to passage in the Senate.

In the 105th Congress, the Committee on Government Reform and Oversight's Subcommittee on Government Management, Information and Technology held a hearing on the proposal before us on May 1, 1997. The witnesses featured the gentleman from Florida (Mr. Mica), the author of the Presidential and Executive Office Accountability Act of 1996, Edward J. Mazur, and Cornelius E. Tierney. Mr. Mazur was Vice President of Administration and Finance at Virginia State University, former Controller, Office of Federal Financial Management, part of OMB.

□ 1430

He was the first controller to be appointed pursuant to the Chief Financial Officers Act, and oversaw its implementation in executive branch agencies. Mr. TIERNEY was director, Center for the Public Financial Management, George Washington University School of Business and Public Management. Mr. TIERNEY was instrumental in drafting the Chief Financial Officers Act and in guiding its subsequent implementation.

The bill before the House today, H.R. 437, is identical to the legislation passed by this House in the 105th Congress, then known as H.R. 1962. The Committee on Government Reform and Oversight completed its consideration of H.R. 1962 on September 30, 1997. The House of Representatives passed the measure by a vote of 413 to 3.

On February 2, 1999, 1½ weeks ago, I introduced the identical legislation,

now known as H.R. 437, the Presidential and Executive Office Financial Accountability Act of 1999. The bill was considered by the Committee on Government Reform on February 3, 1999, and subsequently passed unanimously by voice vote.

This measure places the agencies of the Executive Office of the President, to the fullest extent practicable, within the framework of the Chief Financial Officers Act. But in deference to the President, it is designed not simply to establish a position of chief financial officer within the Executive Office of the President, but it also gives the President the power to appoint or designate a chief financial officer who must meet the qualifications stipulated in the act of 1990.

For example, the individual must possess a demonstrated ability and knowledge of general financial management and extensive practical experience in financial management practices at large governmental or business entities.

The bill also provides that the chief financial officer in the Executive Office of the President shall have the same authority and functions that are required of chief financial officers under that act. The President shall grant this authority to the extent the President determines it is appropriate in the interests of the United States.

In recognition of the decentralized structure of the Executive Office of the President and the separation of powers, and the respect for the presidency, since the unique functions that are performed in agencies by CFOs would not necessarily be performed in the Executive Office of the President, H.R. 437 anticipates that some exemptions may be necessary, and the President would have a right to make those exemptions.

In fact, the bill provides considerable discretion for the President to exempt the new chief financial officer from a number of the responsibilities stipulated in the Chief Financial Officers Act.

Notwithstanding such possible exemptions, the bill requires that the chief financial officer in the Executive Office of the President shall perform, to the extent practicable, the general functions and duties established under the CFO Act.

The chief financial officer would oversee financial personnel, would report directly to the head of the agency regarding financial matters, and in extending the CFO Act to the Executive Office of the President the bill provides that the President, at his discretion, may designate an employee as the "head of the agency" for purposes of complying with the reporting provision of the CFO Act.

The chief financial officer would be required to develop and maintain an integrated agency accounting and financial management system, which would include financial reports and strengthened internal controls. The chief financial officer would direct and manage

the preparation of audited financial statements and the development of all executive office budgets.

Other responsibilities would include monitoring the financial execution of the budget in relation to the actual expenditures and the submission of timely performance reports. In addition, the chief financial officer must review on a biennial basis fees, royalties, rents, and other charges that might be imposed by an agency for services it provides. When necessary, the chief financial officer is required to make recommendations on revising those charges to reflect the actual costs incurred.

H.R. 437 requires the President to notify Congress of any provision of the CFO Act that the President deems inapplicable to the chief financial officer in the Executive Office of the President. Within 90 days of enactment, the President is required to communicate to the chairman of the House Committee on Government Reform and the Senate Committee on Governmental Affairs a plan for the implementation of H.R. 437.

Within 180 days of enactment, the President is required to appoint or to designate a chief financial officer under the provisions of the bill. The bill provides that the President may transfer offices, functions, powers, and duties, while promulgating the proposal.

The intent of this legislation is to foster improved systems of accounting and financial management throughout the components of the Executive Office of the President. This should facilitate prevention, or at least early detection, of waste and abuse within the Executive Office of the President. Implementation of these provisions will promote better accountability and proper fiscal management, which will provide greater efficiency and cost reductions.

H.R. 437, the Presidential Executive Office Financial Accountability Act of 1999, is an important step forward toward ensuring confidence in the ability of the Executive Office of the President to conduct its financial affairs in a responsible manner.

I urge all of my colleagues to support the important reform that was adopted last year, as I noted earlier, with only three opposing it. I would hope, if a rollcall is sought, that we would have the same outcome this year.

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

Mr. TURNER. Mr. Chairman, I yield myself such time as I may consume.

First of all, Mr. Chairman, I want to thank the gentleman from California (Mr. HORN) for his hard work on this legislation. As he mentioned, this bill passed this Congress overwhelmingly in a bipartisan fashion last session. I want to say, as the new ranking Democratic member of the Subcommittee on Government Management, Information, and Technology, that it has been a pleasure to work with the gentleman from California (Mr. HORN). He con-

ducts his committee in a bipartisan way, and we have come up here with a piece of legislation that will have overwhelming support from both sides of the aisle. I thank him for that.

H.R. 437 was reported out of our committee just last week, as the gentleman from California (Mr. HORN) mentioned. The White House has been consulted regarding this legislation, and I appreciate the efforts of the gentleman from California (Mr. HORN) in that regard.

This bill is called the Presidential and Executive Office Financial Accountability Act. Its major component is that it requires the appointment of a chief financial officer in the White House. It would mandate that this chief financial officer in the White House comply with all the provisions of the Chief Financial Officers Act that was passed in 1990. But it does give the President significant discretion in implementing the act to meet the unique needs of the executive office.

This bill, as I said, is an expansion of an existing law which was noted to be landmark legislation when it was passed in 1990. I am proud to say it was sponsored by the gentleman from Michigan (Mr. CONYERS), then the chairman of the Committee on Government Operations. This bill was passed in a bipartisan way in 1990, and it brought about needed improvements to the executive branch by requiring for the first time financial audits and sound management practices in all of our executive agencies. This legislation is widely credited with changing the way the Federal Government keeps track of all of its finances.

In addition to this landmark legislation passed in 1990, this Congress passed in 1994 the Government Management and Reform Act, another bipartisan piece of legislation which mandated that major Federal agencies conduct independent annual audits of their financial statements. The Government Management and Reform Act of 1994 grew out of Vice-President AL GORE's National Performance Review initiatives.

I was very pleased to see the Clinton administration and Vice President GORE initiate the National Performance Review because, as a former member of the Texas legislature, our State during that time provided the initial leadership for the idea of reinventing government, making it more accountable to the taxpayers.

In 1993 Vice President GORE was appointed to lead the National Performance Review. That effort has resulted in saving over \$137 billion in taxpayer monies. It has reduced the Federal civilian work force by 351,000, creating for us the smallest Federal civilian work force as a percentage of the national work force since 1931. The National Performance Review has placed in our Federal agencies over 350 reinvention labs, where management and labor are working together to try to make government work more efficiently.

In the process of implementing the recommendations of the National Performance Review, we have eliminated over 16,000 pages of Federal regulations and we have rewritten and recodified an additional 31,000. In our Federal agencies we have created organizations, over 500 of them, that are attempting to make the Federal Government and its agencies more customer-friendly.

I am pleased that this legislation to create chief financial officers in all of our Federal Government was part of Vice President GORE's National Performance Review. Again, I commend the gentleman from California (Mr. HORN) for his leadership in expanding that act to cover the office of the President.

When we look at this legislation, what we see is that the Federal Government, in a bipartisan way, is attempting to make the Federal Government and its financial practices accountable to the taxpayers. The presence of a chief financial officer in our Federal agencies and the requirements of that act have dramatically improved the financial management practices throughout government.

We believe that a chief financial officer in the Executive Office of the President will continue that positive trend which has been established in our Federal Government. For this reason, we are pleased to join with the gentleman from California (Mr. HORN) in bipartisan support of H.R. 437.

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

Mr. HORN. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I just want to say that the gentleman from Texas (Mr. TURNER) and two of his predecessors have done an outstanding job on the Subcommittee on Government Management, Information, and Technology. I have been fortunate to have the gentleman from New York (Mrs. MALONEY), the gentleman from Ohio (Mr. KUCINICH), and now the gentleman from Texas (Mr. TURNER). We are all working together to try to bring order out of a very complicated executive branch that numerous presidents, regardless of party, regardless of ideology, have had difficulty managing.

What we try to work on and have done historically out of this committee is to get the type of functions and systems that would then provide leadership by whatever administration is in power so that the taxpayers could get the most for their money.

It is much like the creation of the city manager movement back in the 1920s. The question was not was it Democratic garbage or Republican garbage on the sidewalks, it was a matter of cleaning it up and getting the garbage out of the city and getting an efficient type of governance. That is exactly what we are about here, is a results-oriented type of government. The chief financial officers are absolutely integral parts of such a responsible government.

Mr. TURNER. Mr. Chairman, I yield 5 minutes to my colleague, the gentleman 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. Chairman, let me thank the gentleman from California (Mr. HORN), whose committee I do not serve on, who is promoting this legislation. But we have the pleasure, I hope, of serving on the Committee on Science, and I want to commend him for his overwhelming interest and efficiency, and particularly his interest in technology.

I would like to thank the gentleman from Texas (Mr. TURNER) for his leadership as the ranking member, and rise to support this legislation and offer a few thoughts, if I might, to suggest that Congress does in fact have good ideas. It is very helpful when Congress can work in a bipartisan manner for efficient government, and to provide the government with the right kinds of tools in order for government to be both effective and efficient.

I am glad that the gentleman from California (Chairman HORN) emphasized that the CFO that might find its way into this Administration's White House is not an indictment or comment on the present administration, but in fact this legislation will provide for a chief financial officer for all of the executives to come, and that it is in fact a bipartisan approach, as was the Office of Management and Budget and as is the Congressional Budget Office. It is to make all of us more efficient.

I am reminded of Vice President GORE's leadership on reinventing government. In fact, I can say how proud I was to be part of the first effort to reward government agencies for their efficiency in that the U.S. General Store, located in my district, in the Eighteenth Congressional District, was one of the first to receive the hammer award, hammering out waste, fraud, and abuse.

So we must acknowledge when we are able to present legislation that can hammer out waste, fraud and abuse, and I hope that the chief financial officer, as it did pass overwhelmingly in the House the last time, will be rewarded with such a vote, but that it will be taken as a signal, again not of indictment, but of recognition as an asset and a tool to be more effective.

□ 1445

I cannot go to my seat, then, without acknowledging these waning moments of the impeachment process, and hopefully that this vote will signal that we in Congress, and as the administration has already been doing, are ready to roll up our sleeves and get back to work. So many in America have acknowledged that this very tragic period, delaying period in our history, has taken us away from the real business of efficient and effective government. We have been bogged down with

accusations and charges and personal accusations. But now we are able to signal the call for coming together and work in a bipartisan manner.

I think this particular committee that deals with the oversight and technology, offering this legislation on efficiency is a fine signal to suggest to us that we must end this terrible process in our history, and we must cease and desist and move forward to heal this Nation and begin to work on issues dealing with Social Security and education and other vital issues.

For that let me thank the gentleman from California (Mr. HORN) and the ranking member for the time allotted to me. I certainly will be supportive of this efficient tool. I do think it is important that Americans realize that Congress does have good ideas and we can work in a bipartisan way with the hand of friendship extended across the aisle.

Mr. TURNER. Mr. Chairman, I yield myself such time as I may consume.

I believe that the gentleman from California (Mr. HORN) said that he had no further speakers, so I will close by simply saying that I appreciate again the gentleman's leadership on this legislation and his efforts to work in a bipartisan way; and I also want to thank the minority members of the committee who worked on this bill, the gentleman from Pennsylvania (Mr. KANJORSKI), the gentleman from New York (Mr. OWENS), the gentlewoman from Hawaii (Mrs. MINK), and the gentlewoman from New York (Mrs. MALONEY) for their efforts. I urge an "aye" vote for this legislation.

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill is considered as having been read for amendment under the 5-minute rule.

The text of H.R. 437 is as follows:

H.R. 437

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Presidential and Executive Office Financial Accountability Act of 1999".

SEC. 2. CHIEF FINANCIAL OFFICER IN THE EXECUTIVE OFFICE OF THE PRESIDENT.

(a) IN GENERAL.—Section 901 of title 31, United States Code, is amended by adding at the end the following:

"(c)(1) There shall be within the Executive Office of the President a Chief Financial Officer, who shall be designated or appointed by the President from among individuals meeting the standards described in subsection (a)(3). The position of Chief Financial Officer established under this paragraph may be so established in any Office (including the Office of Administration) of the Executive Office of the President.

"(2) The Chief Financial Officer designated or appointed under this subsection shall, to the extent that the President determines appropriate and in the interest of the United States, have the same authority and perform the same functions as apply in the case of a Chief Financial Officer of an agency described in subsection (b).

"(3) The President shall submit to Congress notification with respect to any provision of section 902 that the President determines shall not apply to a Chief Financial Officer designated or appointed under this subsection.

"(4) The President may designate an employee of the Executive Office of the President (other than the Chief Financial Officer), who shall be deemed 'the head of the agency' for purposes of carrying out section 902, with respect to the Executive Office of the President."

(b) PLAN FOR IMPLEMENTATION.—Not later than 90 days after the date of the enactment of this Act, the President shall communicate in writing to the Chairman of the Committee on Government Reform of the House of Representatives and the Chairman of the Committee on Governmental Affairs of the Senate a plan for implementation of the provisions of, including the amendments made by, this Act.

(c) DEADLINE FOR APPOINTMENT.—The Chief Financial Officer designated or appointed under section 901(c) of title 31, United States Code (as added by subsection (a)), shall be so designated or appointed not later than 180 days after the date of the enactment of this Act.

(d) PAY.—The Chief Financial Officer designated or appointed under such section shall receive basic pay at the rate payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(e) TRANSFER OF FUNCTIONS.—(1) The President may transfer such offices, functions, powers, or duties thereof, as the President determines are properly related to the functions of the Chief Financial Officer under section 901(c) of title 31, United States Code (as added by subsection (a)).

(2) The personnel, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available or to be made available, of any office the functions, powers, or duties of which are transferred under paragraph (1) shall also be so transferred.

(f) SEPARATE BUDGET REQUEST.—Section 1105(a) of title 31, United States Code, is amended by inserting after paragraph (30) the following new paragraph:

"(31) a separate statement of the amount of appropriations requested to carry out the provisions of the Presidential and Executive Office Financial Accountability Act of 1999."

(g) TECHNICAL AND CONFORMING AMENDMENTS.—Section 503(a) of title 31, United States Code, is amended—

(1) in paragraph (7) by striking "respectively," and inserting "respectively (excluding any officer designated or appointed under section 901(c));"; and

(2) in paragraph (8) by striking "Officers." and inserting "Officers (excluding any officer designated or appointed under section 901(c))."

The CHAIRMAN. During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

Are there any amendments to the bill?

If not, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SESSIONS) having assumed the Chair, Mr. CALVERT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 437) to provide for a Chief Financial Officer in the Executive Office of the President, pursuant to House Resolution 44, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. HORN. Mr. Speaker, on that, I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 413, nays 2, not voting 18, as follows:

[Roll No. 21]

YEAS—413

Abercrombie Camp Dooley
 Aderholt Campbell Doolittle
 Allen Canady Doyle
 Andrews Cannon Dreier
 Archer Capps Duncan
 Arney Capuano Dunn
 Bachus Cardin Edwards
 Baird Carson Ehlers
 Baker Castle Emerson
 Baldacci Chabot English
 Baldwin Chambliss Eshoo
 Ballenger Chenoweth Etheridge
 Barcia Clay Evans
 Barr Clayton Ewing
 Barrett (NE) Clement Farr
 Barrett (WI) Clyburn Fattah
 Bartlett Coble Filner
 Barton Coburn Fletcher
 Bass Collins Foley
 Bateman Combest Forbes
 Becerra Condit Ford
 Bentsen Conyers Fossella
 Bereuter Cook Fowler
 Berkley Cooksey Frank (MA)
 Berman Costello Franks (NJ)
 Berry Cox Frelinghuysen
 Biggert Coyne Frost
 Bilbray Cramer Gallegly
 Bilirakis Crane Ganske
 Bishop Crowley Gejdenson
 Blagojevich Cubin Gekas
 Bliley Cummings Gephardt
 Blumenauer Cunningham Gibbons
 Blunt Danner Gilchrist
 Boehlert Davis (FL) Gillmor
 Boehner Davis (IL) Gilman
 Bonilla Davis (VA) Gonzalez
 Bonior Deal Goode
 Borski DeFazio Goodlatte
 Boswell DeGette Goodling
 Boucher Delahunt Gordon
 Boyd DeLauro Gordon
 Brady (PA) DeLay Granger
 Brown (CA) DeMint Green (TX)
 Brown (FL) Deutsch Green (WI)
 Brown (OH) Diaz-Balart Greenwood
 Bryant Dickey Gutierrez
 Burr Dicks Gutknecht
 Burton Dingell Hall (OH)
 Callahan Dixon Hall (TX)
 Calvert Doggett Hansen

Hastings (FL) McIntosh
 Hastings (WA) McIntyre
 Hayes McKinney
 Hayworth McKee
 Hefley McKinney
 Herger McNulty
 Hill (IN) Meehan
 Hill (MT) Meeks (NY)
 Hilleary Menendez
 Hilleard Metcalf
 Hinchey Millender-
 Hinojosa McDonald
 Hobson Miller (FL)
 Hoeffel Miller, Gary
 Hoekstra Miller, George
 Holden Minge
 Holt Mink
 Hooley Moakley
 Horn Mollohan
 Hostettler Moore
 Houghton Moran (KS)
 Hoyer Moran (VA)
 Hulshof Morella
 Hunter Murtha
 Hutchinson Myrick
 Hyde Nadler
 Inslee Napolitano
 Istook Neal
 Jackson (IL) Nethercutt
 Jackson-Lee Ney
 (TX) Northup
 Jefferson Norwood
 Jenkins Nussle
 John Oberstar
 Johnson (CT) Obey
 Johnson, E. B. Olver
 Johnson, Sam Ortiz
 Jones (NC) Ose
 Jones (OH) Owens
 Kanjorski Oxley
 Kaptur Packard
 Kasich Pallone
 Kelly Pascrell
 Kennedy Pastor
 Kildee Payne
 Kilpatrick Pease
 Kind (WI) Pelosi
 King (NY) Peterson (MN)
 Kleczka Peterson (PA)
 Klink Petri
 Knollenberg Phelps
 Kucinich Pickering
 Kuykendall Pickett
 LaFalce Pitts
 LaHood Pombo
 Lampson Pomeroy
 Largent Porter
 Larson Portman
 Latham Price (NC)
 LaTourette Pryce (OH)
 Lazio Quinn
 Leach Radanovich
 Lee Rahall
 Levin Ramstad
 Lewis (CA) Rangel
 Lewis (GA) Regula
 Lewis (KY) Reyes
 Linder Reynolds
 Lipinski Riley
 Livingston Rivers
 LoBiondo Rodriguez
 Loney Roemer
 Lucas (KY) Rogan
 Lucas (OK) Rogers
 Luther Rohrabacher
 Maloney (CT) Ros-Lehtinen
 Manzullo Rothman
 Markey Roukema
 Martinez Roybal-Allard
 Mascara Ryan (WI)
 Matsui Ryun (KS)
 McCarthy (MO) Sabo
 McCarthy (NY) Salmon
 McCollum Sanchez
 McCrery Sandlin
 McDermott Sanford
 McGovern Sawyer
 McHugh Saxton

NAYS—2

Paul Ackerman
 Bono Graham
 Brady (TX) Kingston
 Buyer Kolbe
 Ehrlich Lantos
 Engel Lofgren

NOT VOTING—18

Maloney (NY)
 Meek (FL)
 Mica
 Rush
 Sanders
 Taylor (MS)

Scarborough
 Schaffer
 Schakowsky
 Scott
 Sensenbrenner
 Serrano
 Sessions
 Shadegg
 Shaw
 Shays
 Sherman
 Sherwood
 Shimkus
 Shows
 Shuster
 Simpson
 Sisisky
 Skeen
 Skelton
 Slaughter
 Smith (MI)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Snyder
 Souder
 Spence
 Spratt
 Stabenow
 Stark
 Stearns
 Stenholm
 Strickland
 Stump
 Stupak
 Sununu
 Sweeney
 Talent
 Tancredo
 Tanner
 Tauscher
 Tauzin
 Taylor (NC)
 Terry
 Thomas
 Thompson (CA)
 Thompson (MS)
 Thornberry
 Thune
 Thurman
 Tiahrt
 Tierney
 Toomey
 Towns
 Traficant
 Turner
 Udall (CO)
 Udall (NM)
 Upton
 Velazquez
 Vento
 Visclosky
 Walden
 Walsh
 Wamp
 Waters
 Watkins
 Watt (NC)
 Watts (OK)
 Waxman
 Weiner
 Weldon (FL)
 Weldon (PA)
 Weller
 Wexler
 Weygand
 Whitfield
 Wicker
 Wilson
 Wise
 Wolf
 Woolsey
 Wu
 Wynn
 Young (AK)
 Young (FL)

□ 1508

Mr. EDWARDS changed his vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. Bono.
 Mr. Ehrlich.

Mr. MICA. Mr. Speaker, on rollcall No. 21, because of my participation in a Florida Anti Drug Summit and meetings with Florida Governor Bush in Tallahassee I was not present. Had I been present, I would have voted “yes.”

GENERAL LEAVE

Mr. HORN. 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. 437.

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

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. BONIOR. Mr. Speaker, may I inquire of the distinguished majority leader the schedule for today, the remainder of the week, and when next we meet?

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

Mr. BONIOR. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Speaker, I thank the gentleman from Michigan for yielding.

Mr. Speaker, I am pleased to announce that we have concluded legislative business for the week.

Tomorrow the House will meet at 10:00 a.m. for a pro forma session. As today's Whip Call indicated, there will be no legislative business and no votes tomorrow.

Next week, the House will stand adjourned for the President's Day district work period.

The House will return from the work period on Tuesday, February 23, at 12:30 p.m. for morning hour and at 2:00 p.m. for legislative business. Votes are expected after 2:00 p.m. on Tuesday, February 23.

Mr. Speaker, a Whip notice outlining legislative business for the week of February 23 will be distributed to Members' offices next week. But we do expect to conclude legislative business that week by 6:00 p.m. on Thursday, February 25. Mr. Speaker, there will be no votes on Friday, February 26.

I thank the gentleman for yielding.

Mr. BONIOR. Mr. Speaker, reclaiming my time, if I could inquire from my friend, the gentleman from Texas (Mr. ARMEY), about the schedule for tomorrow.

I thank my colleague for letting us know that there is no session tomorrow. I would just say that, as we know, tomorrow was going to be a legislative voting day on an uncontroversial bill and we had announced to our colleagues on this side of the aisle that it was going to be a voting day. In fact, at our whip meeting this morning I made that same announcement. And then later in the morning, less than 24 hours in advance, we received notice that it had been canceled.

Now, I appreciate the gentleman doing that, and I understand that sometimes it is difficult to get a gauge on whether or not we are going to go forward with the rest of the week. But I would hope that, in the spirit of bipartisanship, that we could get a commitment to these changing schedules at least a day in advance so that we could notify our colleagues about their travel plans.

And so I understand it is a common problem, and we had the same problem when we were in the majority, but to the extent that you can help accommodate us with respect to more advance on this, we would indeed appreciate it.

Mr. ARMEY. Mr. Speaker, if the gentleman would further yield, let me thank the gentleman from Michigan for that observation.

Mr. Speaker, as we know, the Members do have a very difficult time making arrangements, especially in the face for example of a temporary strike by one of the major carriers, and so forth. We did find out this morning that the markup that we were so dependent upon in one of our committees went well and so expeditiously that we could change plans for tomorrow.

I join the gentleman from Michigan in hoping that we can get that kind of information earlier; and I assure him that as soon as I know that we can change any portion of the printed schedule, I will inform him.

That is why I am so delighted to be able to tell him, as I learned just yesterday, that we will be able to afford every individual an opportunity to know now that we will conclude business on the 25th at 6:00 and there will be no votes as previously announced on that Friday the 26th.

If the gentleman and I can work together and with our committees and with the cooperation of key people within the committees, perhaps we can expedite this information and flow it to our Members more quickly, and I certainly look forward to that opportunity.

□ 1515

Mr. BONIOR. Mr. Speaker, I thank my colleague, and one other point: Does the gentleman expect that the week of February 23, those days that we are in any late-evening sessions?

