

EXPLANATION OF THE TRADE FAIRNESS ACT OF 1999

(INTRODUCED BY CONGRESSMAN RALPH REGULA)

The Emergency Steel Relief Act of 1999 is one option to enhance U.S. law to better respond to surges of foreign imports that injure U.S. industries and their workers. This legislation makes prospective changes in U.S. trade laws to bring these laws in line with World Trade Organization (WTO) rules and establishes an import monitoring program for steel.

The Trade Fairness Act of 1999 consists of the following two sections: first, the legislation lowers the threshold for establishing injury in safeguard actions under Section 201 of the 1974 Trade Act; and second, it establishes an import monitoring program to monitor the amount of foreign steel coming into the U.S. on a more timely basis.

1. Safeguard Actions: The legislation amends Section 201 of the 1974 Trade Act, which allows the President to provide appropriate relief to a U.S. industry if the International Trade Commission (ITC) finds that the industry has been seriously injured and that injury has been substantially caused by imports.

Current law requires that imports are a substantial cause of injury to U.S. industry. Our WTO obligation requires only that imports be a cause of injury (i.e. it need not be a 'substantial' cause). The bill deletes the term 'substantial' from the causation standard.

Current law requires that imports are "not less than any other cause" of injury. This is an unnecessarily high standard. The bill clarifies that in order to gain relief there only needs to be a causal link between imports and the injury.

The bill also includes in U.S. law the factors to be considered by the ITC, as established by the WTO, to determine whether the U.S. industry has suffered serious injury. These factors include: the rate and amount of the increase in imports of the product concerned in absolute and relative terms; the share of the domestic market taken by increased imports; changes in the levels of sales; production; productivity; capacity utilization; profits and losses; and, employment.

2. Steel Import Monitoring Program: The bill establishes a steel import permit and monitoring program. In order to gain relief under U.S. trade laws, domestic industries must demonstrate that unfairly traded imports have caused injury. This requires complex factual and economic analysis of import data. Currently, such data has not been available on a timely basis. This data has become public several months after the imports have arrived in the U.S., thus allowing unfairly traded imports to cause significant damage in many cases before the data is available for even a preliminary analysis.

The steel import permit and monitoring system, which is modeled on similar systems currently in use in Canada and Mexico, would allow the U.S. government to receive and analyze critical import data in a more timely manner and allow industry to determine more quickly whether unfair imports are disrupting the market.

EXTENSIONS OF REMARKS

MIAMI BEACH REMEMBERS
COMMISSIONER ABE RESNICK

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Ms. ROS-LEHTINEN. Mr. Speaker, a special tribute was held at the Holocaust Memorial in Miami Beach in memory of former Miami Beach Commissioner Abe Resnick who passed away late last year after decades of great contributions to the South Florida community.

Commissioner Resnick's life exemplifies the achievement of the American dream through hard work, perseverance and dedication. Born in Lithuania in 1924, Commissioner Resnick was a survivor of the Holocaust after successfully escaping from a Nazi concentration camp in Lithuania. Not forgetting those who continue suffering under Nazi repression, he joined the Resistance and bravely fought to defeat the Nazi regime. Commissioner Resnick later left Europe with his family to settle in Cuba where years later he had to flee repression again, this time from the Communist regime of Fidel Castro.

Arriving in the United States, he soon began a prominent and successful career as a leading real estate developer in South Florida, while remaining an active participant of the Jewish and Cuban-American communities of South Florida. One of his achievements was the realization of the construction of a Holocaust Memorial in Miami Beach that will forever serve as a shrine to all those who perished in that tragic period of human history.

In 1985, Mr. Resnick was elected as commissioner of the city of Miami Beach and later also served as vice-mayor of the city where he continued his good works for the progress of our community.

South Florida will forever remember the positive and lasting contributions of Commissioner Abe Resnick.

TRIBUTE TO FORMER CALIFORNIA
STATE SENATOR QUENTIN L.
KOPP

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me today in paying tribute to one of the most remarkable legislators in the history of the great golden State of California—the Honorable Quentin L. Kopp.

An independent by political affiliation and by personal nature, Quentin Kopp is a San Francisco institution. His 27 years in public office began with his service as a member of the San Francisco Board of Supervisors. He has served on virtually every local government policy-making body in the Bay Area, in addition to his accomplished career as a practicing trial lawyer. Quentin's record includes a herculean effort to bring the 1985 Superbowl and the summer Olympic Games to our area. He continued his distinguished public service as a

January 20, 1999

member of the California State Senate, where his prodigious 12-year tenure was only curtailed this past year by voter-mandated term limits.