Mr. ARMEY. I thank the gentleman for the inquiry. No, I do not believe so. We do, of course, have a lot of committee work that will be getting done during that week, and we have a good

deal of important legislation we will schedule for, but I do not anticipate any late evenings.

Mr. BONIOR. I thank the gentleman from Texas.

TECHNICAL CORRECTIONS REGARDING REPORTS BY POSTMASTER GENERAL ON OFFICIAL MAIL OF HOUSE OF REPRESENTATIVES

Mr. EHLERS. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the bill (H.R. 705) to make technical corrections with respect to the monthly reports submitted by the Postmaster General on official mail of the House of Representatives, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

Mr. HOYER. Mr. Speaker, reserving the right to object, and I have no intention of objecting, but I yield to the gentleman from Michigan (Mr. EHLERS) for the purposes of explaining the bill in question.

Mr. EHLERS. Mr. Speaker, H.R. 705 improves the efficiency of mail reporting for Members by removing the requirement that the percentage of the mail allowance expended each month be reported. As our Committee on House Administration has increased the flexibility of Members with regard to the Member's allowance, this percentage report has become unnecessary and also creates inefficient paperwork. The actual amount used for mail each month will be reported, but this will remove the monthly reporting requirement and increase the administrative efficiency of the House.

Mr. HOYER. Mr. Speaker, I thank the gentleman for his explanation.

As this technical amendment was explained to me, Mr. Speaker, current Postal Service reporting requirements are continued with a modification which conforms those reports to the way the House now administers Members' allowances. I understand that there are additional technical amendments to this section which need to be worked out but that this particular amendment is time-sensitive, and that staff will present additional amendments for committee consideration in the next few months.

Is that the gentleman's understanding?

Mr. EHLERS. Mr. Speaker, if the gentleman from Maryland would continue to yield, that is my understanding, and I believe it is a good action that we should take at this point.

Mr. HOYER. Mr. Speaker, further reserving the right to object, I thank the gentleman from Michigan (Mr. EHLERS), and, Mr. Speaker, based upon the gentleman's representation, if that is all this technical amendment does, then I will certainly withdraw my reservation of objection.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 705

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

SECTION 1. TECHNICAL CORRECTIONS REGARDING REPORTS BY POSTMASTER GENERAL ON OFFICIAL MAIL OF HOUSE OF REPRESENTATIVES.

(a) IN GENERAL.—Section 311(b)(2) of the Legislative Branch Appropriations Act, 1991 (2 U.S.C. 59e(b)(2)) is amended by striking “any person with an allocation under subsection (a)(2)” and inserting the following: “any person with an allocation under subsection (a)(2)(A) as to the amount that has been used and any person with an allocation under subsection (a)(2)(B)”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to January 1999 and each succeeding month.

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.

AUTHORIZING SPEAKER, MAJORITY LEADER AND MINORITY LEADER TO ACCEPT RESIGNATIONS AND MAKE APPOINTMENTS NOTWITHSTANDING ADJOURNMENT

Mr. EHLERS. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until Tuesday, February 23, 1999, the Speaker, Majority Leader and Minority Leader be authorized to accept resignations and to make appointments authorized by law or by the House.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, FEBRUARY 24, 1999

Mr. EHLERS. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, February 24, 1999.

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

There was no objection.

MAKING IN ORDER APPOINTMENT OF TWO MEMBERS TO REPRESENT THE HOUSE OF REPRESENTATIVES AT CEREMONIES FOR THE OBSERVANCE OF GEORGE WASHINGTON'S BIRTHDAY

Mr. EHLERS. Mr. Speaker, I ask unanimous consent that it shall be in order for the Speaker to appoint two Members of the House, one upon the

recommendation of the Minority Leader, to represent the House of Representatives at appropriate ceremonies for the observance of George Washington's birthday to be held on Monday, February 22, 1999.

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

There was no objection.

APPOINTMENT OF MEMBERS TO REPRESENT THE HOUSE OF REPRESENTATIVES AT CEREMONIES FOR THE OBSERVANCE OF GEORGE WASHINGTON'S BIRTHDAY

The SPEAKER pro tempore. Pursuant to the order of the House of today, the Chair announces the Speaker's appointment of the following Members to represent the House of Representatives at appropriate ceremonies for the observance of George Washington's birthday to be held on Monday, February 22, 1999:

Mr. WOLF of Virginia and,
Mr. MORAN of Virginia.

There was no objection.

APPOINTMENT OF MEMBERS TO UNITED STATES GROUP OF NORTH ATLANTIC ASSEMBLY

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of 22 U.S.C. 1928a, the Chair announces the Speaker's appointment of the following Members of the House to the United States Group of the North Atlantic Assembly:

Mr. BEREUTER of Nebraska, chairman,

Mr. BATEMAN of Virginia,
Mr. BLILEY of Virginia,
Mr. BOEHLERT of New York,
Mr. REGULA of Ohio,
Mrs. ROUKEMA of New Jersey,
Mr. GILLMOR of Ohio,
Mr. GOSS of Florida,
Mr. DEUTSCH of Florida,
Mr. BORSKI of Pennsylvania,
Mr. LANTOS of California and,
Mr. RUSH of Illinois.

There was no objection.

APPOINTMENT OF MEMBER TO CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of 22 U.S.C. 276d, the Chair announces the Speaker's appointment of the following Member of the House to the Canada-United States Inter-parliamentary Group:

Mr. HOUGHTON of New York, chairman.

There was no objection.

APPOINTMENT OF MEMBER TO MEXICO-UNITED STATES INTER-PARLIAMENTARY GROUP

The SPEAKER pro tempore. Without objection, and pursuant to the provisions

of 22 U.S.C. 276h, the Chair announces the Speaker's appointment of the following Member of the House to the Mexico-United States Inter-parliamentary Group:

Mr. KOLBE of Arizona, chairman.

There was no objection.

APPOINTMENT OF MEMBERS TO THE HOUSE OF REPRESENTATIVES PAGE BOARD

The SPEAKER pro tempore. Without objection, and pursuant to the provision of Section 127 of Public Law 97-377, the Chair announces the Speaker's appointment of the following Members of the House to the United States House of Representatives Page Board:

Mrs. KELLY of New York and
Mr. KOLBE of Arizona.

There was no objection.

DESIGNATION OF THE HON. CONSTANCE A. MORELLA TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH FEBRUARY 23, 1999

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

WASHINGTON, DC,

February 11, 1999.

I hereby designate the Honorable Constance A. Morella to act as Speaker pro tempore to sign enrolled bills and joint resolutions through February 23, 1999.

J. DENNIS HASTERT,

Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the designation is agreed to. There was no objection.

COMMUNICATION FROM HON. RICHARD A. GEPHARDT, DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable RICHARD A. GEPHARDT, Democratic leader of the House of Representatives:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,

Washington, DC, February 11, 1999.

Hon. J. DENNIS HASTERT,
Speaker of the House, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to subsection 127 of Public Law 97-377 (2. U.S.C. 88b-3), I hereby appoint the following Members to the House of Representatives Page Board: Mr. Kildee, MI.

Yours Very Truly,

RICHARD A. GEPHARDT.

COMMUNICATION FROM HON. RICHARD A. GEPHARDT, DEMOCRATIC LEADER

The Speaker pro tempore laid before the House the following communication from the Honorable RICHARD A. GEPHARDT, Democratic leader of the House of Representatives:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, January 28, 1999.
Hon. J. DENNIS HASTERT,
Speaker of the House, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 3(b) of Public Law 105-341, I hereby appoint the following Member and individuals to the Woman's Progress Commemoration Commission: Ms. Slaughter, NY; Ms. Clayola Brown of New York, NY; and Ms. Barbara Haney of Irvine, NJ.

Yours Very Truly,

RICHARD A. GEPHARDT.

COMMUNICATION FROM HON. RICHARD A. GEPHARDT, DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable RICHARD A. GEPHARDT, Democratic leader of the House of Representatives:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,

Washington, DC, January 21, 1999.

Hon. J. DENNIS HASTERT,
Speaker of the House, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER, Pursuant to section 995(b)(1)(B) of Public Law 105-83, I hereby reappoint the following Member to the National Council on the Arts: Ms. Lowey, NY.

Yours Very Truly,

RICHARD A. GEPHARDT.

COMMUNICATION OF HON. RICHARD A. GEPHARDT, DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable RICHARD A. GEPHARDT, Democratic leader of the House of Representatives:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,

Washington, DC, February 11, 1999.

Hon. J. DENNIS HASTERT,
Speaker of the House, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to subsection (c)(3) of Division A, Public Law 105-277, I hereby appoint the following individuals to the Trade Deficit Review Commission: Mr. George Becker of Pittsburgh, PA; Mr. Kenneth Lewis of Portland, OR; and Mr. Michael Wessel of Falls Church, VA.

Yours Very Truly,

RICHARD A. GEPHARDT.

COMMUNICATION FROM HON. RICHARD A. GEPHARDT, DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable RICHARD A. GEPHARDT, Democratic leader of the House of Representatives:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,

Washington, DC, January 27, 1999.

Hon. J. DENNIS HASTERT,
Speaker of the House, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 852(b) of Public Law 105-244, I hereby appoint the following Member and individual to the Web-Based Education Commission: Mr.

Fattah, PA; and Mr. Doug King of St. Louis, MO.

Yours Very Truly,

RICHARD A. GEPHARDT.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3

Mr. EWING. Mr. Speaker, I am a cosponsor on H.R. 3, and I ask unanimous consent to have my name removed as a cosponsor of that legislation.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

KEEPING THE PROMISE TO OUR VETERANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

Mr. FILNER. Mr. Speaker, I rise today to call the attention of the House to five bills I have introduced to address some major concerns of our Nation's service members, military retirees and veterans.

The first is H.R. 363, the Military Survivor's Equity Act. It is hard to believe that we continue to condone a system that penalizes the aging widows of our Nation's veterans, but that is exactly what the Military Survivors Benefits Plan does. When a member of the military retires, he or she may join the Survivors Benefits Plan, known as the SBP. After paying a premium for many, many years, the retiree expects that his or her spouse will receive 55 percent of the retired military pay.

Most of the survivors who receive SBP benefits are military widows. You may not realize that when these widows who are receiving SBP benefits turn 62, a Social Security offset causes their benefits to be reduced from 55 percent to 35 percent of their husband's military retiree pay. This occurs even when the Social Security comes from the wife's employment.

What does this reduction mean to our Nation's military widows? I have received many letters on this subject. Let me just read from one. I am quoting:

"My husband, who served in the Army for 20 years, was on Social Security disability because of heart problems and could no longer work. He died in July, 1995. I was then 61 years old. I received Social Security income plus my SBP. With both of these incomes, I was doing fine paying my monthly bills and having enough left for groceries. When I turned 62, I was notified that my SBP was reduced from \$476 to \$302. What a shock. This was my grocery money that they took away from me."

It is time to change this misleading, unfair law. We must provide some equity to the surviving spouses of our military retirees. My bill would fix this problem by eliminating the callous and absurd reduction in benefits and give what is expected and what is deserved: 55 percent of the military retired pay. To put it simply, no offset. A simple solution to a difficult problem, an equitable solution to a mean-spirited practice.

The second bill is H.R. 364, the Veterans' Training and Employment Bill of Rights Act. This would ensure that service-disabled veterans and veterans who serve in combat areas will be first in line for federally funded training-related services and programs. Under current law, veterans are often underserved by national programs such as the Job Training Partnership Act because it sometimes mistakenly assumes that the veterans receive the same services from the VA Department. My bill would reinforce our commitment to provide special training assistance for veterans and make it clear that eligible veterans have earned a place at the front of the line.

The bill would also establish the first effective appeals process for veterans who believe their rights have been violated under veterans' employment-related programs. The Secretary of Labor would be required to help veterans who believe that Federal contractors have not met their obligation to hire veterans and to help veterans who believe they were not given preference for enrollment in Federal training programs. This bill would provide the teeth that have been missing from some veterans' training programs and would go a long way toward ensuring that veterans' rights are respected.

A third bill is H.R. 366, the Veterans' Entrepreneurship Promotion Act.

□ 1530

Many veterans have told me that they would like to own a small business, and our national economy would certainly be strengthened if more veterans were able to establish their own companies. This bill is designed to do just that, by establishing a program to help disabled and other eligible veteran-owned small businesses compete for Federal contracts. Also included is a program of training, counseling and management assistance for veterans interested in starting a small business. Veterans who want to pursue self-employment should be supported and encouraged.

H.R. 365 is the Let Our Military Buy a Home Act. Under this plan, the Department of Defense, in cooperation with Veterans Affairs, would be permitted to test a program designed to relieve the military housing crisis. Military personnel stationed in areas where the supply of suitable military housing is adequate, as in my hometown of San Diego, could purchase homes for themselves and their families at reduced interest rates. This

practice would reduce the cost of building on-base housing and would expand opportunities for service members to own their own homes.

Initially introduced in the 104th Congress by our good friend and former colleague, the honorable and legendary G.V. Sonny Montgomery, and included in Public Law 104-106, this program was inexplicably not implemented by the Department of Defense. Sonny's idea is a good one and I encourage you to join in pursuing this creative approach to dealing with the military housing program.

Finally, a bill to Extend Commissary and Exchange Store Privileges, H.R. 362. This legislation would allow veterans with service-connected disability to use commissary and exchange stores on the same basis as the members of the Armed Forces entitled to retired pay. I believe that these veterans have earned the right to commissary privileges.

REJECT THE PRESIDENT'S BUDGET

The SPEAKER pro tempore (Mr. GREEN of Wisconsin). Under a previous order of the House, the gentleman from California (Mr. HERGER) is recognized for 5 minutes.

Mr. HERGER. Mr. Speaker, if one were to believe the White House and all they are saying regarding the debt of our Nation, one would be convinced that the President's recently released FY 2000 budget is good fiscal policy for future generations. Unfortunately, the exact opposite is true.

The White House would like the American people and this Congress to believe that the national debt is going down under their budget, but page 389 of the President's own budget from his Office of Management and Budget shows a very different picture.

Looking at the chart, we see that the total national debt goes up from \$5.394 trillion in 1998 to \$5.576 trillion in 1999, and to almost \$5.8 trillion in the Year 2000, and the red ink continues to rise every year under Clinton's budget.

The truth is, the total Federal debt under the Clinton plan does not go down, as the President would like the American people to believe. In fact, the total Federal debt goes up to the tune of over \$1.3 trillion over the next five years.

I asked the President's Budget Director, Jacob Lew, during a recent Committee on the Budget hearing about this discrepancy, and he was evasive about the fact that the President's own budget called for a \$1.3 trillion more in debt on our children and grandchildren.

I then asked Treasury Secretary Robert Rubin the next day during a Ways and Means hearing the same question, and Secretary Rubin refused to answer a simple yes or no question about whether the total debt is going up.

Regardless of where the debt is placed, it will still need to be paid, and guess who will pay it? The answer is

the American taxpayer. Debt is debt is debt. The Clinton Administration only wants to speak in terms of the publicly held debt going down.

Mr. Speaker, President Clinton and his administration are misleading the American people when they say the public debt is going down. They are telling half a truth. The President and his administration are correct in saying the public debt will go down over the next few years, but what they are not telling you is that the debt held by the Social Security and other trust funds is going up, and that it is going up at a faster rate than the public debt is going down, which means the total debt goes up by, yes, \$1.3 trillion over the next five years under President Clinton's budget. No matter if debt is held by the public or in the various trust funds, it is still debt, and must still be paid back at some future point.

The Clinton Administration is doing future generations no favors in this budget. It is dishonest and disingenuous for the Clinton-Gore administration to tout huge surpluses on the one hand, when on the other their budget places even more debt on the shoulders of our children and grandchildren.

Mr. Speaker, this Congress and this President have not achieved true fiscal discipline and responsibility until our total national debt begins to go down.

Furthermore, as if forcing \$1.3 trillion in more debt on future generations was not enough, the President's budget called for a net tax increase of \$45.8 billion and requests \$150 billion in new spending over the next five years.

Mr. Speaker, it is the duty of this Congress to stop this assault on our future generations and all taxpayers. I urge my colleagues to reject the President's budget.

PRESERVING SOCIAL SECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

Ms. NORTON. Mr. Speaker, I want to spend my time this afternoon talking about Social Security, one of America's great all-American programs. It is in a class by itself, except for Medicare, of course. But, like so many programs, its beneficiaries vary according to race, sex or class, even given the universality of this extremely popular program.

When people say that they think it will not be there for them, they also say that they do not want it changed much because they want it to be there for them.

There are proposals floating around for private accounts where people would invest in equities in the stock market themselves. In considering these proposals, I ask only that this body consider that women are hugely, disproportionately affected by whatever we decide to do to Social Security. Twice as many women who live past 65

are poor as men, and so, in its wisdom, the Congress has structured the Social Security program to reflect this basic reality.

Proposals for private accounts thus far do not take into account two characteristics that are unique to women: One, that they have less earnings over their lifetime, much of it due to discrimination, some of it due to family responsibilities; and, second, that they simply live longer. Personal savings accounts would, therefore, adversely affect them, because they have had less time in the workforce and because they have had lower earnings when they have been there.

So what does Social Security do? Recognizing this feature, instead of giving a benefit that looks the same for everybody, we have created a progressive Social Security benefit structure. The higher benefits go to the lower earnings, and I do not think there is anybody in America who would want that any different.

Let us look at two groups of women so as to make my point, housewives and widows.

Let us take a woman who has spent her life taking care of her family and has not gone near the workforce. She will get 50 percent of her spouse's benefit. She has never had and could never have a personal account in the stock market, no matter what we do for her.

Let us take an older woman whose husband dies. She gets 100 percent of her husband's benefit. Now, the majority has typically shown particular concern for these women, women who have taken care of their families and have not gone in the workforce at all, and older women whose husbands have died and do not have any income. These are the women that must be in our mind's eye if we toy with the Social Security System.

The great majority, 63 percent of women over age 62 have their own income, as to opposed wives and widows who get pensions. Thirty-seven percent have had no earnings history at all, no personal savings account of their own, and cannot control what a husband shall have done with the personal savings account that he may have. They are in our hands, and we have taken that responsibility through the Social Security system.

I ask this body to measure any proposal that comes before it, not by looking at the American population as if they were some big glob, but to look at who is likely to be most affected by whatever we do. Overwhelmingly, those most affected are going to be women. It is women who have the most to lose. It is women who are most vulnerable.

I ask the majority who call to the floor any discussion of changes in Social Security, especially discussion of personal savings account, to call to the floor the women whose lifelong work has been for their families and the women who have only their husband's pensions. Those women are in our hands and are dependent upon our

doing the right thing with Social Security, bearing in mind that any personal savings account is not in their lexicon, has not been in their lives, and they need us to remember that salient fact.

FEDERAL FUNDING FOR BIOMEDICAL RESEARCH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. NETHERCUTT) is recognized for 5 minutes.

Mr. NETHERCUTT. Mr. Speaker, I rise today to speak to the issue of federal funding for biomedical research. Over the past four years, this Congress has led the effort to double the budget for biomedical research at the National Institutes of Health and other federal agencies which do scientific research to help cure diseases.

This effort has already begun to show results in areas such as Parkinson's disease, cancer, Alzheimer's disease, and many others. It is a worthwhile undertaking for our federal tax dollars.

Now, while the President wants to take credit for this research effort, unfortunately his budget would severely impede the progress we have made and would jeopardize future advances.

The NIH budget has begun to grow exponentially, because it is the right thing to do for people who are sick with chronic diseases. For the next fiscal year, however, the President has requested an increase of \$320 million, or 2.1 percent, for the National Institutes of Health.

Now, by comparison, last year this Congress increased NIH by \$1.99 billion, or 15 percent, and that is still inadequate funding when you look at all of the opportunities for research grants that come before the NIH and those which are able to be accepted. There just is not enough money to do all of the good research that needs to be done.

The President was recently reported to have remarked to a member of the other body, a Democrat, the President said, "Don't worry about our budget. The Republicans will increase NIH funding." Well, certainly we will. So much for honesty in the President's budget.

A 2.1 percent growth rate is two-tenths of a percentage point less than the projected rate of inflation. That is a growth rate less than inflation, which is in the President's budget, for attempting to cure our Nation's diseases and improve the lives of millions of Americans who suffer from disease.

What the President does under this budget game is put in a low number for NIH and put a high number for other spending, new federal spending programs that he puts in to satisfy special interests, and then criticizes those of us who say "no" to such excess spending, for budget-busting spending, and then politically the President seems to want to take credit. In reality, the President's budget says to people who

seek a cure for cancer, I do not care about you.

□ 1545

For the 16 million diabetics in this country, he says, "I do not care about you." For those with Parkinson's, multiple sclerosis, Alzheimer's, lots of other diseases, he says, "Sorry, I do not care about you."

We can be sure that if this budget were proposed by the majority Congress, the administration would call it a cut in funding, and probably the media would say the same thing, that we do not care about the lives of people who are sick.

Well, in fact, we do. Both Democrats and Republicans in this Congress care deeply for NIH funding and deeply for those who are sick with chronic, debilitating diseases which affect all of us as Americans, regardless of our races or religions or genders. It is a fact of life that the government can help do something about.

So I think there should be outrage today over the President's budget game for biomedical research. Both Democrats and Republicans should rise up and say no. And I urge my colleagues to call on the President, Mr. Speaker, on this game he is playing with biomedical research, and anyone who cares about curing chronic disease in this country should do the same.

BUILDING OPPORTUNITIES BONUS ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, it has been nearly three years since we passed the Nation's welfare reform law, and most news reports paint a very glowing picture. The welfare rolls are at a 30-year low; more people than ever are working; billions of surplus welfare dollars stack up in government coffers, unspent and unused. The great social experiment, the 1996 welfare reform law, is a great success, right? Right?

But, Mr. Speaker, what about the 14.5 million children still living in poverty, or the 71 percent of welfare recipients who end up in dead-end jobs that pay below the poverty line? What about the many States that get people off welfare by simply turning away people asking for help, or the States that meet their goals by shifting welfare recipients into low-paying jobs with no benefits and no career or salary ladders.

We do not hear much about these families, Mr. Speaker, because we are still thinking about welfare reform in the wrong way. We had it wrong when we set out to end welfare as we know it. Our goal should have been then and should be now to end poverty as we know it.

Mr. Speaker, I know it is not fashionable or popular to talk about making changes in the welfare law these days. But, Mr. Speaker, I would say that

today is exactly the right time to be rethinking our Nation's welfare policies. With the economy booming and a surplus growing in Federal welfare accounts, States do not have to content themselves to simply get people off of welfare. States should and could be taking advantage of the opportunity they now have to invest in helping low-income families become truly self-sufficient.

Yesterday, I introduced a new bill: The Building Opportunities Bonus Act, or BOB. It will be easy to remember. BOB provides \$1 billion over five years to reward the ten States that do the best job in three key areas, key areas to getting welfare recipients in self-sufficiency. First, child care. Second, job training. And third, assistance for victims of domestic violence.

Services like these will ensure that poor children are not left behind; that welfare recipients can access good jobs, jobs actually that can weather a dip in the economy; and that battered women can get and keep jobs while keeping themselves and their families safe.

Thirty years ago, Mr. Speaker, I was a single mother on welfare. Because I was employed, I was forced to shuffle my kids, ages one, three and five, among 13 different child care providers in a single 12-month period. I was working at the time, using my welfare check to pay for child care and health care for my family, but it was not until I had a consistent, reliable child care situation that I was able to truly grow in my job, and immediately I was able to support my family without the welfare safety net.

Every family on welfare needs quality and accessible child care. Welfare moms also need educational and training opportunities. Americans have long realized that education is the door to success. But our new welfare law has too often told welfare recipients that the only door open to them is the employees' entrance to McDonald's. Without job skills, welfare recipients are shifted into dead-end jobs, entry level jobs that pay below the poverty line. These jobs cannot support a family, and they are the first to go when the economy falters.

Many poor women struggle not just with their economic situation, but also face the harsh reality of domestic violence. Studies show that between 15 and 30 percent of welfare recipients suffer from domestic violence and from abuse. We need to address this issue head-on and make sure women suffering from domestic violence can improve first their home situation, and then their economic situation. And we do not want to trap them in jobs that are dead-end.

The sad truth is that we are nowhere close to providing enough of these services: child care, job training, and help from domestic violence. We need to give States an incentive. That is the only way welfare reform is really going to work for all Americans, so that welfare-to-work equates into true self-sufficiency.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mrs. EMERSON) is recognized for 5 minutes.

(Mrs. EMERSON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. FORD) is recognized for 5 minutes.

(Mr. FORD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

A FAIR AND SIMPLE PLAN TO CUT TAXES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. KNOLLENBERG) is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Speaker, the American people are overtaxed, and it is time for Congress and the President to let them keep more of their hard-earned money.

This year, Federal taxes will represent 22 percent of the Gross Domestic Product. This means that the Federal tax burden is at an all-time high. With the Federal Government projected to run a budget surplus of \$2.6 trillion over the next 10 years, there is no excuse for taxing the American people at a higher rate than was necessary to win World War II.

On the opening day of the 106th Congress, I introduced a bill that cuts Federal income taxes by 10 percent across the board. This proposal is the simplest and the fairest way to provide the American people with the tax relief that they deserve.

Instead of picking winners and losers among overtaxed Americans, this proposal increases the take-home pay of everyone who pays Federal income taxes.

We should not require taxpayers to engage in a government-preferred activity or force them to jump through multiple hoops in order to keep more of their own money. A broad-based tax cut avoids adding further complexity to the Tax Code and gives all American workers the relief that they need.

In recent years, efforts to provide the American people with significant tax relief has been derailed by the contention that cutting taxes would hurt Social Security. This has always been a shaky argument, but it does not even have a leg to stand on today. Here is some arithmetic or numbers to keep in mind.

A 10 percent across-the-board tax cut would cost the Federal Government \$743 billion over a 10-year period. This means that more than \$1.8 trillion of the \$2.6 trillion budget surplus that the Federal Government will run over the same time span would be available to strengthen Social Security.

When looking at these numbers, it becomes clear that cutting taxes and

securing the future of Social Security are not mutually exclusive goals. We can do both and still have some money left over to invest in education and strengthen our national defense.

Excessive taxation is making it harder for middle-income families to get ahead. When adding State and local income taxes, or just taxes period to the Federal tax bite, the average American family ends up paying more in taxes than it is paying or spending on housing, food and shelter.

A 10 percent across-the-board income tax cut would save this average family approximately \$1,000 per year. This is money that could be saved for a down payment on a home or used to pay for college tuition or put aside for retirement.

A broad tax cut like the across-the-board tax cut that I am promoting today is best for the American economy as a whole. It will increase economic activity across the widest number of individuals, thus creating jobs, greater financial security, and giving every American a bigger piece of the pie. However Americans choose to spend their own money, I am confident that it would be put to better use by the family who earned it than by the Washington bureaucrat who yearns for it.

As the debate over how to use the budget surplus heats up, the protectors of big government will scream bloody murder about any plan to return some of the windfall to the American people. To them I ask simply, if we cannot cut taxes when the economy is strong, the Federal Government is in the black, and taxes are at an all-time high, when can we?

Mr. Speaker, I urge my colleagues to support a 10 percent across-the-board tax cut.

MORE CHOICE FOR AMERICANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, I rise today to express concern about an article that our friend, George Will, has in Newsweek this week, attacking the administration and Vice President GORE in particular for dealing with livable communities. With all due respect to the journalist, he has it exactly wrong.

There is a national grassroots movement from coast-to-coast where people are now struggling to contend with the forces of growth, sprawl, pollution and congestion to try and have more livable communities. Contrary to the columnist's assertion, it is not about forcing people to do things, it is about giving Americans more choices. Today, too many people have no choice but to be trapped in congestion, soccer moms and dads forced to be out shuttling kids around, forced to burn a gallon of gasoline to buy a gallon of milk.

What the Vice President, what the administration, what Americans across the country who are concerned about

livable communities are promoting is the concept of learning from our past mistakes, organizing ourselves to make sure that our plans for the future will make our communities more livable. It is not, as some would suggest, an attack on the automobile. To the contrary, it is simply not surrendering our communities to the cars.

At a time when the Berlin Wall has fallen, when there are capitalist markets in the former Soviet Union, in China, it is time to perhaps end socialism for the car by subsidizing the automobile more than other transportation choices. Planning makes it possible for people to do more with their lives and their time.

In his article Mr. Will attacks Portland, Oregon, my hometown, as a place where we are trying to crowd people, where we are trying to have zoned-out things like big box development, to somehow force people to do things they do not want to do, calling it some sort of planner's paradise. Well, it is ironic that the city Mr. Will is attacking is held up as one of the best models in the country for working with our citizens to promote liveability, to give people more choices.

□ 1600

It is a community where we have, in fact, not sprawled as much as other places around the country, but we have actually dramatically increased the housing stock without spreading out to farm and forest land. We have added 42 percent in population since 1979, but we have only increased the developed area 20 percent.

Some of the most attractive housing, the most valuable housing, is to be found in newly redeveloped areas with loft housing, with townhouses. In fact, they are worth more in terms of actual value than the typical single lot subdivision. It is not about crowding people together.

In Portland, like in most other communities, our neighborhoods are less densely populated today than they were 40 years ago when I was growing up. What has happened is because we have unplanned growth, exclusive reliance on the automobile, we have far more people driving and driving more miles, and as a result, it is the cars that people are upset about, not the citizens.

This has resulted from not turning over industrially-zoned land to big box retail, like a COSCO or a Wal-Mart. We have protected it for industrial jobs. Portland has added 180,000 new jobs since 1990. I would suggest that it is hardly a failure, that there is a reason why people come and look at what we have done.

Government has made many mistakes in the last 40 years that have contributed to the deterioration of the quality of life. It is time for us to take a step back, to learn from our mistakes in both government and the private sector, and plan for a better tomorrow. That is what the Vice President, the President, and not just his administration but people around the country are doing with the new livable communities movement.

I strongly urge that people support these initiatives and what they can represent for a more livable future.

CATHOLIC SCHOOLS: FAITH FOR A BRIGHTER FUTURE

The SPEAKER pro tempore (Mr. GREEN of Wisconsin). Under a previous order of the House, the gentleman from Colorado (Mr. SCHAFFER) is recognized for 5 minutes.

Mr. SCHAFFER. Mr. Speaker, I rise today to address the subject of Catholic schools, a great gift to this country.

Catholic Schools: Faith for a Brighter Future, that is the theme for the 25th annual celebration of Catholic Schools Week January 31 through February 6, 1999, in the 10th annual National Appreciation Day for Catholic Schools February 3, 1999.

Catholic Schools Week celebrates the important role Catholic elementary and secondary schools across the country play in providing a values-added education for America's young people. Catholic schools are proud of their educational network, emphasizing intellectual, spiritual, moral, physical, and social values in their students.

The National Appreciation Day for Catholic Schools was established to encourage supporters nationwide to showcase the great accomplishments and contributions the more than 8,200 catholic schools nationwide make to our country. Celebrated in communities across the U.S. that have Catholic elementary and secondary schools, this day provides opportunities for State Governors, big city mayors, and small town councils to join in proclaiming Catholic Schools Week in their localities year after year and arrange special commemorative celebrations.

On February 3 this year a delegation of more than 130 Washington, D.C., Maryland, and Virginia area Catholic school students, teachers, and parents visited Capitol Hill to meet with congressional leaders and promote Catholic schools. They served as ambassadors for the students enrolled in Catholic schools nationwide.

Students met in the Dirksen Senate Office Building for a briefing by a Senator from Tennessee, and held a rally on the steps of the Capitol. Groups of students visited congressional offices, meeting with Members and staff to acquaint themselves with the mission and accomplishments of Catholic Schools, and to discuss issues of importance to Catholic school students.

As part of their activities, they hand-delivered letters from Catholic school superintendents of schools to their congressional and Senate Members, and provided a background package on Catholic schools to every congressional office. Today we congratulate America's Catholic schools, the students, the

teachers, and especially the parents, who make many sacrifices to provide their children the education offered in Catholic schools. The outstanding contributions of Catholic schools to our Nation are worthy of celebrating, and I offer heartfelt congratulations to all who participate in the work of Catholic education.

At present Catholic school student enrollment is almost 3 million students. Catholic schools welcome all students whose parents wish their children to attend.

Catholic Schools are proud of the diversity of their student body. Minority students, for example, comprise more than 24 percent of total enrollment, and nonCatholic students are approximately 14 percent of the enrollment nationwide.

Congratulations to the National Catholic Educational Association and the United States Catholic Conference, the national organizations that sponsored the National Appreciation Day event on Capitol Hill. NCEA is the largest private professional education association in the world, representing more than 200,000 educators serving 7.6 million students at all levels of Catholic education.

The United States Catholic Conference is the national public policy organization of bishops in the United States. Congratulations to Catholic Schools, students, teachers, and parents. You are giving this Nation faith for a brighter future.

CONGRATULATIONS TO THE
NAACP ON THE CELEBRATION OF
ITS 90TH ANNIVERSARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. LAMPSON) is recognized for 5 minutes.

Mr. LAMPSON. Mr. Speaker, I rise today to extend congratulations to the National Association for the Advancement of Colored People, sometimes known as the NAACP, as it celebrates its 90th anniversary on this Friday.

The NAACP is the oldest, largest, and strongest civil rights organization in the United States. On February 12, 1909, on the 100th anniversary of Abraham Lincoln's birthday, 60 prominent black and white citizens issued the call for a national conference in New York City to renew the struggle for civil and political liberty.

Participants at the conference agreed to work toward the abolition of forced segregation, promotion of equal education and civil rights under the protection of law, and an end to race violence. In 1911 that organization was incorporated as the National Association for the Advancement of Colored People.

Today the NAACP is a network of more than 2,200 branches covering all 50 States, the District of Columbia, Japan, Germany, and its membership exceeds a half million people. Born in response to racial violence, the asso-

ciation's first major campaign was the effort to get the anti-lynching laws on the books in the United States.

In 1919, to awaken the national conscience, the NAACP published an exhaustive review of lynching records. NAACP leaders, at potential risk to their own lives, conducted firsthand investigations of racially motivated violence that were widely publicized. Though bills succeeded in passing through the House of Representatives several times, they were always defeated in the Senate. Nonetheless, NAACP efforts brought an end to the excesses of mob violence through public exposure and the public pressure it mobilized.

The NAACP has always known how to respond to challenges, and is certainly no stranger to struggle. Through political pressure, marches, demonstrations, and effective lobbying, the NAACP has served as an effective voice, as well as a shield for minority Americans. From educational parity to voter registration, housing, and labor, the NAACP has been at the forefront of efforts aimed at securing civil rights and civil liberties. No longer do we see signs that read "white" and "colored." The voters' booth, the schoolhouse door, now swing open for everyone.

It is important for us to all remember how effective the NAACP efforts have been. While much has been accomplished, much more needs to be done. Mr. Speaker, America still needs the NAACP.

I invite my colleagues to join me in congratulating the national organization and all its local chapters as they celebrate their 90th anniversary on February 12. I wish them continued success as they continue to focus on the protection of civil rights and civil liberties of all Americans.

THE PRESCRIPTION DRUG FAIRNESS FOR SENIORS ACT OF 1999

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Arkansas (Mr. BERRY) is recognized for 45 minutes as the designee of the minority leader.

Mr. BERRY. Mr. Speaker, I rise today in support of the Prescription Drug Fairness for Seniors Act of 1999. I want to thank my colleagues, the gentleman from Maine (Mr. ALLEN), the gentleman from Texas (Mr. TURNER), and the gentleman from California (Mr. WAXMAN), for coming up with this great idea to help correct a tremendous injustice in America today.

Our senior citizens pay over twice as much as citizens in other countries. They pay over twice as much as the preferred customers of the prescription drug manufacturers in this country, and it is simply not fair.

This chart demonstrates the way that our seniors are overcharged and the amount they are overcharged for their prescription medications. They are forced to make a choice between

food and medicine, between paying their rent and having medicine, between having utilities, having heat, and medicine. This is simply not right.

The First Congressional District of Arkansas, that I am so fortunate to represent, contains the most senior citizens of any Congressional District in this country that live only on social security. The cost of prescription medication is a tremendous burden for them. Yet, we allow them to continue to be overcharged by 40 and 50 and 60 and 70 percent.

They are overcharged by the most profitable companies in the world. These companies should be profitable. We are in favor of them being profitable. But that profit should not come at the expense of our senior citizens being forced to choose between food and the medicine it takes to keep them alive. When that happens, it becomes a moral issue. It becomes an issue that this Congress should address.

Our bill, the Prescription Drug Fairness for Seniors Act of 1999, will reduce the cost of prescription medication for our seniors approximately 40 percent. Our seniors should not be at a disadvantage because they are citizens of the United States.

The average prescription price for Canadians is 72 percent less than it is for Americans. For Mexican citizens, it is 103 percent less than it is for Americans. This simply does not make any sense. If the prescription drug manufacturers that sell product in this country can sell it at other countries at much reduced rates, if they can sell it to our Federal Government at much reduced rates, these same prices should be available to our seniors. That is what this bill does.

One company last year raised the price of one of their medications 4,000 percent in one day. The Federal Trade Commission looked at this. They decided it was unfair and they filed a \$120 million recovery claim against this company. This is an outrageous attempt to make a profit.

The Prescription Drug Fairness for Seniors Act of 1999 will reduce those prices, as I have said, by 40 percent to most of our recipients. It is something we should do. It is the fair and right thing to do. It does not cost the Federal Government any money. This will simply make our seniors part of the largest purchasing pool in the world, and it will give them the ability to be dealt with fairly through their own local pharmacies.

I urge my colleagues to support this bill. It is a good bill, and it is what we should do for our seniors.

Mr. Speaker, I yield to the gentleman from Texas (Ms. SHEILA JACKSON-LEE).

Ms. JACKSON LEE of Texas. Mr. Speaker, I thank my good friend, the gentleman from Arkansas (Mr. BERRY), for his leadership on this issue, and as well, my colleagues, the gentleman from Maine (Mr. TOM ALLEN), the gentleman from Texas (Mr. JIM TURNER),

and the gentleman from California (Mr. WAXMAN) for their leadership on a crucial and devastating fact of life for our seniors in America.

It is important to note that those of us who have worked on this issue believe that this is the Congress to get it through. I am delighted that as an original cosponsor of this legislation for this Congress, I again stand up to be counted, as I did in the 105th Congress. I do that for the many constituents that I represent.

In fact, Mr. Speaker, allow me to share the story of a husband and wife from my district in Houston written to me just a few days ago in January. These individuals retired, having worked in our school system educating our young people, and now in their retirement they are pleading for relief because presently they are spending an average of \$4,792 annually on drugs, paid by a Texas teacher's retirement income and social security. One-fifth of their income is used to pay for prescription drugs.

□ 1615

I would simply say, Mr. Speaker, this has got to stop. That means that these senior citizens who have worked all of their life, who, in fact, have a commitment to being part of the engine of this economy for many, many years, are now having to sacrifice the meager income that they have and to make choices, as my good colleague indicated, between room and board, and health.

The Prescription Drug Fairness for Seniors Act is not a giveaway. It does not interfere with competitiveness, as my pharmaceutical friends have said. It does not do damage to the marketplace, as they have attacked us so readily.

What it does is it simply tries to emphasize fairness. Pharmacies will now be able to purchase prescription drugs for Medicare beneficiaries at the same low prices available to the Federal Government such as the Federal supply schedule price or the Medicaid price.

Since drug prices presently paid by the Federal Government are approximately half the retail prices paid by senior citizens, participating pharmacies will be able to pass on large cost savings to senior citizens.

I know that my good friend, the gentleman from Arkansas (Mr. BERRY) has been in his district and has seen the sincerity expressed by seniors who have said they do not want a handout, but after we have given them the option of Medicare why shouldn't Medicare have the same ability to be able to purchase low priced pharmaceuticals, competitively priced equal to that of the HMOs?

Has anyone ever been in the midst of seniors, maybe those who are a little older, in their seventies and eighties, and heard them plead to us for clarity about these HMOs? Who am I to pick? What are they giving me? The confusion abounds and yet now we have pro-

moted these HMOs over Medicare that has been so helpful in providing good health care for our seniors, and we have given HMOs the upper edge by providing these incentives, and yet sometimes seniors are moved from one HMO to the next. It shuts down and they get letters, and it is confusing.

Oh, yes, I believe that HMOs provide a viable service, but those who are on Medicare should not be deprived the ability to get low-priced prescription drugs and to have a fairness process in place.

So I believe that we are, in fact, providing what the Constitution says we should have, and that is equality. And we are doing it for a population that is now suffering. They suffer because of the way pharmacies are doing business, and many Americans whose retirement plans rely in part on private pension plans are also struggling. This is because many of those plans which were designed decades ago do not contain comprehensive medical plans, and even the ones that do include medical insurance typically do not pay for medication.

In fact, I have talked to senior citizens who have said I am going to get that mail order program because I have heard that if you do mail order, that you can get cheap prescription drugs.

So I think it is important, Mr. Speaker, that this legislation not have one moment of a slow process. It should be expedited. It should go through the committees of jurisdiction with flying colors. We should respond to the tragedy of senior citizens having to make choices between what they will buy, whether they will pay for food for the evening meal or which meal they will escape or not be able to have so that they can get the necessary prescriptions.

I will just simply say, as we work together on this legislation, tears have come to my eyes when I have met with senior citizens who, first of all, are grateful for life, gratified for the medical care that many of them have been able to access, but when they give me the list of prescriptions that they have to take every single day, they do not do it in anger, they just simply say we have got to take it but give us a reprieve, help us not to be have to choose one over the other. So I want to thank the gentleman.

As I close, I want to just make a personal note that from my home district, in addition to these prescription drugs, I am gratified for the medical health system, of which we also need to look at with the Patients' Bill of Rights, access to medical care. I am grateful for the system that is in my community, the public hospital system, now under attack by county government. My commitment to the senior citizens of that community, the children of that community, is to say that I am going to fight for this legislation, the Prescription Drug Fairness for Seniors Act, as well as a patients' bill of rights, as well as fighting for Lois Morris, our

health care director in Harris County, and fight against anybody who would move to shut it down or to deprive our citizens of good health care by cutting the budget.

I want to thank my friend, the gentleman from Arkansas (Mr. BERRY). I want to thank my good friends, the gentleman from Maine (Mr. ALLEN), the gentleman from Texas (Mr. TURNER) and the gentleman from California (Mr. WAXMAN), and I see the gentlewoman from California (Mrs. CAPPS) and I know the gentlewoman from Michigan (Ms. STABENOW), and if I begin calling the roll we all can stand up here and be gratified that we are working together for what I know can be bipartisan legislation to see this legislation passed.

I thank the gentleman from Arkansas (Mr. BERRY) for his kindness. Let us roll up our sleeves and get to work.

Thank you Congressmen BERRY, ALLEN and TURNER for giving me the opportunity to speak on this bill, and for allowing me to help you tackle this tremendous problem.

This year, many of us have taken up arms to preserve Social Security and Medicare, so that we can ensure in the future that our Older-Americans have at least the bare minimums needed to live in this society.

However, seeing that Social Security and Medicare, are in some respects, anti-poverty programs, we must supplement the law to protect the interests of senior citizens who rely on them in the later years of their life. One of the ways that we can do that is by guaranteeing that the senior citizens that rely on those programs are subjected to discrimination by the private sector.

This bill does just that, by allowing pharmacies to purchase prescription drugs for Medicare beneficiaries at low prices. The bill uses naturally-occurring market forces to consolidate the purchasing power of our Medicare recipients. And by doing so, it, in affect, puts senior citizens on the same footing as the federal government when it purchases medication—which makes sense, because in a way, the government is paying for these drugs in an indirect manner.

This bill also aims to stop the price discrimination that affects Older-Americans that are unable to purchase their prescription medication through HMOs or other health care providers. As the studies underlying this bill demonstrate, it is a fact that our Medicare recipients' dollars are being used to subsidize the low drug prices that group health care participants are privy to in our current economy. I believe that most of you will agree with me when I say, that is not what our precious few Medicare dollars should be used for!

I would like to add that Medicare recipients are not the only ones who suffer because of the way pharmacies are forced to do business today. Many Americans whose retirement plans rely in part on private pension plans, are also struggling. This is because many of those plans, which were designed decades ago, do not contain comprehensive medical plans. Even the ones that do include medical insurance typically do not pay for medication. That means that most must still stretch their finances to pay for the medication that is required for their continued good health.

This is illustrated by a letter I recently received from a constituent in my district, in support of this bill, that reads: "My wife and myself have supplemental insurance which does not include prescription drug reimbursement. Presently, we are spending an average of \$4,792 annually on drugs . . . (which is) one-fifth of our income." One-fifth of their income is a staggering amount. Undoubtedly, something must be done to alleviate their problem, and the least we could do is protect them from price discrimination.

This bill is tremendous because it relies on tried and true principles of capitalism, purchasing power and competition, to craft a remedy that will save the federal government, and my constituents from inflated prices—and I will be glad to support it as it makes its way through the House of Representatives.

Mr. BERRY. I thank the gentlewoman from Texas (Ms. JACKSON-LEE) for her comments.

Mr. Speaker, I yield to the gentleman from Maine (Mr. ALLEN), the author of this bill.

Mr. ALLEN. Mr. Speaker, I thank the gentleman from Arkansas (Mr. BERRY) for yielding.

We should all know that the gentleman from Arkansas (Mr. BERRY) is a registered pharmacist. He is, with the gentleman from Texas (Mr. TURNER) and myself, a co-chair of our prescription drug task force. Really, no one has done more than he has to bring these issues out so the American people can understand that we in Congress are trying to do something about it.

I thought what I would do is take a little time and talk first about our seniors, then review the current status of some of the pharmaceutical companies and then talk about H.R. 664, the Prescription Drug Fairness for Seniors Act that I introduced yesterday with 66 cosponsors.

Let us talk first about our seniors. All across this country, as we speak, seniors are not following their doctors' orders. Some of them have been given prescriptions which they cannot afford to fill. Others have filled prescriptions which they cannot afford to take as directed.

What happens is, because they cannot pay the rent, pay the electrical bills, buy food and take very expensive prescription drugs, they are out there taking one pill out of three, mixing and matching. They are doing things that in the long run really are detrimental to their health.

I know for the gentleman from Arkansas (Mr. BERRY), the gentleman from Texas (Mr. TURNER) and others, we get letters in our Congressional offices, and I want to share some of those letters.

I received a letter last July, and I have had others like this since then, from a woman who said here is a list of the prescription drugs that my husband and I are expected to take, and when you added up the cost it came to \$600 a month. Then she said, here is a copy of our two Social Security statements, and when you added up their two Social Security statements, which

is all they had on a monthly basis, it was \$1,350.

One cannot get there from here. The math does not work. There is no way that couple could afford to take the prescription drugs that their doctors tell them they have to take.

Perhaps the most poignant letters come to me from people who write and say, I do not want my husband to know but I am not taking my drug medication because we cannot afford both his and mine and it is more important that he take his medication than I take mine. So we have women out there, or men, not taking their own drugs so that their spouse can take his or hers. It is not right in this country and it should not continue.

The reason is, the study that we did in my district in Maine, back in July of 1998, which has since been replicated in 19 districts across the country, including the gentleman from Arkansas (Mr. BERRY), the gentleman from Texas (Mr. TURNER) and a variety of other people, and the findings are always the same. The findings show that seniors who have no coverage for prescription drugs walk into their local pharmacy and pay a price for their drugs that is, on average, twice what the drug companies' best customers are paying.

The best customers are big HMOs, the Federal Government, and others, who can buy in bulk and control market share.

It is not right. This degree of cost shifting has a result. This price structure in the pharmaceutical industry right now means that the pharmaceutical industry, in effect, is charging its highest prices to those who are least able to pay; and those least able to pay are a big group. They are 37 percent of all seniors in this country.

When Medicare was created in 1965, there was no prescription drug benefit because, frankly, it was not a big deal then. The drug companies have made enormous progress in developing new drugs. They have helped millions of Americans, old and young, live more productive lives. What we have got now is a degree of cost shifting in the industry that is imposing the highest costs on those seniors who do not have any coverage for their prescription drugs.

Medicare does not cover prescription drugs. Most medigap policies, when they cover prescription drugs, and often they do cover only a portion of the cost, and the result is that, as I said, 37 percent of all seniors have no coverage and others are uninsured.

The drug industry, pharmaceutical industry, is the single most profitable industry in the country. Last year, Fortune Magazine indicated they had the highest return on equity, the highest return on assets of any industry in the country. They are making their profits on the back of uninsured seniors who simply cannot take all the medications that their doctors tell them they have to take.

If I can talk about the bill just for a moment and then defer to others, the

bill we introduced yesterday, H.R. 664, the Prescription Drug Fairness for Seniors Act, is probably one of the simplest pieces of legislation we could possibly introduce in this area. We are not creating a big new government program. We are making a suggestion that would involve very little expense to the Federal Government. All we are saying is that the Federal Government should, in effect, be the negotiating agent for Medicare beneficiaries so that they can get the best price that is given to the Federal Government through the Veterans Administration, off the Federal Supply Schedule or through medicaid. That is all we are saying.

They ought to have advantage, those people, Medicare beneficiaries, all of whom are now on a Federal health care program, Medicare, which is saying they ought to be able to get the best price from the drug companies that the Federal Government gets now, and the way that would work is through the Department of Health and Human Services. Participating pharmacists would be able to buy drugs for resale to Medicare beneficiaries at the best price the Federal Government buys those drugs. Simple bill, very simple, as close to a free market solution as you can get. The pharmaceutical industry objects.

I would thank the gentleman from Arkansas (Mr. BERRY) for yielding me this time and would ask to come back later, after others have spoken, to address a few of the arguments that I expect we will see as this debate moves along.

Mr. BERRY. I thank the gentleman from Maine (Mr. ALLEN) and again appreciate his leadership in this effort.

Mr. Speaker, I now yield to the gentlewoman from Michigan (Ms. STABENOW).

Ms. STABENOW. Mr. Speaker, I thank the gentleman from Arkansas (Mr. BERRY) for yielding.

I want first to thank the gentleman from Arkansas (Mr. BERRY) for his leadership in the last Congress and as we begin this Congress; also the gentleman from Maine (Mr. ALLEN), the gentleman from Texas (Mr. TURNER), who has also worked so hard, and the gentlewoman from California (Mrs. CAPPS), who is here today.

This is such an important issue for all of us, and as we make a commitment, and I know on our side of the aisle we have made a commitment, that the majority of the surplus that we have been reaping as a result of a strong, vibrant economy, will go back into paying off the Social Security Trust Fund and keeping Medicare strong, an important part of that is this bill that we are talking about today, the Prescription Drug Fairness for Seniors Act.

□ 1630

I think of my own family, where I have had my aunt, who is having back problems and finding herself now needing to pay \$200 to \$300 a month for prescriptions; other friends of my mother's who are looking at \$500 or \$600 a

month in prescription drugs in order to be able to live at home and be able to continue to be able to live in the community and be able to move around and be independent, and when I look at those kinds of numbers, it is very clear to see that for too many seniors we are talking about the difference between food for the month and getting their prescription drugs so that they are healthy and pain free and able to stay well, or we are talking about the difference between paying the rent or paying the electric bill. This is basic survival for too many seniors.

When we look at the costs that continue to go up and up, as I know the gentleman from Arkansas (Mr. BERRY) has talked about, the fact that we are seeing these costs go up, and that we have not yet addressed this through the Medicare system or in some other way, I think this is really a tragedy, and that is why I am so excited to be a cosponsor of this legislation.

This legislation, in a very cost effective way, as the gentleman from Maine (Mr. ALLEN) said, has a very simple approach: Let us get the best price; let us let the Federal Government negotiate on behalf of all uninsured seniors that need prescription drug help; let us let them negotiate the best price for our seniors who are on Medicare; and then let the pharmacists be able to receive that best price and pass it along to the seniors. So it makes sense.

It does not involve a lot of new dollars being spent and it addresses one of the critical issues for our seniors as they are growing older: Living longer and wanting to benefit from all these wonderful new discoveries that allow them to live independently; to be able to leave a hospital sooner rather than later after an operation; to be able to avoid a nursing home as long as possible. There are wonderful new opportunities for them through prescription drugs. What a shame, what a shame if they are not able to afford these new opportunities because of the spiraling costs.

So I once again celebrate and really commend the leadership of the people who are here today, who are really fighting on the front lines for our seniors, and I am hopeful that by the end of the year we will see this in place so that we can really lower the costs for seniors and help them to be able to balance that budget of theirs just a little better.

Mr. BERRY. Mr. Speaker, I thank the gentlewoman from Michigan, and I yield 5 minutes to the gentlewoman from California (Mrs. CAPPS).

Mr. CAPPS. Mr. Speaker, I want to thank the gentleman from Arkansas (Mr. BERRY) for organizing this important time for us to speak today, and I am so honored to join my colleagues and the others really who are speaking around the country who are trying to give voice to our seniors as we bring to the attention of the House of Representatives a veritable scandal, I believe, which is occurring in our country today.

I know that seniors on the central coast of California, where I live, and I believe that we are seeing evidence that seniors throughout the country, are paying outrageously high prices for their prescription drugs. Even worse, these inflated costs subsidize the discounts that high-profit HMOs get for these very same drugs. These inflated costs are rising every day, so they are rising at a faster rate even than the cost of living. Seniors are paying more this month than they paid a few months ago for their prescription medications. And this unfair practice has caused many of our older Americans to cut back on their medications, leading some to choose between buying food or filling their prescriptions.

Last September I conducted the first comprehensive study of the impact that these big drug companies' high prices are having on the central coast of California's senior citizens. My office then released a report on the cost of prescription drugs for seniors and, more importantly, a major reason why these costs are so high, and the findings are startling.

Seniors in my district pay, on average, 113 percent more for the 10 most widely prescribed drugs than do the HMOs buying the same drugs. These are critical medications, like Zocor, for reducing cholesterol; Norvase, for reducing high blood pressure; and Relafen, for relief from arthritis. Prescription drug companies give huge discounts to managed care companies for these and other drugs. Other buyers, such as pharmacists, pay substantially more for the same drugs and must pass those higher costs on to their customers, many of whom are seniors.

The average senior fills between 9 and 12 prescriptions a year. This is a far greater number than any other segment of our population. It is estimated that the elderly, who make up approximately 12 percent of the population, use one-third of all the prescription drugs.

Today, in Santa Barbara, in the News-Press, our local newspaper, it was reported that Ticlid, one of the most widely prescribed medications for persons who have had strokes, sells to HMOs for around \$34 for 60 tablets. In my district, the average price seniors, who have to pay out-of-pocket for this drug, are being charged an overwhelming \$131, nearly a 300 percent markup over the price the HMOs are paying.

This huge difference in prices is not going to the retail pharmacists in Santa Barbara or Santa Maria or Arroyo Grande. According to my study, the local pharmacists on the central coast are paying an average of \$100 to \$110 for Ticlid.

The final price seniors pay includes only a reasonable markup to the outrageous price that pharmacists are being forced to pay to the drug companies. No, the extra money the seniors are paying goes to the drug company so it can continue giving big discounts to HMOs and managed care companies.

It is a very sad story that seniors are paying more in money for drugs than they should while HMOs are reaping a huge profit based partly on the huge discounts they get from drug companies. But there is an even sadder element. Many seniors simply cannot afford these high prices. They live on fixed incomes, especially as they keep on rising. So, instead, they take half the prescribed dose or they do not buy these lifesaving drugs because they cost too much.

For example, Harriet MacGregor, in Santa Barbara, told my staff that because of the high cost of her five prescriptions she must sometimes skip or reduce her dosage. As a nurse, I am particularly appalled when I hear these stories. This is an intolerable situation. Seniors should not have to be subsidizing the profits of the HMOs, and they should not have to choose between filling their prescriptions or buying food or paying rent.

I want to give credit to the pharmaceutical houses for developing the medications that save seniors' lives and enable them to live quality lives longer. These drugs are keeping our older Americans out of hospitals and out of nursing homes. We want them to take the medications. We have to find a way for them to be able to do this.

Yesterday, I was a proud cosponsor of legislation to address this issue. This Prescription Drug Fairness Act for Seniors, introduced by my good friends and colleagues, the gentleman from Texas (Mr. JIM TURNER), the gentleman from Maine (Mr. TOM ALLEN), and the gentleman from Arkansas (Mr. MARION BERRY), will allow pharmacists an opportunity to receive the same big discounts that HMOs get for the drugs that they dispense to seniors. This cost saving will be passed on to the seniors. This legislation is long overdue and will ensure that seniors pay reasonable prices for the lifesaving drugs they so desperately need. I urge my colleagues to support this legislation.

This important bill brings to mind another related problem: 35 percent of American seniors have no prescription drug coverage. Medicare, this health safety net for millions of elderly and disabled Americans, does not cover outpatient prescription drugs. So many seniors are forced to pay for these spiraling costs with absolutely no assistance.

Mr. Speaker, we must examine ways to improve Medicare. As we do that, I believe we must seriously consider extending prescription drug benefits to the elderly and to the disabled. We should also ensure that seniors are not subject to pharmaceutical price discrimination.

In closing, we can and should do everything we can to safeguard access to these life-extending and life-enhancing prescription medications for our seniors. I thank the gentleman for the opportunity to speak.

Mr. BERRY. Mr. Speaker, I thank the gentlewoman from California, and I

yield 5 minutes now to the gentleman from Texas (Mr. TURNER) and congratulate him on his leadership in this matter.

Mr. TURNER. Mr. Speaker, I thank the gentleman from Arkansas (Mr. BERRY) for the leadership that he has given to this issue. And as a pharmacist, the gentleman knows better than any of us the difficulties that the cost of high drug prices are having on our senior citizens.

It is a privilege to have joined the gentleman from Arkansas, and the gentleman from Maine (Mr. ALLEN), the gentlewoman from California (Mrs. CAPPS), and the gentlewoman from Michigan (Ms. STABENOW) yesterday to introduce once again into this Congress the Prescription Drug Fairness For Seniors Act, a bill that we introduced at the end of the last session of Congress and that we are reintroducing now, early in this session, because we believe that we will now have the opportunity to see this legislation become law.

When I first became acquainted with this issue it was because of my membership on the Committee on Government Reform and Oversight, where our staff prepared a study of prescription drug costs in my district, as well as in the district of the gentleman from Arkansas (Mr. BERRY) and many others who are with us here today. That study revealed that the big drug companies are heavily discounting prices to their most favored customers and passing on much higher prices to local retail pharmacists, which means that our senior citizens, who have to buy their prescription drugs in their own communities, are paying the highest prices of anyone.

This is not a new phenomenon. Local pharmacists, I understand, have known this for years. In fact, as I traveled across my district talking about this bill, I found that many of our local pharmacists, who have gone out of business in recent years, have done so because they have been unable to compete because of the discriminatory pricing practices that have been carried on for these many years by the big drug companies. And most citizens, for years, have known that if they just fly or drive into Mexico, or across into Canada, they can buy their prescription drugs much cheaper than they can in their local pharmacies here in the United States.

We all understand the big drug companies have made great progress in their research and in providing the best pharmaceutical products the world has ever known. And yet, in the course of the pursuit of that practice and that good research, they have engaged in a discriminatory pricing practice that has resulted in our senior citizens, those who are least able to afford to buy prescription medications, having to pay the highest prices.

One individual that particularly impressed me was a lady that I met in Orange, Texas, when I held a brief press

conference talking about this bill toward the end of last year. Her name is Miss Frances Staley, and a story about Miss Staley was recounted in the Houston Chronicle back on November 22nd of last year.

Miss Staley is 84 years old. She has a Social Security check that she has to live off of that totals about \$700 every month. She spends over half of that \$700 just to pay for the 14 prescription medications she has to take every day. Miss Staley in this article said this: By the time I get through paying for my medicines, I have very little to live off of. She goes on to recount that at one point she began to take a pill and split it in half to stretch out her supply of her prescription, but she was stopped after a stern rebuke from her doctor.

No senior citizen in this country today should have to struggle to be able to pay for their prescription medications. Retirees, such as Miss Staley, who must pay the full cost of their prescription drugs, are the hardest hit of anyone due to the discriminatory pricing practices that have been pursued by the big drug manufacturers.

Let us look at what that discrimination really is. I have here a chart that shows three different prescription drugs that are used by our senior citizens. One of them, right here in the middle, is synthroid. That is a hormone treatment. The big drug companies sell synthroid, a month's supply, to their most favored companies, the big insurance companies, the HMOs, and even the government, for \$1.78. People like Miss Staley, in my district in Texas, they would have to pay \$25 for that same prescription. That is just not right.

Another drug, micronase, which is a medication for diabetics, the most favored customers, the big insurance companies can buy that from the drug companies for \$6.89 for a month's supply. Miss Staley would have to pay a price of \$45.60.

Now, those high prices to Miss Staley are not the result of the local pharmacy marking up that drug. The local pharmacies in this country today have a very small margin. In fact, that margin has decreased in recent years. That is why I was mentioning a minute ago that many of them are having to close their doors.

We want to solve this problem, and the way we try to solve it in this legislation is we simply provide that local pharmacies may purchase their prescription drugs that they resell to Medicare eligible beneficiaries directly from the drug manufacturers at the same prices that they are currently selling to the government, to the big HMOs, and to the hospital chains.

□ 1645

We think that is only fair, that is only right. Our senior citizens deserve to be treated better. I am proud to join with the gentleman from Arkansas (Mr. BERRY) and the gentleman from Maine (Mr. ALLEN) and the others here today in trying to enact this into law.

Mr. BERRY. Mr. Speaker, I thank the gentleman from Texas for his leadership in this matter.

Mr. Speaker, I now yield to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I thank my colleague, the gentleman from Arkansas (Mr. BERRY), and I want to say I offer my congratulations to him and to the gentleman from Texas (Mr. TURNER) and the gentleman from Maine (Mr. ALLEN) for introducing this legislation. It really is so critical to what seniors in this country are facing today.

To bring this to the Nation's attention, I think we can really create no better opportunity than to provide some relief to people who we have all heard from, all of us. There are 435 Members of this body; 435 Members have heard that their seniors that they represent are in a difficult spot. Many are just deciding, as has been said on this floor today, between whether or not they are going to have a decent meal or whether or not in fact they are going to be able to take care of their health concerns.

Let me just talk a little bit about my own district, which is the 3rd District of Connecticut. I conducted a study and discovered that seniors in Connecticut's 3rd District pay an average of twice what the pharmaceutical companies' preferred customers pay. And by "preferred customers," so it is clear, and I am sure others have made that clear here today, these are large corporate institutional customers with market power for which they can buy drugs at a discount price. And that is a good thing. That is a good thing.

While HMOs and others get the drugs at a discount, the cost is shifted to seniors and others who shop at their local store or their pharmacy. The bottom line is that we have seniors winding up subsidizing the corporate discounts out of their own pockets, and they live on fixed incomes. It is very difficult for them to make ends meet and to be able to afford prescription drugs.

I will give my colleagues an example. Prilosec, a drug commonly prescribed to seniors, HMOs are able to buy an average dosage for \$56.38. Seniors in my district would pay \$108.63, almost double. It really is no wonder that some of the seniors that I have talked to spend nearly half of their income each month just on prescription drugs.

On a personal note and a sad note for our family, my father-in-law, Sam Greenberg, passed away about two weeks ago. And something I did not realize when I talked with my mother-in-law is that they were paying up to \$800 a month for prescription drugs. I do not know how they did it. I do not know how they did it. And I did not know that. My husband did not know that. But they were trying the best they could to pay \$800 a month for prescription drugs.

When I released the study that I did last year, I met with the local pharmacists and I met with seniors in my

district who were affected by the problem, and I met the daughter of a woman who had a stroke because she could not afford to take her medications but she was embarrassed to tell anyone about the problem. I met a pharmacist who does all that he can to help his customers afford the prescriptions that they need, sometimes giving them credit until they find money to pay him. I saw people who are struggling to make ends meet on a limited income while buying the medicine they need to stay healthy.

One of those seniors, Irma Yoxall, is a 72-year-old resident of West Haven, Connecticut. Ms. Yoxall suffers from diabetes and high blood pressure and she takes six prescription drugs. Her monthly income is \$750. She spends between \$300 and \$400 a month, almost half of her income, on her prescription drugs.

Until she became eligible for Medicaid, Ms. Yoxall had no insurance coverage at all for her prescription drug needs and at times was forced to skip medications because of the high cost. In fact, she recently suffered a stroke which her daughter believes was brought on because of the skipped medications.

Let me just say, and let me conclude, I want to say thank you to my colleagues. This is such an important piece of legislation. It simply says, let seniors purchase their medications at the same cost that our large corporations, HMOs, can make that purchase, and keep them healthy and keep them in a sense of security that in fact they can weather, weather the storm of a serious illness.

I thank my colleague again for letting me participate with all of my colleagues tonight.

Mr. BERRY. Mr. Speaker, I thank the gentlewoman from Connecticut (Ms. DELAURO) not only for her support in this matter but for her great leadership in the House.

Mr. Speaker, I yield to the gentleman from Maine.

Mr. ALLEN. Mr. Speaker, I thank the gentleman for yielding, and I thank the gentlewoman from Connecticut for her support. It means a lot to us to have her come down and be with us in this debate.

I just wanted to say, in closing, one thing. I said earlier that what is happening out there is that the pharmaceutical companies are charging their highest prices to those least able to pay. And by those least able to pay, I mean those Medicare beneficiaries, those seniors who do not qualify for Medicaid but are not wealthy enough to buy and use prescription drug insurance coverage. So they are left on their own, paying out of their own pocket.

The industry is going to say that this bill involves price controls, and my final point is that that is flat out wrong. This bill will allow the Federal Government to act as a negotiating agent to make sure that it gets the best prices for our seniors across the

country. It does not involve price controls. It simply puts a big negotiator, a big buyer, into a market where right now seniors or, more accurately, those wholesalers who sell to retail pharmacies really do not control market share and really do not buy in the kind of bulk that is necessary to get big discounts.

H.R. 664, the Prescription Drug Fairness For Seniors Act, is the right bill at the right time at a low cost, a bill that would be effective in lowering the prices for seniors all across this country.

I just want to say in conclusion how much I appreciate the work of the gentleman from Arkansas (Mr. BERRY) on this issue, the work of the gentleman from Texas (Mr. TURNER) on this issue. We are going to make a difference in this Congress and pass this legislation.

Mr. BERRY. Mr. Speaker, I will just conclude by mentioning what a heroic effort our local pharmacies have made in the last few years to try to take care of our seniors and see that they got the medicine they needed at the best possible prices, and the heroic effort that our seniors have made to deal with this very difficult situation.

The drug companies will say, "We need this much profit." What we are saying is, we want them to make a profit but they should not make it all off of our senior citizens. We must level the playing field. We must treat our seniors the way that other preferred customers get treated. And this is the right thing to do. It is the fair thing to do.

I urge my colleagues on both sides of the aisle to support H.R. 664.

TRIBUTE TO THE PEOPLE OF GUAM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Guam (Mr. UNDERWOOD) is recognized for 15 minutes as the designee of the minority leader.

Mr. UNDERWOOD. Mr. Speaker, today I am introducing legislation, as I have for each of my four terms here, regarding an issue that is very special to the people of Guam, and that is an issue that goes back to the World War II experience of the people of Guam.

I am often asked what I enjoy most about my service as the elected representative of the people of Guam to the U.S. Congress, and my reply is that I appreciate being able to educate and tell Guam's story to as many people as possible.

Since I have been here, the most compelling story the people of Guam have to offer is their wartime experience. It is a story which begins during a time when the people of Guam were not yet U.S. citizens but were in a sense Americans-in-waiting. The story is filled with horror and heroism, suffering and relief, anticipation and disappointment, captivity and freedom, life and death. These are all the ingre-

dients to a blockbuster movie, including Guam's happy ending of liberation from her captors by primarily U.S. Marines of the Third Division.

Yet as time passes and the story of Guam's occupation is passed from generation to generation on Guam, this is often where the story ends. But like any great Hollywood movie, there is always more to the story that can be told but sometimes simply is not. In many cases the producers are constrained by budget, time, and attention spans of their audiences, and Guam's World War II experience is no different.

It has now been 54 years since the liberation of Guam and, if anything, time has not meant that all is forgotten or forgiven, not until there is some measure of national recognition of what happened to our fellow Americans on Guam and how the Federal Government failed to make them whole and right the wrongs which resulted from the Japanese occupation.

There was a woman by the name of Mrs. Beatrice Flores Emsley, who was the most compelling advocate of this cause, who came and testified several times in front of congressional committees until her death two years ago. At the age of 13 she survived an attempted beheading by Japanese officers.

In the capital city of Agana, she, along with another group of Chamorro people, were rounded up for beheading and mutilation and execution by swords. After being struck in the neck, she fainted, only to awake two days later with maggots all over her neck but thankful to be alive.

She would be haunted by her wartime experience for the rest of her life. And the long scar trailing her neckline, caused by the Japanese sword, was her constant reminder. Yet Mrs. Emsley never had words of bitterness, only that the people of Guam be made whole.

These stories are not meant to simply draw emotional attention to a very difficult time, but the people of Guam suffered enormously as the only American territory which was occupied by an enemy power since the war of 1812, in which hundreds of people died, thousands of people were injured, and thousands of people were subjected to forced marches, forced labor, and internment by the invading Japanese Army.

There have been many opportunities by America to recognize Guam's dramatic experience of World War II. In 1945 Congress passed the Guam Meritorious Claims Act, which is known as Public Law 79-224. This was the legislation which was meant to grant immediate relief to the residents of Guam by the prompt settlement of meritorious claims. That legislation had no forced labor, no forced march provision to it, even though later legislation which covered the same topic for other groups of Americans did allow for it.

While the Guam Meritorious Claims Act became the primary means of settling war claims for the people of

Guam, it was clearly inadequate. It was recognized by a number of Federal commissions, including the Hopkins Commission, Secretary of Interior Harold Ickes in 1947 and 1948, that the Guam Meritorious Claims Act, which was in existence for one year, was inadequate to deal with the thousands of claims that had to be submitted and in fact were not submitted.

It was inadequate to deal with the claims of a people who had simply lost all their homes and, instead of concentrating on the claims, they were all trying to find ways to be resettled. As a consequence, thousands of people, the vast majority of people of Guam never submitted claims. And most of the claims that were submitted and adjudicated by the United States Navy, which was the administering authority by congressional action for these claims, basically most of them were property claims.

To give my colleagues an example, one person who was beaten to death for saving a Navy pilot was given by the U.S. Navy, his family was given \$665.10 for the sacrifice of their father. A Navy plane had been shot down. He tried to go and help the pilot. The Japanese discovered him. He was subsequently beaten to death. The pilot was also executed. And for this the family received compensation, \$665.10.

□ 1700

If you wanted to personally, if you wanted to adjudicate a claim in 1946 dollars of more than \$5,000, which was allowed for a death claim, you had to come to Washington, D.C. to personally adjudicate the claim, which was quite an impossibility for a community that was war-torn at the time and did not really recover from World War II until the 1950s.

In asking on Congress to revisit this issue I want to point out a couple of items:

In 1945 there was the Guam Meritorious Claims Act. This was the act designed to deal with the American nationals of Guam for their suffering during World War II.

In 1948 there was similar legislation for Americans and American nationals, that was the term used at the time, to adjudicate their claims as a result of their suffering at the hands of the Japanese and the Germans. This includes people like who were nurses, for example, or American civilians who happened to be caught in the Philippines when the Japanese came. These people, including some people from Guam who happened to be in the Philippines at the time of the Japanese occupation, were allowed to submit claims under the 1948 law, and as a result of the inefficiencies in that law, that later was amended in 1962 to further perfect and finalize the arrangements dealing with the wartime experience.

The people of Guam were not included in the 1948 law, and they were not included in the 1962 law, and I want to explain a brief personal example of how that worked.

My grandfather, James Holland Underwood, was from North Carolina and he was a civilian on Guam when the Japanese landed. He was taken by the Japanese as a civilian internee, put in Japan for four years. While he was in Japan for four years, his wife, my grandmother, his sons, including my father, and their families were subjected to the Japanese occupation under very horrendous conditions. My parents lost three children during the Japanese occupation.

My grandfather was allowed to file a claim with the 1948 law, later revised in 1962, but neither of my parents were ever compensated for any of the experiences that they had, despite the fact that they were the ones who suffered the most. Not to say that my grandfather did not suffer as well, but it was an anomaly of congressional law.

The first question that I am always asked on something like this is why do we not submit these claims to the Japanese Government, since they were the source of this problem to begin with? And the issue is rather simple. The U.S.-Japan peace treaty in 1951 forever closed the door. That is typically part of peace treaties, whereby if you sign a peace treaty with a country, that claims of your own citizens against the other country are inherited by your own government. This was acknowledged by Secretary of State John Foster Dulles when the issue was raised in the 1950s.

So what we have is a case of legislation that has fallen through the cracks, has taken the one single group of Americans in this century who directly experienced foreign occupation and has ignored their sacrifices and has not respected their loyalty.

Yet despite this experience, July 21, which is the day that the Marines landed on Guam, is by far the biggest holiday on Guam. People are eternally and genuinely grateful for the sacrifices of the men of the Third Marine Division, First Marine Provisional Brigade, units of the 77th U.S. Army infantry, the Coast Guard, the Navy, very genuinely grateful for the sacrifices in removing the Japanese from Guam.

Yet the people of Guam have not been treated the same as the people of the Philippines, who were granted \$390 million by the U.S. Congress and who in turn, because they became an independent Nation, were allowed to submit separate claims against Japan. The people of Guam were not treated the same as other U.S. nationals and other American citizens and most noticeably sometimes different people, because they were in the same family, were treated differently.

This is an issue which will take some resolution. I am glad to see that there have been several cosponsors for this legislation. I have introduced this legislation today. I hope and I pray that this will be the Congress that will finally put this issue to rest. World War II, the sacrifices of the World War II generation, are no less the men in uni-

form and the people back on the domestic home front, but certainly for a very small group of people who were considered American nationals at the time, who endured a horrendous occupation by an enemy power, subject to forced marches, forced labor, brutal killings, many injuries and widespread malnutrition which itself caused hundreds of deaths, must not go unnoticed, must not go unrecognized.

And so I hope and I pray that this will be the Congress where we will finally bring an end to this wartime legacy.

Mrs. Beatrice Flores died two years ago. Under this legislation, if she had remained alive, she would be awarded \$7,000 for injuries suffered as a result of World War II. Today, even if this legislation passes, nothing would happen. Her family would get nothing because the only legitimate claims that can be made were for those people who actually died during the Japanese occupation.

So, the longer we wait, the more justice is delayed, the more certain people who experience this directly will not get compensated, and so I feel very strongly about this. I feel that the people of Guam finally need for this to come to a conclusion, and I hope that Members of this body will support this piece of legislation.

GOOD FRIDAY AGREEMENT IN PERIL

The SPEAKER pro tempore (Mr. GREEN of Wisconsin). Under the Speaker's announced policy of January 6, 1999, the gentleman from New York (Mr. WALSH) is recognized for 60 minutes as the designee of the majority leader.

Mr. WALSH. Mr. Speaker, I would like to acknowledge at this time my good friend and colleague from Massachusetts (Mr. NEAL) who will join me and other Members, including the gentleman from New York (Mr. BEN GILMAN) in a bipartisan discussion concerning the Northern Ireland peace agreement.

Mr. Speaker, the peace process in Northern Ireland is in serious trouble. The Good Friday agreement we cautiously celebrated last spring is now under attack from within. Ulster Party leader David Trimble, who signed the agreement just nine months ago, is now balking and trying to reopen, renegotiate and re-interpret the terms of that hard-fought agreement. Over the past few months we have seen deadlines pass, deals reneged upon and a return to the ugly politics of exclusion.

Let me remind those who support the status quo that the people in Ireland, north and south, voted decisively for change in the referendums last May. History will not be kind to those who fail to deliver.

The next couple of weeks are critical. On Monday the Northern Ireland Assembly will meet to formally approve the creation of the 10-member executive and cross-border bodies. Over the

next two weeks the assembly will make preparations for the transfer of powers from the Northern Ireland office on March 10.

David Trimble wishes to lay claim to the title of first Minister of Northern Ireland. If he is ever to fulfill the tremendous responsibilities of serving as the first minister for both communities in Northern Ireland, he needs to move forward to implement the agreement that he is a party to and to appoint ministers to the executive. If he fails to do so, the two governments party to the agreement, namely Ireland, the Republic of Ireland, and Great Britain should reject the Trimble veto, take responsibility into their own hands and implement the agreement. They must support those who are working for peace, who wish to govern and serve in a new Northern Ireland. They should implement the agreement.

Mr. Speaker, why should the people of the United States care? Well, because first of all there are millions and millions of Americans of Irish descent who reside in the United States, some of whom have paid very close attention to this, others who have not but yet understand what all Americans understand, and that is that Northern Ireland must move forward into a pluralistic, democratically-elected government that makes it possible for everyone to live out their lives, and practice their religion, and practice their own philosophy, and raise their family and raise their children in a spirit of equality and under a government that allows for individual freedoms and beliefs.

One of the issues that has really hung this process up is something referred to as decommissioning. Decommissioning is the term that is used by the political parties of the north that in effect would disarm all of the combatants in this process, and I stress the words all of the combatants. As you probably know, there has been for the last 30 years at least a period of strife, civil strife, violence, and it has been a very difficult time. Decommissioning would require under the agreement that all parties to the agreement, all political parties to the agreement, would use their good offices and their political capital to remove all of the guns and all the bullets from Northern Ireland. The agreement provided two years for this to take place and urged that all parties work toward that end, and at the end of the two-year period ideally all the weapons would be removed.

Mr. Trimble has seized upon this issue and has, I think, really backed himself into a corner, because what he is saying now is that in order for him to implement the agreement, the IRA and the political leadership of Sinn Fein must deliver decommissioning prior to the implementation of the government, which is in direct contradiction to the agreement. The agreement says we all work together toward the end of violence and decommissioning, the end of arms, in a two-year period.

Meanwhile we have deadlines that have to be met in order to put this government together, and if Mr. Trimble would stick to the agreement, progress would be being made now, and in fact one of the things that has to occur along the way is to eliminate the root causes for violence. And if those root causes are not eliminated, then regardless of whether the weapons disappear now or later, if the root causes are still there, the violence will return.

So the agreement was hard-fought, every "I" was dotted and "T" was crossed with everyone watching, and words do matter over there. So the agreement needs to be implemented.

I will take another moment and focus on another very important element in this agreement, and then I will yield to my friend from Massachusetts (Mr. NEAL).

The Good Friday agreement calls for a new beginning to policing in Northern Ireland and contains a clear and unmistakable mandate for a new approach in this area, one capable of attracting and maintaining support from the community as a whole. In doing so it acknowledges the major defects in the current policing arrangement and the vital need for change.

□ 1715

At this critical juncture in the peace process, there is an enormous responsibility on Members of the Patten Commission. It is essential that they submit the kind of innovative proposals which the situation demands. It is no exaggeration to say that many in the Nationalist community will judge the value of the agreement by what the Commission delivers on policing. The terms of reference given to the Patten Commission, which are detailed in the Good Friday Agreement, are comprehensive and far-reaching. I propose today to include them in the record of the House.

They require that the Commission deal with key issues, such as the composition, future police structure, and the whole culture and character of the force. The objective is to provide a police service with which both communities can identify. That is definitely not the case at present.

The overriding problem is that the Nationalist community does not see the RUC, the Royal Ulster Constabulary, as their police force. This is hardly surprising, given that 93 percent of the force is drawn from the Unionists, as opposed to the Nationalist community, and for much of its history the force operated as an arm, often an oppressive arm, of the Stormont Unionist administration.

People in Nationalist areas recall in the not too distant past the use of lethal force by police, the use of plastic bullets, the use of physical abuse and torture in interrogation centers. They want to know that these features of policing are gone, and gone forever.

In Northern Ireland, policing has been a major source of division, push-

ing the two communities farther and farther apart. In these circumstances, the demand for change is not about getting more Catholics into the RUC, it is about completely overhauling how policing operates in Northern Ireland. It is about creating a new police service with which the Nationalist community can fully identify.

The situation cannot be resolved by tinkering with the problem or merely changing the name or the uniforms of the force, however necessary those changes may be. It requires a fundamental reappraisal of policing structures.

The Good Friday Agreement identifies the objective, a police service enjoying the support of both communities. The Patten Commission must work back from that objective. It is its task to devise the kind of policing service which meets that standard. The status quo cannot be the point of departure.

The new agreement must include fundamental changes in the composition, structure, culture and character of the police. The Commission's guidelines stress the need for the police to become accountable to the community that they serve. This means real power over policing at the regional and local level, with input into recruitment and direction of the force.

The issue is not about adjusting simply the sectarian imbalance within the RUC. It is about creating a police service which Nationalists see as their own. They have never had that.

It is no exaggeration to say that getting the policing issue right will have a major bearing on the ultimate success of the agreement. It is vital, therefore, that the Patten Commission's recommendations be acted upon without delay.

We have seen too many examples of the so-called Securicrats, those shadowy bureaucrats who operate behind the scenes and appear to pay little attention to the political leaders, slowing down reforms to fit some alternative agenda. This must not be allowed to happen with policing.

Mr. Speaker, I yield to my friend and colleague from Massachusetts, who has shown great leadership on this issue, Mr. NEAL.

Mr. NEAL of Massachusetts. Mr. Speaker, I thank the gentleman from New York (Mr. WALSH).

Mr. Speaker, there is high significance to this issue as we confront it here again on the House floor in the sense that in terms of international relations, this issue was inspired by Members of the House. It was the constant vigilance of the Members of the House of Representatives many years ago that played an enormous role in bringing this question to the surface and allowing members of the international community to pass some judgment.

I want to thank Mr. WALSH. Time and again, like many Members of the Republican Party, he and others have

been of great assistance on this question over a long period of time.

As one who has been involved in the issue of Ireland for the better part of two decades, in fairness it should be acknowledged this afternoon how far we have come. But the truth is, as we have continued to role the boulder back up the hill time and again in the face of obstacles, some minor and some major, it has been the vigilance of this Congress that has ensured that all voices have rightly been heard.

But let me, if I can, speak for a few moments about the Good Friday Agreement and the issue of decommissioning, as it is commonly known.

The Good Friday Agreement states that all participants reaffirm their commitment to the total disarmament of all paramilitary organizations and to achieve the decommissioning of all paramilitary arms within two years following the endorsement of referendums in the north and the south of Ireland.

What is significant about this occasion, I believe, is that nowhere in the Good Friday Agreement is that issue compromised. It is pointed out time and again in a prescribed timetable that the people in the Republic of Ireland and the north of Ireland simultaneously voted for and endorsed.

So what brings us to this point on the House floor? We are here because, once again, the Nationalist community, the Social Democratic and Labor party, led by John Hume, and the Sinn Fein political party, led by its president, Gerry Adams, have met all of the agreements that were reached on Good Friday under the substantial and able leadership of former Senator and our friend George Mitchell.

And what has been their reward as they have gotten to the goal line? As they have gotten to the goal line, the response has been to move the goal posts back. Sinn Fein and SDLP both have stated emphatically that there are no preconditions that have been offered nor none that were accepted on the issue of decommissioning.

But what do we have as a response from David Trimble and the Ulster Unionist party? They have sought to rewrite and to renegotiate the agreement on the matter of decommissioning.

What is to suggest to the Nationalist community that if they want to subscribe to this precondition, that another precondition might not be offered in the near future, as it has always been done in the far and recent past?

David Trimble in this instance, who, by the way, has won a Nobel Peace Prize, and I held great hopes for just a few weeks ago, has attempted to review the agreement that the people on the island of Ireland have voted for. He and some of his allies have deliberately delivered a crisis in the peace process by refusing to cooperate in the establishment of the new political institutions in the north of Ireland that, once again, the people in those six counties have voted for.

They have repeatedly missed deadlines, and they have used decommissioning

as an excuse to try to review the whole topic. What is sorely needed here is the leadership of the First Minister in Waiting to accede to the views of the electorate and to all of the political parties by Monday of next week, or February 15th.

David Trimble and the Unionist party should not be allowed to park, to rewrite, or to renegotiate this agreement that was approved by the vast majority. Ten months after the agreement and nine months after the historic North-South referendums, the Assembly, the Executive and the North-South Council have still not been established. The refusal to establish these new institutions is in fundamental conflict with the letter of the Good Friday Agreement. It is undemocratic and a denial of the rights and wishes of a majority of the people who voted for that agreement on May 22, 1998.

We cannot diminish on this occasion or on this floor how significant this achievement has been. To think that all of the political parties, with the exception of some fringe elements, have come to the bargaining table and hammered out an agreement with the endorsement of Bill Clinton and Tony Blair, who both have done a great job, now to discover as the deadline for the North-South bodies approach that the would-be First Minister has decided to erect a new barrier to the accomplishment of our overall goal, and that is to have a role for Dublin in the day-to-day affairs in the north of Ireland.

It was just a few weeks ago that we saw the process stumble and we saw Prime Minister Blair intercede to help pick it up. In this instance, we hope once again that he would be willing to do precisely that.

We should not underestimate how far this has come. We should time and again remind ourselves that we are now far up the hill as to where we once were. But it needs an extra nudge, and the nudge would be, I believe, to encourage Prime Minister Blair, and if it is the consensus of the political parties in the North, Bill Clinton, to once again intercede.

But if we are to find ourselves each and every step along the way in this process of having a referendum which parties agree to and the parties all endorse, and then to say at the end of the day that is not entirely what was meant, we have to go back and revisit all of these issues that have intervened in recent time, then the agreement will collapse of its own weight, and none of us here who have been party to this solution want to see that happen.

It is time for the development of these bodies, fully in compliance and in agreement with the wishes of the people in the North.

Mr. WALSH. I thank the gentleman. Mr. Speaker, I yield to the distinguished Chairman of the Committee on International Relations, a real leader on this issue of peace and justice in Ireland, the gentleman from New York (Chairman GILMAN).

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

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

Mr. Speaker, I am pleased to be able to rise today on this very important issue as the new 106th Congress is taking time to address an ongoing issue of important foreign policy concern to our own Nation. The question of the difficult struggle for lasting peace and justice in the north of Ireland is one of concern to millions of Americans, as well as peace-loving people throughout the world.

I thank the distinguished gentleman from New York (Mr. WALSH) for arranging this special order, enabling us to discuss the status of the Ireland peace process. We welcome his remarks. I want to commend to the gentleman from Massachusetts (Mr. NEAL) for his supporting remarks and for his ongoing concern for peace in Ireland.

Last year, as we know, was an historic one in Irish history. The good Friday accord was signed in April of 1998. The Irish people, both North and South, overwhelmingly endorsed that peace accord in public referendum. The people in the North then elected as part of the accord a new Northern Ireland assembly, an assembly to govern much of their own internal affairs.

Sadly, as so often has been case over the many years, and as my colleagues have just recited, the issue of arms decommissioning is still a major obstacle to further progress in the effort to bring lasting peace and real concrete change in the north of Ireland.

These are goals we and most of the people on that island accept and want desperately. What is sadly lacking is the political will and leadership on the ground in the North. The arms issue is once again being used as the old Unionist veto, which blocks progress and blocks full implementation of the Good Friday peace accord.

While it is notable that some people have won Nobel Peace Prizes for their leadership up to and signing the Good Friday accord, the real prize should come when the terms of the accord are fully adhered to and agreed upon as negotiated by all the parties.

□ 1730

In particular, the decommissioning issue is being used to block creation of a Northern Ireland cabinet level executive intended to help govern the north, as well as to help implement the new North-South bodies under the Good Friday Accord.

The new cabinet executive must include Sinn Fein who won that legitimate right through the ballot box and a Democratic process to participate and to govern the north, as well as to be able to sit on the new North-South cross border bodies to govern the new Ireland.

Like it or not, the Unionists must acknowledge that Sinn Fein has a legitimate Democratic mandate which,

under the terms of the accord, entitles him to two ministerial posts on the new executive cabinet.

The Good Friday Accord never mandated that the issue of IRA decommissioning would be a precondition to Sinn Fein's entry into government and the new institutions it established. It provides only for "best efforts" and the "hopeful completion of the arms decommissioning process" by the year 2000.

The entire and complex Good Friday Accord and peace process will work only if everyone keeps their word and does not seek to renege on those portions of the agreement that they now profess to dislike. That is just how it is, and there can be no unilateral renegotiations, period.

Yet, sadly, the issue is back to being used as a red herring to rewrite and to undo the Good Friday Accord and thwart the will of the Irish people who voted in massive numbers for the accord and for peaceful political change.

It is time to get on with it and put an end to the Unionist veto which, for far too long, has been used to maintain the unsatisfactory status quo which is the north of Ireland today. We all know far too well how political vacuums in the past have been filled in Northern Ireland. No one wants a return to violence on all sides.

Change must come on the ground, and the nationalist community must be treated with equality. They must be given their rightful voice in the future of the new north. Many in the nationalist community have chosen Sinn Fein to represent them in a new government, and no one has a right to undo that election.

We also need to see new and acceptable community policing in the north, and equal opportunity, and a shared economic future. I am pleased to report today that our House Committee on International Relations will be holding hearings on April 22nd on policing in the north. We will be taking testimony from the north and from leading international human rights groups on the RUC question and the compelling need for new and acceptable policing, which is both responsive and accountable as envisioned by the Good Friday Accord. I am convinced that many constructive ideas for meaningful peace reform will emerge from our efforts.

It is important that we all work together to bring about concrete and meaningful change, and bring about reform in the north so that one day soon, the future of Ireland and its warm and generous people will be theirs and theirs alone to make. It is time to get on with it, to end the foot-dragging, and to implement the will of the good and generous Irish people.

I thank the gentleman for arranging this Special Order, and I thank him for yielding time.

Mr. WALSH. Mr. Speaker, I thank the gentleman for his thoughtful comments and his leadership, as always, and I welcome the prospect of hearings

in the Committee on International Relations on policing in Northern Ireland. It is a welcome addition to this overall equation, and I am sure it will be very, very helpful to all of us who are interested in this important issue.

Mr. Speaker, I yield at this time to my distinguished friend, the gentleman from Massachusetts (Mr. NEAL).

Mr. NEAL of Massachusetts. Mr. Speaker, I thank the gentleman from New York (Mr. GILMAN) who has been a good leader on this issue and a faithful friend as well.

At this time, Mr. Speaker, I yield to the distinguished gentleman from Worcester, Massachusetts (Mr. MCGOVERN), who has had a long interest in the issues and affairs of Northern Ireland.

Mr. MCGOVERN. Mr. Speaker, I want to thank my friend, the gentleman from New York (Mr. WALSH), and my dear friend and colleague, the gentleman from Massachusetts (Mr. NEAL) for their long years of leadership and advocacy for a fair, just and lasting peace in Northern Ireland.

Like so many of my colleagues, I have relied on their wisdom and their insights in understanding the complex issues confronting this country as it moves into a new era of peace. I want to thank them again for the opportunity this afternoon for Members to come together and discuss the status of the peace process in Northern Ireland. I would also like to acknowledge and express my appreciation to the gentleman from New York (Mr. GILMAN) for all of his efforts in bringing about a peaceful settlement to the troubles in Ireland.

Mr. Speaker, like the people of Northern Ireland, the Republic of Ireland, and England, the world was deeply moved and experienced a universal feeling of hope when all sectors of the Irish conflict signed the Good Friday Agreement last year and put in motion a process to bring lasting peace to Northern Ireland.

All of us watched the people of Ireland and Northern Ireland vote overwhelmingly in support of the peace agreement, and we watched with great concern as violent parties attempted to destroy or undermine the agreement with acts of violence. But the heart and the soul and the spirit of the Irish people held true to the calling of peace and they rejected these violent provocations.

The peace process has now reached yet another important crossroads. For over the next days and weeks, we will actually witness the transfer of power to the people of Northern Ireland, all the people of Northern Ireland. And we will see the various parties and sectors form a new executive, receive posts and ministries in that executive power, and have the new assembly ratify the North-South Agreement. In March, we will witness the formal transfer of power to this newly established executive.

But there are some who state that the establishment of these new polit-

ical institutions cannot and should not take place without the disarmament of paramilitary groups, most notably the decommissioning of the Irish Republican Army. But Mr. Speaker, the Good Friday Agreement, as has already been mentioned, requires no such precondition for the initiation of these new political bodies and the transfer of power. Indeed, establishing these new institutions and empowering the various parties and sectors of Northern Ireland will contribute greatly to building the climate of confidence and trust so necessary for the successful disarmament of paramilitary groups.

Another key for successful disarmament will be what happens this summer when the proposals are reforming the police and completing the demilitarization of troops that will be presented. The reorganization of the police so that it is both responsible and responsive to all the communities of Northern Ireland is a critical item of the Good Friday Agreement. So is the withdrawal and the demilitarization of British troops on Irish soil a key element to a lasting peace and the rejection of armed conflict in the future.

According to the framers of the agreement and the British government, the IRA needs to lay down about 1,500 arms or weapons by May 2000. Mr. Speaker, I have been very actively involved in the peace accords that ended the Civil War in El Salvador and that required the guerrilla forces in that country to give up literally tens of thousands of weapons. Believe me, Mr. Speaker, it only needs a matter of days to disarm 1,500 weapons if, and I emphasize if, the political and social institutions called for in the Good Friday Agreement have been established and are allowing all the people of Northern Ireland to participate fully for the first time in determining the future destiny of the country.

Mr. Speaker, it is easy to overlook the tremendous progress that the peace process has brought to Northern Ireland. The British government, to their great credit, is ahead of schedule in the release of political prisoners. Families are being reunited. It is safer for people to walk home on the streets of Belfast and Ulster, and business and local commerce are expanding, and communities are coming together across sectarian lines, many for the first time, to plan a common destiny.

Those of us in the United States and the international community must continue to support the peace process, and we must salute the people of Northern Ireland for remaining firm in their commitment to creating a lasting peace. But we also must, as my colleagues have already said here today, put pressure on those who would seek to undermine or rewrite or amend the process which has already brought us and moved us so far along this goal toward peace.

Mr. NEAL of Massachusetts. Mr. Speaker, I would like to speak, if I could for just a few moments again,

about that policing issue. It was touched upon by the gentleman from New York (Mr. WALSH) earlier and the gentleman from New York (Mr. GILMAN) and the gentleman from Massachusetts (Mr. MCGOVERN), but it is a crucial issue in terms of developing some faith in the institutions of governance in the north of the nationalist community that they fundamentally see a change in the identity of the police force. They cannot be seen as occupiers in a land that people see as their own. There have to be changes in the uniform, the name of the force, the emblems and the flag of the new force that will eventually command respect in both communities. We seek not the triumph of one community over the other as much as an agreed upon Northern Ireland.

What we ask for is that North-South policing cooperation reinforce community confidence, and that a permanent international team be sent to the north to monitor the implementation of the agreements and the reforms as proposed. This opportunity must be emphasized in terms of the overall agreements in the north. If we are to have a professional police force, it must be one that is acceptable to both sections of the community and indeed, to both traditions. And while the Good Friday Agreement calls for a new beginning to policing, it has been slow to come about, and we are anxious to see the Patten Commission deliver on the agreement of policing and to see the composition of the police force of the UR in the north be dramatically changed.

Mr. Speaker, I yield to the gentleman from Newark, New Jersey (Mr. PAYNE), an individual who again has been a great friend on this issue.

Mr. PAYNE. Mr. Speaker, I appreciate the gentleman yielding to me.

Mr. Speaker, I would like to add my support to the continuation of the peace process in the north of Ireland. As we all know, the Good Friday Accords were promulgated nearly a year ago this April, with the best intent in mind, to end the authoritarian rule and domination of the Protestant party over the minority Catholics. It gave Catholics a real voice for once by ending 3 decades of conflict in the north of Ireland.

Last marching season, last July 4th weekend I had the opportunity to travel again on my several trips to the north of Ireland, and I was there during that march when the Orange Order came into Drumcree, and the standoff was there. That was a tragic week. Following the standoff in Drumcree, 3 little boys were fire-bombed to death. Very sad and brutal.

People started to think that perhaps enough is enough, to continue to celebrate the victory of William of Orange, in which Irish land was seized and confiscated, is really an insult to the people of Ireland and Catholics everywhere. Sadly, this parade glorifies a part of history and is really provoca-

tive in nature. So we felt that with the Good Friday Accords that this would be behind us. So one can imagine the excitement when President Clinton, along with those of us here, went to celebrate the Good Friday Accords.

I believed that the political prisoner release of paramilitary groups on both sides was certainly an issue that was a tough issue. I know that perhaps Tony Blair is receiving pressure to overturn this rule. I think this would set a bad precedent for all involved if this was overturned.

In the same light, I know that the decommissioning issue was one of the last issues discussed before all parties made the last push towards peace. I think we know that disarming the paramilitaries was going to be very difficult, and we know it is a tough, sticky issue in most negotiations, even with the Palestine and Israel negotiations. The tough issues are put last, what should happen to the Holy City. So we are at the tough times.

But let me say that the peace agreement does not explicitly require a start on disarmament, but it seems like politics is dictating this. I would hope that we could work out a solution. We have gone too far, we have suffered too long. We really believe that peace in the north of Ireland is irreversible, but we do need cooperation from all parties.

I would also like to conclude by adding an article that was in today's Washington Post by a Mary McGrory who had an article called the Art of Understanding, and it talked about a dinner that was held Sunday evening at the Irish Embassy, but it was a little bit different. She said the number of blacks and whites were equally divided, and the new mayor of the city was there, and the chairman of the Republican National Committee was also there. They talked about issues of commonality, and the thing that was interesting about this is that the Anacostia area of Washington is an area where Frederick Douglas lived.

□ 1745

He moved into the area, although blacks were restricted, and he even had an integrated marriage. He moved there, anyway.

But there was an Irish patriarch named Daniel O'Connell who Frederick Douglass admired. Frederick Douglass heard him speak in 1845, when Frederick Douglass went to Dublin. The two men often spoke in public. Douglass and O'Connell often complimented each other. This article is extremely interesting.

Please allow me to include in the RECORD this article from today's Washington Post, which talked about two great fighters for freedom in the 1800's, Frederick Douglass, the great African American spokesperson of the time, and Daniel O'Connell, an Irish patriot.

The article referred to is as follows:

(From the Washington Post, Feb. 11, 1999)

THE ART OF UNDERSTANDING

(By Mary McGrory)

It wasn't your usual diplomatic do last Sunday night at the Irish Embassy. The

guests, for one thing, were about equally divided between blacks and whites, which doesn't happen much unless African dignitaries are visiting. For another, the city's new mayor, Tony Williams, was there, and so was the chairman of the Republican National Committee, Jim Nicholson.

The company had been invited by the Irish ambassador, Sean O'Huiginn, and his artist wife, Bernadette, to stop by for supper on their way to Union Station, where an exhibit of art in Anacostia, the capital's stepchild ward, was opening. The mayor was there to encourage the "Hope in Our City" initiative as just the kind of rational enterprise he hopes will occur in his administration. And Nicholson was on hand as "spouse of" his artist wife, Suzanne. Her warm, evocative painting of three abandoned buildings on Martin Luther King Avenue so charmed the mayor that he put it on his Christmas card.

Suzanne Nicholson's husband's party may have trouble with African American voters, but she is a heroine in Anacostia. Although it is most known for its high unemployment and low rate of trash collection, she finds it a place of beauty and inspiration. She visits often, and patronizes the Imani Cafe, across the street from the scene of her painting.

The Irish ambassador told the gathering about an old tie between Anacostia's most famous inhabitant Frederick Douglass and the great Irish patriot, Daniel O'Connell. The two mighty champions of the oppressed were friends.

Douglass admired O'Connell's fiery speeches on liberty. He realized his dream of a meeting in 1845, when he went to Dublin. The two spoke often in public, Douglass of a race in chains, O'Connell about a nation deprived of all rights and liberties.

Bernadette O'Huiginn created a sculpture to commemorate the tie between green and black. She found a Celtic cross in the gift shop of the National Cathedral, chains to drape over it at Hechinger's; hunted down a slave's iron collar and bought a shotput ball that she "aged" for the exhibit.

At one side of the drawing room, which throbbled with the good cheer of people of the same town in search of the same thing, Chairman Nicholson talked more about politics than the arts. Guests sought his views on censure—he's against—and the luck of Clinton. "Can you believe," he asked with hands spread wide, "that the pope would come and the king would die all in the month he needed them the most?" He meant, of course, that the pope's visit to St. Louis gave him a chance to place a filial hand under the pope's elbow and King Hussein's death gave him a chance to comfort a queen and be pictured with three ex-presidents.

Impeachment has only widened the gulf between Republicans and African Americans, who see Clinton as a fellow victim of persecution by the authorities.

Across the room, guests crowded around the mayor to wish him well or to give him advice. Williams has just weathered his first big flap—brought on by a career umbrage-taker in the city's employ who does not know the meaning of the word "niggardly."

After they had supped on curried lamb and Irish potatoes, the guests went to their cars and headed for Union Station to see a high display of photographs and paintings that were all by or about the people of Anacostia. They were pictured as prophets and angels or just infinitely appealing human beings. It is a vivid, intimate view of a neighborhood that never had much going for it, but that now has the attention of its fellow citizens. The Washington Arts Group, which arranged the show, says it seeks "reconciliation through art." It seemed quite a plausible goal Sunday night.

Once again, I would just like to commend the gentleman from Massachusetts (Mr. NEAL) and the gentleman from New York (Mr. WALSH), and all those involved in wishing the peace process in Northern Ireland to continue. We need to keep the pressure on. It always gets tough when we are right near the end, but the end of the tunnel is in sight. We hope that the politics does not destroy this, whether it is in England, whether it is in Ireland, whether it is in the north of Ireland.

Mr. NEAL. I thank the distinguished gentleman from Newark, New Jersey (Mr. PAYNE).

Mr. Speaker, I yield to the gentleman from Baltimore (Mr. BEN CARDIN), a good friend to the Irish peace process, as well.

Mr. CARDIN. Mr. Speaker, I thank my friend, the gentleman from Massachusetts (Mr. NEAL) for yielding to me. I thank him for his leadership on this issue, and thank the gentleman from New York (Mr. WALSH) for his leadership on this issue.

Mr. Speaker, I have the honor of representing the Third Congressional District of Maryland. It is known as the ethnic district. We have many ethnic communities that are located in my congressional district. We have a proud Irish tradition in Baltimore and in Maryland.

The people of my district strongly support the peace process in Northern Ireland. I take this time to emphasize the importance of us staying the course for peace. I also wish to pay tribute to a young Belfast man named Terry Enright, who was slain a little over a year ago in front of a nightclub where he worked by those who would have hoped his murder would rekindle the smouldering ashes of sectarian strife and the mindless killings in Northern Ireland.

One year later, though talks on the implementation of the historic peace agreements have stalled, the streets of Belfast, Antrim, and Omaugh and all of Northern Ireland are relatively calm and quiet. Terry Enright's murder could not eclipse his life and its message.

You see, Terry was a young youth counselor, a lover of the outdoors, sports, and children, who realized that bringing these things together was part of the solution to the troubles. Terry Enright worked with children from all walks of life, Protestants, Catholics, Unionists, Loyalists alike.

I mention this, Mr. Speaker, because his murder did not prompt the resurgence of violence that his killers had hoped. Rather, it prompted a collective recoiling in horror from people all over the island of Ireland. Following a deep and profound sadness, there was a recommitment from all sides to keep their eyes on the goal line. That is what Terry would have coached.

Seamus Heaney, the Nobel Prize-winning poet from Northern Ireland, tells the story of his aunt, who planted a chestnut in a jam jar the year of his

birth. When it began to sprout, she broke the jar and planted it under a hedge in the front of his house. As the chestnut sapling grew, Heaney came to identify his own life with that of the chestnut tree.

Eventually the family moved away, and the new family that moved in cut down the tree. Reflecting on that tree as an adult, Heaney began to think of the space where it had been, or what would have been.

He writes, "The new place was all idea, if you like; it was generated out of my experience of the old place but it was not a topographical location. It was, and remains, an imagined realm, even if it can be located at an earthly spot, a placeless heaven rather than a heavenly place."

Mr. Speaker, let the words of Seamus Heaney and the life of Terry Enright be a reminder to us all, especially Irish leaders, as they steer through the particularly rough shoals of implementing the peace talks. We ask that these men and women be remembered; that we understand and reflect on their lives.

Terry's life has been reflected on by his parents and by his two sad and mystified daughters, who hope all remember Terry in life, just as Heaney remembered his chestnut tree in life. But let us hope that also the imagined realm of peace and equality in Northern Ireland generates "an earthly spot of placeless heaven" for all those in Northern Ireland.

Through the work of President Clinton, Senator George Mitchell, David Trimble, John Hume, and the citizens of Northern Ireland, we can almost glimpse it.

Though the negotiations in Stormont may be stalled, they should not stall the momentum of hope. Let these leaders hear and speak the words of present compromise instead of stumbling over the words of past conceits. Terry's father reminds us it was a similar impasse in the peace talks before the Good Friday agreement that created the political vacuum in which his son was murdered.

Terry Enright's mother, Mary, when asked how she can cope with the rage and frustration over her 28-year-old son's tragic killing, explains: "But if you drive a car looking through the rearview mirror, you'll end up crashing."

Mr. Speaker, the imagined realm of Heaney's fallen chestnut tree and the reality of Terry Enright's work in life ought to direct these leaders in this perilous moment of peace to look up and to look ahead. I know I speak for all Members of this body in urging us to remember the goal of peace in Northern Ireland. It is within our grasp. We must stay the course. I urge us to continue to do so.

Mr. NEAL. Mr. Speaker, I want to thank the gentleman from Maryland (Mr. CARDIN) for calling attention to what happened on the night of January 14, 1998, when Terry Enright, a 28-year-old nationalist, was killed by the Loy-

alist volunteer forces outside of a Belfast pub. He was the 3,233rd person killed in the 30 years of sectarian conflict in the north of Ireland. His wife, Deidre, is a niece of Gerry Adams.

His funeral was the largest burial service since Bobby Sands in 1981, attracting thousands of people from both the Nationalist and the Unionist communities. They came in such numbers because Terry Enright was a popular social worker and an athlete who worked with disadvantaged youths. He was a role model to both Protestant and Catholic youngsters who participated in his Outward Bound program and admired his message of non-violence.

Many people said they would remember the funeral, where two bright rainbows appeared when the casket was brought to the church and when it was eventually taken away to the cemetery. On the 1-year anniversary of his death, let us remember the life and spirit of Terry Enright, and let us pay tribute to a brave young man who rose above the conflict and dreamed of an Ireland free of violence and sectarian hate.

This life highlights how difficult this task has been, but at the same time, the acknowledgment demonstrates how far we have all come in this process. We should note the work of not only the friends of Ireland here in this Congress, with the gentleman from New York (Mr. WALSH) and many others on the Ad Hoc Committee on Irish Issues, but also the role that President Clinton, Prime Minister Blair, Mo Mowlam and Bertie Ahern have played, as well as John Hume and Gerry Adams.

We should not be discouraged at this time. We can only hope and pray that the best instincts of all the parties will prevail in the next few weeks as we enter this critical phase once again of Irish history. We hope and conclude in the near future that all the people on the island of Ireland will live in an agreed-upon Ireland. I thank my friend, the gentleman from New York (Mr. JIM WALSH) for organizing this special order.

Mr. Speaker, I include for the RECORD this article from the Online Edition of the Irish News.

The article referred to is as follows:

(From Irish News: Online Edition, Feb. 11, 1999)

SQUARING THE ARMS CIRCLE

The future of Northern Ireland will be decided within weeks. Next week the assembly will decide whether or not to adopt proposals for a 10-member executive and cross-border bodies.

In the next week or two the executive will be established in shadow form, ready to accept powers back from Westminster.

The deadline for that is March 10—though Tony Blair and Mo Mowlam have both said they are prepared to allow some slippage.

Progress depends on reconciling David Trimble's refusal to sit alongside Sinn Fein ministers in the absence of concrete decommissioning with Sinn Fein's refusal to link membership of the executive with the hand-over of arms.

Nobody knows how this particular circle will be squared. One thing is certain, neither

Mr. Trimble nor his Sinn Fein counterpart Gerry Adams seems willing to give way first.

The most likely formula revolves around the status of ministers.

It has been suggested that the appointment of ministers with shadow powers would be a clear signal to republicans of unionist bona fides. This in turn would give republicans space for the beginning of actual de-commissioning.

There may be an element of wishful thinking here. But it is difficult to see any other solution which would give both sides the space they need.

Mr. Trimble would be able to tell his electorate that republicans would not bet a hand on the reins of power without movement on weapons. Mr. Adams would be able to say that Sinn Fein ministers had been appointed without de-commissioning being given in return.

Both men should take encouragement from the real desire for movement within the community they serve.

That was well articulated yesterday by the G7 group which represents business and the trades unions.

Their interests are at one with the interests of the entire community. They know all too well that political stability will bring enormous economic rewards.

Sir George Quigley put the issue succinctly when he said: "For everybody to wait for somebody else to move before moving themselves is a sure recipe for permanent immobility."

"Northern Ireland has no future of any quality except as a stable, inclusive, fair, prosperous and outward-looking society."

That fact has not been lost on the prime minister. Yesterday Downing Street let it be known that Tony Blair intended to become "much more fully engaged" in the coming weeks.

Mr. Blair has played a crucial role in moving the process forward. He has done so because he has earned the respect of both traditions.

He should know that the vast majority of people on this island, as well as within Northern Ireland, will support efforts to find a way around this problem which recognizes the concerns of both sides and strives for an accommodation.

Mr. WALSH. Mr. Speaker, I thank the gentleman. As always, I am inspired by the thoughts and words of my colleagues. Certainly nothing stirs the blood of an American more than the issues of war and peace and freedom and liberty versus subjugation of philosophy or religion or free speech.

My colleagues who have spoken tonight not only have given their thoughts and words to this, but their time. Many, many of them have traveled back and forth over the Atlantic to lend whatever assistance we can to this very critical process at a very critical time. I am inspired by their actions, and I am comforted by their actions, and I am comforted by the leadership that both parties have provided, that our president has provided. Progress would not have been made without that effort.

I would also like to thank our dedicated staffs who have put so much time, of their time and energy into this, providing us with a the background, making the phone calls, staying on top of the issue. It is not just out of the fear that they will not have their job, they are doing it because

they believe in it. Their effort is appreciated.

I would also again like to thank my colleagues. There were many who had planned to attend this evening's special order, but with the change in schedule they headed home, people like the gentlemen from New York, Mr. PETER KING, Mr. VITO FOSSELLA, and Mr. JACK QUINN.

For the good of the order, I would like to make my colleagues aware, and the gentleman from Massachusetts (Mr. NEAL) knows that, that the gentleman from Illinois (Mr. HASTERT), the new Speaker of the House, accompanied President Clinton on his first visit to Ireland back in 1995 at the historic beginning of the American role in this peace process under President Clinton's leadership.

This is a critical time. As has been mentioned, there are several critical dates coming up. We will be watching. The price of failure is great. The judgment of history if we fail will be cruel and harsh.

With the receipt of the Nobel Peace Prize, Mr. Trimble, along with Mr. Hume, was recognized. Their efforts were recognized, but the stakes were raised. Surely with the receipt of this prize comes a tremendous responsibility to fulfill the obligation of truly creating peace.

If Mr. Trimble is to be a leader of all of the people of the north of Ireland, certainly he must address the hopes of the vast majority of those people who voted for the agreement, not his interpretation of the agreement.

We have worked together well, Republicans and Democrats, House and Senate, President and Congress. We cannot stop now, we are so close to the end. I am reminded, after we had spent a good 5 or 6 days in Northern Ireland this summer with Speaker Gingrich, full of hope, we returned to the United States, only to be advised on landing that a bomb had exploded in Omaugh, killing little kids and pregnant women and old folks and people with hope and promise and belief that peace is at hand.

Let us not let those lives go for naught. Let us continue this effort. Let us close the deal. Let us bring peace and justice to all of Northern Ireland.

Mr. COYNE. Mr. Speaker, I rise this evening to urge the participants in the Northern Ireland peace process to continue carrying out the agreement that was reached and ratified last year. I also want to thank my esteemed colleague and good friend, RICHARD NEAL, for organizing this evening's special order.

Mr. Speaker, many of the Members of Congress who, like myself, have been actively involved in Irish affairs were greatly pleased when negotiations last year were successful in producing the Good Friday agreement on the future of Northern Ireland, and when the people of Ireland subsequently voted to approve the agreement. This was a major step in resolving this unfortunate, bloody stalemate. I was honored to have been asked to be part of the official U.S. delegation visit to Ireland and Northern Ireland last September.

No one anticipated that there would not be further setbacks and obstacles to peace as the process agreed to last year was implemented. The Omagh bombing in Northern Ireland, the conflicts during last summer's "marching season," and the debate over the scheduled release of IRA prisoners, all threatened last year to derail the peace process that was set in place by the Good Friday peace pact. Now, the peace process has become stalled over disagreement over Sinn Féin's participation in the new executive assembly.

I want to urge the signatories to the Belfast Agreement to abide by the clear terms of the agreement they signed. All of the signatories agreed that the terms that they agreed to were fair to all involved. Moreover, the voters overwhelmingly approved this process. Now is not the time for anyone to back out of their commitments or to renegotiate the parts they don't like. No, Mr. Speaker, the peace process has been clearly laid out and agreed to. The alternative is more violence and terror and stalemate. The people of Northern Ireland deserve peace. Enough blood has been shed. I urge the parties to the Belfast Agreement to carry out their obligations under that document and take the brave steps necessary to achieve a lasting peace in Northern Ireland.

A RESPONSE TO LETTERS FROM CONSTITUENTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the Chair recognizes the gentleman from Illinois (Mr. SHIMKUS) for 60 minutes.

Mr. SHIMKUS. Mr. Speaker, I would like to take this opportunity to respond to letters that were sent to me by many of my constituents. I would also like to thank each of these individuals for notifying me of their concerns. I want to encourage more of my constituents to become proactive in issues that are important to them. Writing letters, sending E-mails, and even picking up the phone and calling my office is a great start.

The first letter that I will read addresses the topic of abortion, and although I have received over 200 letters this year on this topic, I unfortunately only have enough time to read one. The letter that I have chosen to read was written by Tasha Barker, a 17-year-old high school student from Vandalia. This is her letter.

Tasha wrote, "Dear Congressman Shimkus, I am writing you this letter to express my feelings about abortion. I feel that abortion is a horrible thing, and that killing an innocent life is awful. When it comes to making decisions or taking stands about abortion, please remain pro-life. It would be greatly appreciated by many people. Thank you for taking the time to read these letters. Sincerely, Tasha Barker."

Good letter, Tasha. I also received letters from Charles Hake of Nashville, Robert Smith of Quincy, and Mary Black of Springfield, to which I would also like to extend my responses.

Plus I would like to thank the group of young people from Vandalia whose

names are Becky Bowerly, Lorin Keck, Marlis and Bob Hayner, Joe Sebright, Kathleen Gale, Amanda Beth Bowerly and Lauren Roberts, who sent letters to me on this issue.

I, too, am very concerned with the lack of regard for human life. Abortion is a sad commentary on our society and a procedure which, once again, should be outlawed. Already since the U.S. Supreme Court's 1973 *Roe vs. Wade* decision, more than 38 million unborn children have been killed in the womb. Thomas Jefferson said it best: "The protection of human life and happiness, and not their destruction, is the first and only legitimate object of good government."

To fulfill my role as a pro-life leader in Congress, I supported three separate bills in the 105th Congress that were designed to prevent the destruction of human life. The first bill was H.R. 929, the Partial Birth Abortion Ban Act of 1997, which would amend the Federal criminal code to prohibit performing a partial birth abortion in or affecting interstate or foreign commerce unless it is necessary to save the life of the mother and no other medical procedure would suffice.

□ 1800

This bill passed the House by a veto-proof majority in this body.

The second bill was H.R. 3682, Child Custody Protection Act, which would amend the Federal criminal code to prohibit and set penalties for transporting an individual under the age of 18 across a State line to obtain an abortion and thereby abridging the right of a parent under a law of the State where the individual resides requiring parental involvement in a minor's abortion decision.

However, the bill makes an exception if the abortion was necessary to save the life of the minor.

The third and final bill was H.R. 641, Right to Life Act of 1997, which states that the Congress declares that the right to life guaranteed by the Constitution is vested in each human being at fertilization.

I want you to be assured that I will always vote to protect human life and the rights of the unborn. I plan on cosponsoring the Partial Birth Abortion Ban Act again in this Congress and have recently added my name as a cosponsor to the Right to Life Act of 1999.

For my next letter, I would now like to address an issue that has been brought to my attention by 102 constituents in the form of postcards.

The issue of concern is private contracting for health care. The postcard reads, "Dear Representative John Shimkus: The Balanced Budget Act of 1997 contains a provision (Section 4507) which prevents seniors from privately contracting for certain healthcare services with the doctor of their choice. This new law gives the bureaucracy even more control over seniors' healthcare and prevents them from getting all the care they need or want.

I urge you to cosponsor and work for passage of legislation which will repeal this unfair and dangerous law."

I would like to say that I am fully supportive of this position. In fact, I have already cosponsored legislation, H.R. 2497, the Medicare Beneficiary Freedom to Contract Act, in the 105th Congress, that would address your concerns. Unfortunately, H.R. 2497 was not brought up for a vote in the 105th Congress. However, I look forward to supporting this type of legislation once it is introduced in the 106th Congress.

The provision (Section 4507) which prevents seniors from private contracting was added to the Balanced Budget Act of 1997 under pressure from the administration. The President threatened to veto the entire budget agreement if we did not give in to the administration's demands. For example, if a healthcare provider such as a doctor chooses to privately contract with one patient, they could not accept Medicare assignment for any patient. Additionally, the provider must refrain from accepting any other Medicare patients, and submitting bills to Medicare on their behalf for a period of 2 years.

This provision is detrimental not only to providers but to those who want to contribute their own money to receive the services of their personal choice. This is a prime example of the Washington knows best mentality, the kind of thought which I have real problems with. Consumers, not bureaucrats, know best.

H.R. 2497 would have returned the right to individuals to be treated by a physician of their choice outside of Medicare when they are paying for that service entirely out of their own money.

Thank you again for taking the time to contact me regarding this very important issue.

The issue of my third and final letter is taxation of the Internet. I have received over 900 letters, or shall I say e-mails, on this issue, and here is an example of one that was printed out for this period of time. Therefore, I have chosen a letter that I would answer the general premise of each letter.

Debbie Brown-Thompson of Edwardsville, wrote: As a taxpayer in your district, I would like to urge you to vote against paying Internet charges to the phone company in order to use the Internet. It is my understanding that the Internet was designed to make communicating with the rest of the world much easier. If we are forced to pay long distance charges for these local calls, the Internet will no longer be easier than other forms of communication.

There are also many children who use the Internet for school projects, and this may end the educational benefits of using the Internet for them as well. Please vote no on any Internet tax.

Not only would I like to address my response to Debbie, but I would also

like to include Gene Ralston of Rushville, Charles Byars of Texico and Kim Lohman of Hillsboro, all of whom wrote similar letters addressing the Internet tax.

I share your concern that the growth and usage of the Internet may be stifled by costly charges, and I will fight any effort which attempts to do so.

Neither I, nor the Republican Congress, have any intention of increasing charges or taxes on the Internet. I serve on the Subcommittee on Telecommunications, Trade, and Consumer Protection which hears about all the exciting new things that are occurring in the technological field, and the thing that we will be fighting very fervently about is to make sure that this great new form of communication commerce will not be obstructed by taxation.

I have heard that news outlets have erroneously reported that Congress was considering charging long distance fees for going on-line.

In fact, the 105th Congress enacted a bill which I cosponsored called the Internet Tax Freedom Act, which established a moratorium on Internet taxation. The Internet Tax Freedom Act will protect against taxes on Internet access, prevent discriminatory taxation of electronic commerce and protect traditional commerce against the imposition of new tax liability if it merely happens to be facilitated over the Internet.

Mr. Speaker, the Federal Communications Commission has created a fact sheet to answer Members' questions regarding this issue. I recommend that they visit their web site at: www.fcc.gov/Bureaus/Common_Carrier/Factsheets/nominate.html.

As a former teacher, I remember my lesson plans on how to contact Members of Congress, and in that lesson plan we talked about contacting them through the use of letters, and letters are a very great form. Letters can now be used on the Internet, as e-mail, and the thing that makes letters so important and that most members want to see are letters that are personal, are letters that have heart and meaning, soul searching, but also short and sweet and to the point.

So I want to thank my constituents who have been very helpful in making me understand the concerns of the 20th district, and I look forward to sharing their questions and my responses to them at another time throughout this year.

GENERAL LEAVE

Mr. SHIMKUS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the special order of the gentleman from New York (Mr. WALSH).

The SPEAKER pro tempore (Mr. GARY MILLER of California). Is there

objection to the request of the gentleman from Illinois?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KOLBE (at the request of Mr. ARMEY) for today and tomorrow on account of attending his brother's funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ALLEN) to revise and extend their remarks and include extraneous material:)

Mr. FILNER, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. FORD, Jr., for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

(The following Members (at the request of Mr. GREEN of Wisconsin) to revise and extend their remarks and include extraneous material:)

Mr. HERGER, for 5 minutes, today.

Mr. NETHERCUTT, for 5 minutes, today.

Mrs. EMERSON, for 5 minutes, today.

Mr. KNOLLENBERG, for 5 minutes, today.

Mr. HULSHOF, for 5 minutes, on February 12.

Mr. SCARBOROUGH, for 5 minutes, today.

Mr. SCHAFFER, for 5 minutes, today.

ADJOURNMENT

Mr. SHIMKUS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 9 minutes p.m.), the House adjourned until tomorrow, Friday, February 12, 1999, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

[Submitted January 19, 1999]

A communication from the President of the United States transmitting a report on the State of the Union (H. Doc. No. 106-1); referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

[Submitted February 8, 1999]

A communication from the President of the United States transmitting his economic report, together with the annual report of the Council of Economic Advisers (H. Doc. No. 106-2); referred to the Joint Economic Committee and ordered to be printed.

[Submitted February 2, 1999]

A communication from the President of the United States transmitting the budget of the United States Government for fiscal year

2000 (H. Doc. No. 106-3) referred to the Committee on Appropriations and ordered to be printed.

[Submitted February 11, 1999]

476. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-495, "Office of Citizen Complaint Review Establishment Act of 1998" received January 29, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

477. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-472, "Correctional Treatment Facility Firearms Registration and Health Occupations Licensing Amendment Act of 1998" received January 29, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

478. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-473, "Salvation Army Equitable Real Property Tax Relief Act of 1998" received January 29, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

479. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-475, "Extension of Time to Dispose of District Owned Surplus Real Property Revised Temporary Amendment Act of 1998" received January 29, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

480. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-474, "Sex Offender Registration Risk Assessment Clarification and Convention Center Marketing Service Contracts Temporary Amendment Act of 1998" received January 29, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

481. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-481, "Regional Airports Authority Temporary Amendment Act of 1998" received January 29, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

482. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-493, "Opened Alcoholic Beverage Containers Amendment Act of 1998" received January 29, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

483. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-486, "Special Events Fee Adjustment Waiver Temporary Amendment Act of 1998" received January 29, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

484. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-485, "Drug Prevention and Children at Risk Tax Check-off Temporary Act of 1998" received January 29, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

485. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-468, "Prohibition on Abandoned Vehicles Amendment Act of 1998" received January 29, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

486. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-469,

"Closing of a Public Alley in Square 198, S.O. 90-260, Act of 1998" received January 29, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

487. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-470, "Drug-Related Nuisance Abatement Act of 1998" received January 29, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

488. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-471, "ARCH Training Center Real Property Tax Exemption and Equitable Real Property Tax Relief Act of 1998" received January 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

489. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A320 Series Airplanes [Docket No. 98-NM-215-AD; Amendment 39-11001; AD 99-02-10] (RIN: 2120-AA64) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

490. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F.28 Mark 0070 Series Airplanes [Docket No. 98-NM-279-AD; Amendment 39-10996; AD 99-02-07] (RIN: 2120-AA64) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

491. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29437; Amdt. No. 1909] (RIN: 2120-AA65) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

492. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Columbus, NE [Airspace Docket No. 98-ACE-62] received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

493. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29438; Amdt. No. 1910] (RIN: 2120-AA65) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

494. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Fort Dodge, IA [Airspace Docket No. 98-ACE-61] received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

495. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Burlington, IA [Airspace Docket No. 98-ACE-56] received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

496. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Des Moines, IA [Airspace Docket No. 98-ACE-55] received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

497. A letter from the General Counsel, Department of Transportation, transmitting

the Department's final rule—Airworthiness Directives; Schweizer Aircraft Corporation Model 269D Helicopters [Docket No. 98-SW-13-AD; Amendment 39-11002; AD 98-26-06] received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

498. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Canada (BHTC) Model 430 Helicopters [Docket No. 98-SW-68-AD; Amendment 39-10998; AD 98-24-31] received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

499. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Canada (BHTC) Model 407 Helicopters [Docket No. 98-SW-43-AD; Amendment 39-10990; AD 98-19-13] received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

500. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330-301, -321, -322, -341, -342, and A340-211, -212, -213, -311, -312, and -313 Series Airplanes [Docket No. 98-NM-310-AD; Amendment 39-10997; AD 99-02-08] (RIN: 2120-AA64) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

501. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Helicopter Systems Model MD-900 Helicopters [Docket No. 98-SW-24-AD; Amendment 39-10989; AD 98-12-30] (RIN: 2120-AA64) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

502. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Israel Aircraft Industries (IAI), Ltd., Model 1121, 1121A, 1121B, 1123, 1124, and 1124A Series Airplanes [Docket No. 98-NM-108-AD; Amendment 39-10802; AD 98-20-35] (RIN: 2120-AA64) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

503. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Romulus, NY [Airspace Docket No. 98-AEA-40] received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

504. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Carrollton, GA [Airspace Docket No. 98-ASO-18] received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

505. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29430; Amdt. No. 1903] (RIN: 2120-AA65) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

506. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revocation of Class E Airspace, Victorville, George AFB, CA [Airspace Docket No. 98-AWP-32] received January 27, 1999, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

507. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Local Regulations; Hillsborough Bay, Tampa, Florida [CGD07 98-041] (RIN: 2115-AE46) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

508. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Temporary Drawbridge Regulation; Illinois Waterway, Illinois [CCGD08-98-073] (RIN: 2115-AE47) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

509. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—SAFETY ZONE; Explosive Loads and Detonations Bath Iron Works, Bath, ME [CGD1-98-183] (RIN: 2115-AA97) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

510. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 97-NM-308-AD; Amendment 39-10982; AD 97-20-01 R1] (RIN: 2120-AA64) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

511. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A320 Series Airplanes [Docket No. 98-NM-08-AD; Amendment 39-10985; AD 99-01-17] (RIN: 2120-AA64) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

512. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A320 Series Airplanes [Docket No. 98-NM-356-AD; Amendment 39-10986; AD 99-01-18] (RIN: 2120-AA64) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

513. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A320 Series Airplanes [Docket No. 98-NM-357-AD; Amendment 39-10987; AD 99-01-19] (RIN: 2120-AA64) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

514. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737-100, -200, -300, -400, and -500 Series Airplanes [Docket No. 97-NM-238-AD; Amendment 39-10981; AD 99-01-16] (RIN: 2120-AA64) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

515. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Honeywell IC-600 Integrated Avionics Computers, as Installed in, but not Limited to, Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-145 Series Airplanes [Docket No. 98-NM-142-AD; Amendment 39-10979; AD 99-01-14] (RIN: 2120-AA64) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

516. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness

Directives; Airbus Model A340-211, -212, -213, -311, -312, and -313 Series Airplanes [Docket No. 98-NM-297-AD; Amendment 39-10980; AD 99-01-15] (RIN: 2120-AA64) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

517. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. 98-NM-07-AD; Amendment 39-10978; AD 99-01-13] (RIN: 2120-AA64) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Resources. H.R. 171. A bill to authorize appropriations for the Coastal Heritage Trail Route in New Jersey, and for other purposes (Rept. 106-16). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GOODLING

H.R. 2. A bill to send more dollars to the classroom and for certain other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMAS:

H.R. 705. A bill to make technical corrections with respect to the monthly reports submitted by the Postmaster General on official mail of the House of Representatives; to the Committee on House Administration.

By Mr. SMITH of Michigan:

H.R. 706. A bill to extend for 6 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted; to the Committee on the Judiciary.

By Mrs. FOWLER (for herself, Mr. TRAFICANT, Mr. BOEHLERT, and Mr. BORSKI):

H.R. 707. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize a program for predisaster mitigation, to streamline the administration of disaster relief, to control the Federal costs of disaster assistance, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. EVANS (for himself, Mr. SHOWS, Mr. FILNER, Ms. BROWN of Florida, Ms. CARSON, Mr. RODRIGUEZ, Mr. THOMPSON of California, Mr. KENNEDY of Rhode Island, Mr. FROST, Mr. MCGOVERN, Mr. OLVER, Mr. GREEN of Texas, Ms. DEGETTE, and Mr. UNDERWOOD):

H.R. 708. A bill to amend title 38, United States Code, to provide for reinstatement of certain benefits administered by the Secretary of Veterans Affairs for remarried surviving spouses of veterans upon termination of their remarriage; to the Committee on Veterans' Affairs.

By Ms. HOOLEY of Oregon:

H.R. 709. A bill to provide for various capital investments in technology education in

the United States; to the Committee on Education and the Workforce, and in addition to the Committees on Science, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAZIO (for himself, Ms. HOOLEY of Oregon, Mr. NEY, Mr. JONES of North Carolina, Mr. GOODE, Mr. MCINTOSH, Mr. ROEMER, Mr. CALVERT, and Mr. ETHERIDGE):

H.R. 710. A bill to modernize the requirements under the National Manufactured Housing Construction and Safety Standards Act of 1974 and to establish a balanced consensus process for the development, revision, and interpretation of Federal construction and safety standards for manufactured homes; to the Committee on Banking and Financial Services.

By Mr. BILIRAKIS:

H.R. 711. A bill to amend title 39, United States Code, to exempt veterans' organizations from regulations prohibiting the solicitation of contributions on postal property; to the Committee on Government Reform.

By Mr. BILIRAKIS:

H.R. 712. A bill to amend the Internal Revenue Code of 1986 to provide to employers a tax credit for compensation paid during the period employees are performing service as members of the Ready Reserve or the National Guard; to the Committee on Ways and Means.

By Mr. BILIRAKIS:

H.R. 713. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to employers for the value of the service not performed during the period employees are performing service as members of the Ready Reserve or the National Guard; to the Committee on Ways and Means.

By Mr. BOSWELL:

H.R. 714. A bill to amend title 46, United States Code, to protect seamen against economic reprisal; to the Committee on Transportation and Infrastructure.

By Mr. CAMPBELL:

H.R. 715. A bill to amend the Federal Election Campaign Act of 1971 to limit the amount of contributions which may be made to a candidate for election to the Senate or House of Representatives by an individual who is not eligible to vote in the State or Congressional district involved, and for other purposes; to the Committee on House Administration.

By Mr. COLLINS (for himself, Mr. NEAL of Massachusetts, Mr. CHAMBLISS, Mr. LEWIS of Georgia, Mr. LEWIS of Kentucky, Mr. HILLEARY, Mr. MCCRERY, Mrs. THURMAN, Mr. KENNEDY of Rhode Island, Ms. DUNN, Mrs. JOHNSON of Connecticut, Mr. BOEHNER, Mr. KLECZKA, and Mr. DEAL of Georgia):

H.R. 716. A bill to amend the Internal Revenue Code of 1986 to simplify the method of payment of taxes on distilled spirits; to the Committee on Ways and Means.

By Mr. DUNCAN (for himself, Mr. LIPINSKI, and Mr. OBERSTAR):

H.R. 717. A bill to amend title 49, United States Code, to regulate overflights of national parks, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Resources, 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. ETHERIDGE (for himself, Mr. MCINTYRE, Mr. NUSSLE, Mr. SHOWS, Mr. BOUCHER, Ms. KILPATRICK, Mrs. CLAYTON, Mr. STUPAK, Mr. BISHOP, Mr. EHLERS, Mr. LOBIONDO, Mr.

ORTIZ, Mr. PAUL, Mr. EVANS, Mr. STRICKLAND, Mr. TAYLOR of North Carolina, Mr. DEFazio, Mr. DELAHUNT, Mr. CLYBURN, Mrs. EMERSON, Mr. STENHOLM, Ms. HOOLEY of Oregon, Mr. CRAMER, Mr. BALDACCIO, Mr. SPRATT, Mr. RAHALL, Mr. OLVER, Mr. GILCHREST, Mr. POMEROY, Mr. MCHUGH, Mr. FROST, Mr. OBERSTAR, Mr. HILL of Montana, Mr. DEAL of Georgia, Mr. BEREUTER, Mr. SANDLIN, Mr. BURR of North Carolina, Mr. KIND of Wisconsin, Mr. HOLDEN, Mr. WATKINS, Mr. GEKAS, Mr. NORWOOD, Mr. QUINN, Mr. GIBBONS, Mr. COSTELLO, Mr. HINCHEY, and Mr. NEY):

H.R. 718. A bill to amend the Internal Revenue Code of 1986 to permit the issuance of tax-exempt bonds by certain organizations providing rescue and emergency medical services; to the Committee on Ways and Means.

By Mr. GANSKE (for himself, Mrs. ROUKEMA, Mr. LEACH, Mr. WAMP, Mr. FORBES, Mr. PETRI, Mr. SHAYS, Mr. HORN, Mr. FRELINGHUYSEN, Mr. FOLEY, and Mr. COOKSEY):

H.R. 719. A bill to amend the Public Health Service Act and the Employee Retirement Income Security Act of 1974 to protect consumers in managed care plans and other health coverage; to the Committee on Commerce, and in addition to the Committee on Education and the Workforce, 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. GOSS:

H.R. 720. A bill to amend the Coastal Zone Management Act of 1972 to require that a State having an approved coastal zone management program must be provided a copy of an environmental impact statement to enable its review under that Act of any plan for exploration or development of, or production from, any area in the coastal zone of the State; to the Committee on Resources.

By Mr. HAYWORTH (for himself and Mr. MATSUI):

H.R. 721. A bill to amend the Internal Revenue Code of 1986 to provide for tax-exempt bond financing of certain electric facilities; to the Committee on Ways and Means.

By Mr. KANJORSKI:

H.R. 722. A bill to amend the Federal Coal Mine Health and Safety Act of 1969 to establish a presumption of eligibility for disability benefits in the case of certain coal miners who filed claims under part C of such Act between July 1, 1973, and April 1, 1980; to the Committee on Education and the Workforce.

By Mr. KENNEDY of Rhode Island (for himself, Mr. CAMPBELL, Mr. ALLEN, and Mr. SANDERS):

H.R. 723. A bill to establish a program of pharmacy assistance fee for elderly persons who have no health insurance coverage; to the Committee on Commerce.

By Mr. KENNEDY of Rhode Island (for himself and Mr. BLAGOJEVICH):

H.R. 724. A bill to assist State and local governments in conducting community gun buy back programs; to the Committee on the Judiciary.

By Mr. KLECZKA (for himself, Mr. McDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, and Mr. MATSUI):

H.R. 725. A bill to amend the Internal Revenue Code of 1986 to eliminate the marriage penalty in the standard deduction; to the Committee on Ways and Means.

By Mr. KLECZKA (for himself, Mr. LEWIS of Georgia, and Mr. SENSENBRENNER):

H.R. 726. A bill to amend the Internal Revenue Code of 1986 to provide that the fur-

nishing of recreational fitness services by tax-exempt hospitals shall be treated as an unrelated trade or business and that tax-exempt bonds may not be used to provide facilities for such services; to the Committee on Ways and Means.

By Mr. KLINK (for himself, Mr. DICKEY, Mr. HOLDEN, Mr. BRADY of Pennsylvania, Mr. GREEN of Texas, and Mr. ENGLISH):

H.R. 727. A bill to amend the Communications Act of 1934 to provide for explicit and stable funding for Federal support of universal telecommunications services through the creation of a Telecommunications Trust Fund; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUCAS of Oklahoma (for himself and Mr. WATKINS):

H.R. 728. A bill to amend the Watershed Protection and Flood Prevention Act to authorize the Secretary of Agriculture to provide cost share assistance for the rehabilitation of structural measures constructed as part of water resource projects previously funded by the Secretary under such Act or related laws; to the Committee on Agriculture, and in addition to the Committees on Resources, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY of New York (for herself, Mr. TOWNS, Mr. NADLER, and Mr. BERMAN):

H.R. 729. A bill to provide for development and implementation of certain plans to reduce risks to the public health and welfare caused by helicopter operations; to the Committee on Transportation and Infrastructure.

By Mr. GEORGE MILLER of California (for himself, Mr. SPRATT, Mr. RAHALL, Mr. VENTO, Mr. DEFazio, Mr. ABERCROMBIE, Mr. PALLONE, Ms. CHRISTIAN-CHRISTENSEN, Mr. KIND of Wisconsin, Mr. INSLEE, Mr. UDALL of Colorado, Mr. CROWLEY, Mr. BARRETT of Wisconsin, Ms. KAPTUR, Ms. DELAURO, Mr. HINCHEY, Mr. FRANK of Massachusetts, Mr. STARK, Mr. McDERMOTT, Mr. MCGOVERN, Mr. KUCINICH, Mr. OLVER, Mr. SANDERS, Mr. BROWN of Ohio, Mr. ACKERMAN, Mrs. MALONEY of New York, Mr. RUSH, Mr. WAXMAN, Mr. DELAHUNT, Mr. TIERNEY, Ms. PELOSI, Mr. MATSUI, Mr. CLAY, Mr. GREEN of Texas, Mr. KLECZKA, Mr. DINGELL, Mr. BRADY of Pennsylvania, Mr. LEWIS of Georgia, Mr. HASTINGS of Florida, Ms. SLAUGHTER, Mr. LANTOS, Mr. EVANS, Ms. WOOLSEY, Mrs. MINK of Hawaii, Mr. TRAFICANT, Mr. GEJDENSON, Mrs. CLAYTON, Ms. LEE, and Ms. MILLENDER-MCDONALD):

H.R. 730. A bill to provide certain requirements for labeling textile fiber products and for duty-free and quota-free treatment of products of, and to implement minimum wage and immigration requirements in, the Northern Mariana Islands, and for other purposes; to the Committee on Resources, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MINK of Hawaii:

H.R. 731. A bill to amend the Public Health Service Act to provide for a five-year schedule to double, relative to fiscal year 1999, the

amount appropriated for the National Eye Institute; to the Committee on Commerce.

By Mr. MOAKLEY (for himself, Mr. SCARBOROUGH, Mr. MCGOVERN, Mr. CAMPBELL, Mr. VENTO, Mr. SHAYS, Mr. SERRANO, Mr. OBERSTAR, Mr. GEORGE MILLER of California, Mrs. MORELLA, Ms. PELOSI, Mr. NEAL of Massachusetts, Mr. LEWIS of Georgia, Mr. GEJDENSON, Ms. RIVERS, Mr. SABO, Mr. FRANK of Massachusetts, Mr. WEYGAND, Mr. OLVER, Mr. TIERNEY, and Mr. FORBES):

H.R. 732. A bill to close the United States Army School of the Americas; to the Committee on Armed Services.

By Mr. MORAN of Virginia (for himself and Mr. DREIER):

H.R. 733. A bill to provide for regional skills training alliances, and for other purposes; to the Committee on Education and the Workforce.

By Mr. NETHERCUTT:

H.R. 734. A bill to prohibit the Secretary of Agriculture from discounting loan deficiency payments under the Agricultural Market Transition Act for club wheat and to compensate club wheat producers who received discounted loan deficiency payments as a result of the erroneous decision of the Department of Agriculture to assess a premium adjustment against club wheat; to the Committee on Agriculture.

By Mr. NEY (for himself, Mr. HOLDEN, Mr. SHOWS, Mr. CUNNINGHAM, Mr. OXLEY, Mr. ENGLISH, Mr. BURR of North Carolina, and Mr. WELLER):

H.R. 735. A bill to amend title 18, United States Code, to provide specific penalties for taking a firearm from a Federal law enforcement officer; to the Committee on the Judiciary.

By Mr. PAUL:

H.R. 736. A bill to repeal the Davis-Bacon Act and the Copeland Act; to the Committee on Education and the Workforce.

By Mr. TIAHRT (for himself, Mr. RYUN of Kansas, and Mr. MORAN of Kansas):

H.R. 737. A bill to amend the International Air Transportation Competition Act of 1979 to eliminate restrictions on the provision of air transportation to and from Love Field, Texas; to the Committee on Transportation and Infrastructure.

By Mr. PETERSON of Pennsylvania:

H.R. 738. A bill to provide that certain Federal property shall be made available to State and local governments before being made available to other entities, and for other purposes; to the Committee on Government Reform, and in addition to the Committees on Armed Services, and International Relations, 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. POMEROY (for himself, Mr. KOLBE, Mr. STENHOLM, Mrs. JOHNSON of Connecticut, Mr. SMITH of Washington, Mr. SHAYS, Ms. DELAURO, and Mr. GEJDENSON):

H.R. 739. A bill to amend the Internal Revenue Code of 1986 to enhance the portability of retirement benefits, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, 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. SABO (for himself, Mr. DELAHUNT, Mr. NADLER, Mr. LEWIS of Georgia, Mr. MCDERMOTT, Mr. STARK, Mr. HINCHEY, Mr. OLVER, Mr. TIERNEY, Ms. CHRISTIAN-CHRISTENSEN, Mr. BROWN of Ohio, Mr.

SANDERS, Mr. CONYERS, Mr. VENTO, Mr. KUCINICH, Mr. TOWNS, Mr. GEORGE MILLER of California, Mr. MARKEY, Mr. MCGOVERN, Mr. WAXMAN, Ms. NORTON, Mr. ENGLISH, Mr. EVANS, Mr. WYNN, Mr. JACKSON of Illinois, and Mr. BROWN of California):

H.R. 740. A bill to amend the Internal Revenue Code of 1986 to deny employers a deduction for payments of excessive compensation; to the Committee on Ways and Means.

By Mr. SALMON (for himself and Mr. HAYWORTH):

H.R. 741. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for expenses of attending elementary and secondary schools and for contributions to such schools and to charitable organizations which provide scholarships for children to attend such schools; to the Committee on Ways and Means.

By Mr. SANDLIN:

H.R. 742. A bill to amend title II of the Social Security Act to eliminate the provision that reduces primary insurance amounts for individuals receiving pensions from non-covered employment; to the Committee on Ways and Means.

By Mr. SCARBOROUGH (for himself and Mrs. THURMAN):

H.R. 743. A bill to provide for certain military retirees and dependents a special Medicare part B enrollment period during which the late enrollment penalty is waived and a special Medigap open enrollment period during which no underwriting is permitted; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER (for himself, Mr. OBEY, Mr. KIND of Wisconsin, Mr. GREEN of Wisconsin, Mr. STUPAK, Mr. RAMSTAD, Mr. OBERSTAR, Mr. VENTO, Mr. MINGE, Ms. BALDWIN, Mr. LUTHER, Mr. BARRETT of Wisconsin, Mr. RYAN of Wisconsin, Mr. POMEROY, Mr. PETRI, Mr. FRANK of Massachusetts, Mr. GOODLATTE, Mr. GUTKNECHT, Mr. KLECZKA, Mr. MANZULLO, and Mr. SESSIONS):

H.R. 744. A bill to rescind the consent of Congress to the Northeast Interstate Dairy Compact; to the Committee on the Judiciary.

By Mr. STARK (for himself, Mr. CARDIN, Mr. RANGEL, Mr. LEWIS of Georgia, Mr. WAXMAN, Mrs. MINK of Hawaii, Mr. BRADY of Texas, Mr. HINCHEY, Mr. BENTSEN, Mr. BALDACCI, Mr. WISE, Mr. FROST, Mr. GEORGE MILLER of California, Mr. ROMERO-BARCELO, Mr. STUPAK, Mr. SHOWS, Mr. HILLIARD, Mrs. CLAYTON, Mr. SANDERS, Ms. DELAURO, and Mr. KLECZKA):

H.R. 745. A bill to amend title XVIII of the Social Security Act to provide for coverage of substitute adult day care services under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK:

H.R. 746. A bill to amend title XVIII of the Social Security Act to provide for home health case manager services under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUMP (for himself, Mr. KOLBE, Mr. PASTOR, Mr. HAYWORTH, Mr. SALMON, and Mr. SHADEGG):

H.R. 747. A bill to protect the permanent trust funds of the State of Arizona from erosion due to inflation and modify the basis on which distributions are made from those funds; to the Committee on Resources.

By Mr. STUPAK:

H.R. 748. A bill to amend the Act that established the Keweenaw National Historical Park to require the Secretary of the Interior to consider nominees of various local interests in appointing members of the Keweenaw National Historical Parks Advisory Commission; to the Committee on Resources.

By Mr. TERRY (for himself, Mr. SENSENBRENNER, Mr. LATOURETTE, Mr. SESSIONS, Mr. TANCREDO, and Mr. BILBRAY):

H.R. 749. A bill to repeal section 8003 of Public Law 105-174; to the Committee on Science, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMAS (for himself, Ms. DUNN of Washington, Mr. SALMON, Mr. HINCHEY, Mr. RAMSTAD, Mr. MINGE, Mr. MATSUI, Mr. BOYD, Mr. EHLERS, Mr. KLECZKA, Mr. BEREUTER, Mr. POMEROY, Mr. GEORGE MILLER of California, Mr. LEACH, Mr. STUPAK, Mr. HASTINGS of Florida, Mrs. THURMAN, Mr. KUCINICH, Mr. LEVIN, Mr. DEUTSCH, Mr. FOLEY, Mr. DAVIS of Florida, Mr. UDALL of Colorado, Mr. WELLER, Mr. EWING, Mr. BOEHLERT, Mr. LEWIS of Georgia, Mrs. MEEK of Florida, Mr. HOUGHTON, Mr. MCDERMOTT, Mr. PALLONE, Mr. FROST, Mrs. BONO, Mr. STEARNS, Mr. DEFAZIO, Mr. ABERCROMBIE, Mr. BALDACCI, Mr. NEAL of Massachusetts, Mr. BROWN of Ohio, Mr. TAUZIN, Mr. PORTMAN, Mr. SHAW, Mr. LATHAM, Mr. OBERSTAR, Mr. GORDON, Mr. CARDIN, Mr. BECERRA, Mr. MCCREERY, Mr. WATKINS, Mr. HALL of Texas, Mr. SANDERS, Mr. SHAYS, Mr. SCOTT, Mrs. CAPPS, Ms. RIVERS, Ms. ROS-LEHTINEN, Mr. WEXLER, Ms. WOOLSEY, Mr. EVANS, Mr. SCHAFFER, and Mr. DIAZ-BALART):

H.R. 750. A bill to amend the Internal Revenue Code of 1986 to provide a 5-year extension of the credit for producing electricity from wind, and for other purposes; to the Committee on Ways and Means.

By Mr. TOOMEY:

H.R. 751. A bill to designate the Federal building and United States courthouse located at 504 Hamilton Street in Allentown, Pennsylvania, as the "Edward N. Cahn Federal Building and United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. TOWNS:

H.R. 752. A bill to establish a national policy of basic consumer fair treatment for airline passengers; to the Committee on Transportation and Infrastructure.

By Mr. TOWNS:

H.R. 753. A bill to amend the Internal Revenue Code of 1986 to provide that interest on the tax portion of an underpayment shall be compounded annually, to provide that the amount and timing of payments under an installment agreement may not be modified without the taxpayer's consent, and for other purposes; to the Committee on Ways and Means.

By Mr. TRAFICANT:

H.R. 754. A bill to establish a toll free number under the Federal Trade Commission to assist consumers in determining if products

are American-made; to the Committee on Commerce.

By Mr. UNDERWOOD (for himself, Mr. ABERCROMBIE, Mr. FALEOMAVAEGA, Mr. KENNEDY of Rhode Island, Mr. ROMERO-BARCELO, Ms. CHRISTIAN-CHRISTENSEN, Mr. LIPINSKI, Mr. FROST, Mr. HOLDEN, and Mr. ORTIZ):

H.R. 755. A bill to amend the Organic Act of Guam to provide restitution to the people of Guam who suffered atrocities such as personal injury, forced labor, forced marches, internment, and death during the occupation of Guam in World War II, and for other purposes; to the Committee on Resources.

By Mr. WOLF (for himself, Mr. BRYANT, Mr. CHAMBLISS, Mr. HOSTETTLER, Mr. KING of New York, Mr. MANZULLO, Mr. PAUL, Ms. PRYCE of Ohio, Mr. SHOWS, and Mr. WELDON of Florida):

H.R. 756. A bill to amend the Internal Revenue Code of 1986 to increase the child tax credit to \$1,000 for children under the age of 5 and to allow such credit against the alternative minimum tax; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 757. A bill to prohibit the construction of new facilities and structures within the boundaries of the George Washington Memorial Parkway along the Potomac River in Virginia between the Francis Scott Key Bridge and the Theodore Roosevelt Memorial Bridge; to the Committee on Resources.

By Mr. BLILEY (for himself, Mr. KOLBE, Mr. GOODE, Mr. STUMP, Mr. GILLMOR, Mr. METCALF, Mr. SHADEGG, and Mr. MANZULLO):

H.J. Res. 29. A joint resolution proposing an amendment to the Constitution of the United States to provide a procedure by which the States may propose constitutional amendments; to the Committee on the Judiciary.

By Mr. ENGEL (for himself, Mr. KING of New York, Mr. OLVER, Mrs. KELLY, Mr. MORAN of Virginia, Mr. ROHRABACHER, Mr. MCGOVERN, Mr. HINCHEY, Mr. THOMPSON of Mississippi, Mr. PASCRELL, Mr. HEFLEY, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. PAYNE, Mr. PALLONE, Mr. FORBES, Mr. SERRANO, Mr. MALONEY of Connecticut, and Mr. CROWLEY):

H. Con. Res. 32. Concurrent resolution expressing the sense of the Congress with respect to self-determination for the people of Kosovo, and for other purposes; to the Committee on International Relations.

By Mr. ENGEL (for himself, Mr. RANGEL, Mr. WATTS of Oklahoma, Mr. MEEKS of New York, Ms. KILPATRICK, Ms. CHRISTIAN-CHRISTENSEN, Mr. FORD, Ms. LEE, Ms. MILLENDER-MCDONALD, Mr. RUSH, Ms. JACKSON-LEE of Texas, Mrs. CLAYTON, Mr. CUMMINGS, Mr. OWENS, Mr. FATTAH, Ms. BROWN of Florida, Mr. CONYERS, Ms. NORTON, Mr. THOMPSON of Mississippi, Mr. HASTINGS of Florida, Mr. WYNN, Mr. CLAY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DAVIS of Illinois, and Mr. GONZALEZ):

H. Con. Res. 33. Concurrent resolution commending and praising the National Association for the Advancement of Colored People on the occasion of its 90th anniversary; to the Committee on the Judiciary.

By Mr. LEACH:

H. Res. 53. A resolution providing amounts for the expenses of the Committee on Banking and Financial Services in the One Hundred Sixth Congress; to the Committee on House Administration.

By Mr. THOMAS:

H. Res. 54. A resolution providing amounts for the expenses of the Committee on House Administration in the One Hundred Sixth

Congress; to the Committee on House Administration.

By Mr. UPTON (for himself and Mr. LAHOOD):

H. Res. 55. A resolution providing a sense of the House of Representatives that at least one-third of the budget surplus over the next 10 years should be dedicated to paying down the national debt of the United States; to the Committee on Ways and Means.

By Mr. BLILEY:

H. Res. 56. A resolution providing amounts for the expenses of the Committee on Commerce in the One Hundred Sixth Congress; to the Committee on House Administration.

By Mr. GILMAN (for himself and Mr. GEJDENSON):

H. Res. 57. A resolution expressing concern over interference with freedom of the press and the independence of judicial and electoral institutions in Peru; to the Committee on International Relations.

By Mr. ARCHER:

H. Res. 58. A resolution providing amounts for the expenses of the Committee on Ways and Means in the One Hundred Sixth Congress; to the Committee on House Administration.

By Mr. BEREUTER (for himself, Mr. BLILEY, Mr. BOEHLERT, and Mr. LANTOS):

H. Res. 59. A resolution expressing the sense of the House of Representatives that the United States remains committed to the North Atlantic Treaty Organization (NATO); to the Committee on International Relations.

By Ms. BROWN of Florida (for herself, Mrs. MEEK of Florida, Mr. FORD, Ms. KILPATRICK, Mr. CUMMINGS, Ms. NORTON, Mr. JEFFERSON, Ms. STABENOW, Mr. WATT of North Carolina, Mr. KENNEDY of Rhode Island, Ms. MILLENDER-MCDONALD, Mrs. MORELLA, Ms. LEE, Ms. CARSON, Ms. CHRISTIAN-CHRISTENSEN, Mr. MEEKS of New York, Mr. LEWIS of Georgia, Mr. RANGEL, Mr. BISHOP, Mr. CLAY, Mr. SCOTT, Mr. KUCINICH, Mr. FOLEY, Mr. HASTINGS of Florida, Mr. THOMPSON of Mississippi, Mr. WYNN, and Mr. CONYERS):

H. Res. 60. A resolution expressing the sense of the House of Representatives that a postage stamp should be issued in honor of Zora Neale Hurston; to the Committee on Government Reform.

By Mr. COMBEST (for himself and Mr. STENHOLM):

H. Res. 61. A resolution providing amounts for the expenses of the Committee on Agriculture in the One Hundred Sixth Congress; to the Committee on House Administration.

By Mr. PAYNE (for himself, Mr. ROYCE, Mr. HOUGHTON, Mr. CAMPBELL, Mr. MEEKS of New York, Ms. LEE, Mr. HASTINGS of Florida, Mr. HALL of Ohio, Mr. CHABOT, Mr. TANCREDO, and Mr. RADANOVICH):

H. Res. 62. A resolution expressing concern over the escalating violence, the gross violations of human rights, and the ongoing attempts to overthrow a democratically elected government in Sierra Leone; to the Committee on International Relations.

By Mr. YOUNG of Alaska:

H. Res. 63. A resolution providing amounts for the expenses of the Committee on Resources in the One Hundred Sixth Congress; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ALLEN:

H.R. 758. A bill for the relief of Nancy B. Wilson; to the Committee on the Judiciary.

By Mr. STUPAK:

H.R. 759. A bill for the relief of Robert and Verda Shatusky; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 3: Mr. BARTON of Texas, Mrs. BIGGERT, Mrs. BONO, Mr. CALVERT, Mr. CHAMBLISS, Mr. GOSS, Mr. GREEN of Wisconsin, Mrs. NORTHUP, Mr. SHADEGG, Mr. WATTS of Oklahoma, and Mr. DEMINT.

H.R. 4: Mr. SCARBOROUGH, Mr. TIAHRT, Mr. ROHRABACHER, Mr. MCKEON, Mr. HAYES, Mr. TALENT, and Mr. GRAHAM.

H.R. 11: Mr. GALLEGLY and Mr. CALVERT.

H.R. 17: Mr. HILL of Montana, Mr. PHELPS, Mr. LATHAM, and Mr. NEY.

H.R. 38: Mr. BATEMAN.

H.R. 44: Mr. LANTOS, Mr. STEARNS, Mrs. KELLY, Mr. GREEN of Texas, Mr. PASTOR, Mr. SHAW, Mr. GIBBONS, Mr. JOHN, Mr. GOODE, Mr. BLUNT, Mr. FILNER, Mr. LATHAM, Mr. BOEHLERT, Mr. EVANS, Ms. RIVERS, Mr. DIAZ-BALART, Mr. UNDERWOOD, Mr. SCARBOROUGH, and Mr. GORDON.

H.R. 65: Mr. LANTOS, Mr. STEARNS, Mrs. KELLY, Mr. GREEN of Texas, Mr. TAYLOR of North Carolina, Mr. GIBBONS, Mr. JOHN, Mr. ENGLISH, Mr. CHAMBLISS, Mr. BLUNT, Mr. FILNER, Mr. EVANS, and Mr. GORDON.

H.R. 66: Mr. LEWIS of California.

H.R. 70: Mr. WYNN, Mr. TERRY, Mr. PEASE, Mr. WELLER, Mr. REYES, Mr. GORDON, Mr. HUTCHINSON, and Mr. SENSENBRENNER.

H.R. 72: Mr. MCKEON and Mr. GREEN of Texas.

H.R. 89: Mr. SANDLIN, Mr. MORAN of Kansas, Mr. WOLF, and Mr. LOBIONDO.

H.R. 90: Mr. TIERNEY, Mr. BRADY of Pennsylvania, Mr. FILNER, Ms. ESHOO, Mr. KUCINICH, Mr. COYNE, Mr. BLAGOJEVICH, Ms. WATERS, Mr. UNDERWOOD, Mr. ALLEN, Mr. NADLER, Mr. FRANK of Massachusetts, Mr. STARK, Mr. THOMPSON of Mississippi, Mr. MENENDEZ, Mr. HILLIARD, and Mr. MARTINEZ.

H.R. 111: Mr. BEREUTER, Mr. KUYKENDALL, Mr. SIMPSON, and Mr. FOLEY.

H.R. 113: Mr. WATTS of Oklahoma, Mr. SHOWS, Mr. RILEY, Mr. JENKINS, Mrs. EMERSON, Mr. STUPAK, Mr. DIAZ-BALART, Mr. BOUCHER, Mr. WHITFIELD, Mr. ENGLISH, Mr. METCALF, Mr. BOEHLERT, Mr. COOK, Mr. COOKSEY, and Mr. HYDE.

H.R. 119: Mr. WELLER, Mr. METCALF, Mr. MORAN of Kansas, Mr. PASTOR, Mr. FRANK of Massachusetts, Mrs. CAPPs, Ms. CHRISTIAN-CHRISTENSEN, Mr. WALDEN of Oregon, Mr. PETERSON of Pennsylvania, Mr. DIAZ-BALART, Ms. GRANGER, Mr. GOODLATTE, and Mr. HOBSON.

H.R. 122: Mr. LATOURETTE.

H.R. 150: Mr. GOODLATTE.

H.R. 152: Mr. PASTOR, Mr. JEFFERSON, Mr. FILNER, Ms. CHRISTIAN-CHRISTENSEN, Mr. UDALL of New Mexico, Mr. DAVIS of Illinois, Mr. LAZIO, Ms. KILPATRICK, Ms. HOOLEY of Oregon, and Mr. DIAZ-BALART.

H.R. 157: Mr. DICKEY, Mr. CALVERT, Mr. STEARNS, Mr. DOOLITTLE, Mr. SOUDER, and Mr. GOODLATTE.

H.R. 179: Mr. BISHOP.

H.R. 192: Mr. NEY, Mr. CALVERT, and Mr. GREEN of Wisconsin.

H.R. 205: Mr. STUPAK.

H.R. 208: Mr. FORBES.

H.R. 216: Mr. FORD, Mrs. ROUKEMA, Mr. MCGOVERN, Mr. WAMP, Ms. MILLENDER-MCDONALD, Mr. FOLEY, Ms. CHRISTIAN-CHRISTENSEN, Mr. BACHUS, Mr. KUCINICH, Mr.

GIBBONS, Mr. WISE, Mr. COOKSEY, Mr. DEFAZIO, and Mr. FORBES.

H.R. 218: Mr. SCARBOROUGH and Mr. FROST.

H.R. 219: Mr. FORBES and Mr. DEAL of Georgia.

H.R. 222: Mr. SMITH of Texas.

H.R. 229: Ms. LEE, Mr. DAVIS of Illinois, Mr. OLVER, Mr. MCDERMOTT, Ms. CARSON, and Ms. WATERS.

H.R. 230: Mr. DELAHUNT, Mrs. LOWEY, Ms. KILPATRICK, Mrs. MORELLA, Mrs. MALONEY of New York, Mr. OBERSTAR, Mr. ALLEN, Mr. WAXMAN, Mr. STARK, Mr. DAVIS of Illinois, Mr. LUTHER, Mr. BROWN of Ohio, Mr. CLAY, Mr. MEEKS of New York, Mr. OLVER, Mrs. KELLY, Mr. MCNULTY, Mr. SANDERS, Mr. TIERNEY, Mr. SNYDER, Mr. MATSUI, Mr. WYNN, Mr. COYNE, Mr. MCDERMOTT, Mr. BARRETT of Wisconsin, Mr. NEY, Ms. WATERS, and Mr. GREENWOOD.

H.R. 233: Mr. STUMP, Mr. BRADY of Texas, Mr. DELAY, Mr. BENTSEN, Mr. ARCHER, Mr. RODRIGUEZ, Mr. THORNBERRY, Mr. BONILLA, Mr. SKELTON, Mr. SANDLIN, Mr. SERRANO, Mrs. MINK of Hawaii, Mr. GUTIERREZ, Mr. TAYLOR of Mississippi, Mr. THOMPSON of Mississippi, Mr. MOAKLEY, Ms. ROYBAL-ALLARD, Mr. LEACH, Mr. LAMPSON, Mr. PASTOR, Mr. FROST, Mr. SMITH of Texas, Ms. BROWN of Florida, Mr. HINOJOSA, Mr. HALL of Texas, Mr. SPENCE, Mr. TURNER, Mr. SISISKY, Mr. DUNCAN, Mr. ROMERO-BARCELO, Mr. DINGELL, Mr. ORTIZ, Ms. ESHOO, Mr. CLAY, Mr. EDWARDS, Mr. STENHOLM, Mr. GREEN of Texas, Mr. SESSIONS, Mr. DOGGETT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. EVANS, Mr. MARTINEZ, Mr. SHERMAN, Mr. SCOTT, Mr. ALLEN, Mr. BECERRA, Mr. BLAGOJEVICH, Mr. MINGE, Mr. LEWIS of Georgia, and Mr. MCGOVERN.

H.R. 271: Mr. WEINER.

H.R. 303: Mr. LANTOS, Mr. STEARNS, Mr. ETHERIDGE, Mrs. KELLY, Mr. GREEN of Texas, Mr. TAYLOR of North Carolina, Mr. GIBBONS, Mr. JOHN, Mr. BLUNT, Mr. FILNER, Mr. REYES, Mr. EVANS, and Mr. GORDON.

H.R. 306: Mr. LEWIS of Georgia, Mr. THOMPSON of Mississippi, Mr. CROWLEY, Mrs. JOHNSON of Connecticut, Mr. GALLEGLY, and Mr. BERRY.

H.R. 315: Mr. DELAHUNT.

H.R. 325: Mr. DEFAZIO, Ms. ESHOO, and Mr. WEINER.

H.R. 351: Mr. SABO and Mr. WICKER.

H.R. 352: Mr. KING of New York, Mr. HASTINGS of Washington, Mr. MINGE, and Mr. BALLENGER.

H.R. 357: Mr. WEXLER.

H.R. 373: Mr. TERRY.

H.R. 380: Mrs. ROUKEMA, Mr. SAXTON, Mr. DEUTSCH, Mr. DEAL of Georgia, and Mr. BATEMAN.

H.R. 390: Mr. SESSIONS, Mr. BRADY of Pennsylvania, Mr. SAXTON, Mr. FORBES, Mr. WEXLER, Mr. FOLEY, Mr. FROST, Mr. HOLDEN, Mr. WEINER, and Ms. SCHAKOWSKY.

H.R. 392: Ms. DEGETTE, Mr. ENGEL, and Mr. FARR of California.

H.R. 403: Mr. KENNEDY of Rhode Island, Mr. FROST, Mr. WYNN, Mr. UNDERWOOD, Mr. FILNER, Mr. SPRATT, and Mr. OBERSTAR.

H.R. 405: Mr. MINGE, Mr. ENGLISH, Mr. FATTAH, and Mrs. EMERSON.

H.R. 406: Ms. WOOLSEY.

H.R. 408: Mr. CHAMBLISS, Mr. YOUNG of Alaska, Mr. PICKERING, and Mr. THOMPSON of California.

H.R. 413: Mr. UNDERWOOD, Ms. CARSON, Mr. FILNER, Mr. STARK, and Ms. LEE.

H.R. 417: Mr. GANSKE.

H.R. 423: Mr. TIAHRT.

H.R. 430: Mr. DAVIS of Illinois, Mr. WELLER, Mr. KUCINICH, Mr. DICKEY, and Mr. GORDON.

H.R. 443: Mrs. MINK of Hawaii, Mr. MALONEY of Connecticut, and Mr. PORTER.

H.R. 449: Mr. FATTAH, Mr. HOLDEN, and Mr. ENGLISH.

H.R. 452: Mr. FORBES.

H.R. 455: Mr. DOOLEY of California, Mr. PRICE of North Carolina, Mr. RANGEL, Mrs. MINK of Hawaii, and Ms. WOOLSEY.

H.R. 472: Mr. DOOLITTLE and Mr. FOLEY.

H.R. 489: Mrs. MALONEY of New York, Mr. FARR of California, and Mr. DIXON.

H.R. 492: Mr. DEAL of Georgia, Mr. TIAHRT, and Mr. GOODLATTE.

H.R. 493: Mrs. MYRICK.

H.R. 506: Mr. RILEY, Ms. SLAUGHTER, Mr. COOK, Mr. FORBES, Mr. LUCAS of Kentucky, Mrs. CHENOWETH, Mr. GANSKE, Mr. FORD, Mr. GOODE, Mr. STARK, Mr. HOSTETTLER, Mr. PHELPS, Mr. SISISKY, Mr. BOSWELL, Mr. COBURN, Ms. WOOLSEY, Mr. SKELTON, and Mr. GORDON.

H.R. 514: Mr. BLUNT, Mr. SHIMKUS, Mr. COX of California, and Mr. FOSSELLA.

H.R. 516: Mr. SESSIONS and Mr. METCALF.

H.R. 543: Mr. SHOWS and Mr. RUSH.

H.R. 548: Mr. BERMAN, Mr. LANTOS, Mr. KILDEE, Mr. JACKSON of Illinois, Ms. DEGETTE, and Ms. WOOLSEY.

H.R. 557: Mr. FORBES.

H.R. 564: Mr. PACKARD, Mr. BARTLETT of Maryland, Mr. SESSIONS, Mr. WATTS of Oklahoma, Mr. TIAHRT, and Mr. KNOLLENBERG.

H.R. 568: Mr. FORBES and Mr. STUPAK.

H.R. 576: Ms. JACKSON-LEE of Texas, Mr. LAMPSON, Mr. FROST, Ms. RIVERS, Mr. WAXMAN, Mr. FILNER, Mr. MCDERMOTT, Mr. KNOLLENBERG, and Ms. KILPATRICK.

H.R. 597: Mr. FRANK of Massachusetts, Mrs. MYRICK, Ms. BROWN of Florida, Mr. MATSUI, Mr. LAMPSON, Mr. HINCHEY, Mr. JEFFERSON, Mr. ROMERO-BARCELÓ, Mr. REYES, Mr. BRADY of Pennsylvania, Mr. CROWLEY, Mr. UNDERWOOD, Ms. LEE, Ms. ESHOO, Mrs. KELLY, Mr. BLAGOJEVICH, Mr. HULSHOF, Mr. WYNN, Mr. CONYERS, Mr. DEUTSCH, Mr. BALLENGER, Mr. CLYBURN, Ms. BALDWIN, Mr. BENTSEN, Mr. LEWIS of Georgia, and Mr. CLAY.

H.R. 608: Mr. ROHRBACHER, Mr. SHOWS, Mr. EVANS, Mr. SHUSTER, Mr. REGULA, Mr. GREEN of Texas, Mr. BROWN of Ohio, Mr. OBERSTAR, Mr. LOBIONDO, and Mr. KENNEDY of Rhode Island.

H.R. 610: Mr. GREEN of Texas, Mr. SANDERS, and Mr. LUTHER.

H.R. 611: Mr. FORBES and Mr. NEY.

H.R. 612: Mr. CLYBURN, Mr. BROWN of Ohio, Ms. MILLENDER-MCDONALD, Mr. FILNER, Mr. WEINER, Mrs. MALONEY of New York, Mr. DIXON, Mr. MCGOVERN, Mr. FROST, and Ms. HOOLEY of Oregon.

H.R. 631: Mr. ENGLISH, Mr. LEWIS of Kentucky, Mr. STARK, Mr. JEFFERSON, Mr. FOLEY, and Mr. MCCREERY.

H.R. 639: Mr. FORBES.

H.R. 645: Ms. NORTON and Ms. SLAUGHTER.

H.R. 664: Mr. JACKSON of Illinois, Mr. HINOJOSA, Mr. RODRIGUEZ, Mr. TANNER, and Mr. PASCRELL.

H.R. 665: Mr. DREIER and Mr. MASCARA.

H.R. 669: Mr. TOWNS, Mr. HYDE, Ms. KILPATRICK, Mr. FALEOMAVAEGA, and Mr. FRANK of Massachusetts.

H.R. 670: Mr. WICKER, Mr. GRAHAM, Mr. NEY, Mr. KUCINICH, Mr. WOLF, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 682: Mr. HAYWORTH, Mr. HILL of Montana, and Mr. KNOLLENBERG.

H.R. 685: Mr. LUTHER.

H.R. 692: Mr. DELAY and Mr. GARY MILLER of California.

H.R. 693: Mr. BLUNT and Mr. BARCIA.

H.R. 700: Mr. EWING, Mr. RAHALL, Mr. FRANKS of New Jersey, Mr. BORSKI, Mr. QUINN, Mr. LIPINSKI, Mr. LATOURETTE, Mr. TRAFICANT, Mr. COOK, Mr. DEFAZIO, Mr. SHERWOOD, Mr. CLEMENT, Mr. SWEENEY, Ms. NORTON, Mr. HOLDEN, Mr. BALDACCI, and Mr. FORBES.

H.R. 701: Mr. GILCHREST, Mrs. BONO, and Mr. DUNCAN.

H.J. Res. 1: Mr. PACKARD, Mr. EHLERS, Mr. LARGENT, Mr. SANFORD, Mr. GARY MILLER of California, Mr. BLILEY, Mr. WELDON of Florida, Mr. TERRY, Mr. COMBEST, Ms. PRYCE of Ohio, and Mr. GREEN of Wisconsin.

H.J. Res. 5: Mr. FOLEY.

H. Con. Res. 5: Mr. SNYDER, Mr. FOLEY, Ms. SLAUGHTER, Mrs. CAPPS, Mrs. MALONEY of New York, and Mr. DAVIS of Illinois.

H. Con. Res. 8: Mr. DEUTSCH, Mr. NORWOOD, and Mr. RAHALL.

H. Con. Res. 16: Mr. GIBBONS and Mr. DOOLITTLE.

H. Con. Res. 17: Mr. CAMPBELL, Mrs. MALONEY of New York, and Mr. MCGOVERN.

H. Con. Res. 21: Mr. UPTON and Mr. LIPINSKI.

H. Con. Res. 24: Mr. CANADY of Florida, Mr. FRELINGHUYSEN, Mr. MCINNIS, Mr. YOUNG of Alaska, Mr. COOKSEY, Mr. MEEHAN, Ms. HOOLEY of Oregon, Ms. SANCHEZ, Mr. NUSSLE, Mr. WICKER, Mrs. BONO, Mr. BURTON of Indiana, and Mr. ARCHER.

H. Con. Res. 29: Mr. RYUN of Kansas, Mr. METCALF, Mr. BARTLETT of Maryland, and Mr. MANZULLO.

H. Res. 18: Mr. LUTHER and Mr. NEY.

H. Res. 20: Mr. GOODLING.

H. Res. 35: Mr. MOORE, Mr. MCNULTY, Mr. ACKERMAN, and Mr. HOYER.

H. Res. 41: Mr. FORBES, Mr. FROST, Mr. GREEN of Texas, Mr. GREENWOOD, Mr. WOLF, Mr. DIAZ-BALART, and Mr. UNDERWOOD.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3: Mr. EWING.