A fiscal conservative, Quentin guards the public purse as zealously as he guards his own. He is a public reformer who has insisted upon open government, campaigns that fully disclose contributions, and the elimination of conflicts of interest. Furthermore, he possesses a vocabulary that dwarfs Noah Webster's and a rhetorical style that rival Daniel Webster's. He is rightly renowned for his ability to simultaneously please, baffle, inspire, and incite his loyal constituency.

Mr. Speaker, as Chairman of the State Senate Committee on Transportation, Quentin Kopp has amassed an enviable legislative record: creation of the California High Speed Rail Authority, development of the 1989 Transportation Blueprint for the 21st Century, coordination of public transit agencies in the San Francisco Bay Area, and securing funding for the seismic retrofitting of the Bay Area's bridges. Senator Kopp's longtime and articulate advocacy of the extension of the Bay Area Rapid Transit system to San Francisco International Airport—a critical issue which has involved many of our colleagues in this House—has been vital in assuring Bay Area residents their desire to have Bart to the Airport!

Quentin Kopp's imposing height, unforgettable visage, and booming voice, infused with tones of his native Syracuse, New York, heralds his legendary tardy public appearances. But all of us have found that it is worth the wait to hear Quentin's views on public issues. He has an innate understanding of Abraham Lincoln's caution that "you cannot please all of the people all of the time," and this has produced in him the predilection for honest and unedited dialogue which is so appreciated by his constituents.

Mr. Speaker, the legislative branch's loss is the judicial branch's gain. Senator Quentin Kopp is now addressed as the Honorable Quentin Kopp, Judge of the Superior Court of San Mateo County, a position to which he was appointed on January 2 of this year. Quentin does not need the judicial robe to augment his commanding, magisterial presence, but all of us in San Mateo County will benefit from his willingness to exercise wit and wisdom in his new post.

It is my sincere wish, Mr. Speaker, that Judge Kopp will find intellectual satisfaction, professional fulfillment and personal happiness in this new opportunity to continue his public service.

INTRODUCTION OF THE HOUSING
PRESERVATION MATCHING
GRANT OF 1999

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. VENTO. Mr. Speaker, today I am introducing the Housing Preservation Matching Grant of 1999, which would authorize the Secretary of HUD to make grants to States to

supplement State assistance for the preservation of affordable housing for low-income families. The bill would allocate resources to match the efforts of States in preserving affordable housing units across this Nation. With this kind of commitment, the Federal Government would be able to help States and more importantly, communities to achieve the long-term preservation of those housing units as affordable housing.

We are facing a dire situation with regard to affordable housing needs in this country. Low-to moderate-income residents receiving housing assistance are on the cusp of a crisis and Congress must act to attempt to avert the breakdown and loss of the national public and assisted housing stock. Without preservation, the best of the worst case scenarios is a "vouchering out" of what little affordable housing remains.

Some States are allocating resources to save federally subsidized housing for the future. In Minnesota, where 10 percent of the roughly 50,000 units of assisted housing are at risk, \$10 million was appropriated for 1999 for an Affordable Rental Investment Fund to finance the acquisition, rehabilitation and debt restructuring of federally assisted rental property and for making equity take-out loans. This laudable effort, however, is only one State and even there, the resources allocated cannot match the great need for affordable housing, especially for seniors and those with special needs.

This Vento bill recognizes these kinds of commitments and matches them with two Federal dollars for every State dollar. While I support funding for the Federal Low Income Housing Preservation and Resident Homeownership Act (LIHPRHA), if there is not to be funding, perhaps this new Housing Preservation Matching Grant can encourage a forestallment of prepayment, which places low-income families at risk of losing their homes. With enactment of this bill this year, we could provide a benchmark for States and local communities to work from and with as they produce their own initiatives to avert this pending national crisis in affordable housing.

A section-by-section of the bill follows:

SECTION 1. SHORT TITLE.—The short title of the Act is the "Housing Preservation Matching Grant Act of 1999"

SECTION 2. FINDINGS AND PURPOSE.—(a) **FINDINGS.**—The Congress finds that—(1) more than 55,300 affordable housing dwelling units in the United States have been lost through termination of low income affordability requirements, which usually involves the prepayment of the outstanding principal balance under the mortgage on the project in which such units are located;

(2) more than 265,000 affordable housing dwelling units in the United States are currently at risk of prepayment;

(3) the loss of the privately owned, federally assisted affordable housing, which is occurring during a period when rents for unassisted housing are increasing and few units of additional affordable housing are being developed, will cause unacceptable harm on current tenants of affordable housing and will precipitate a national crisis in the supply of housing for low-income households;

(4) the demand for affordable housing far exceeds the supply of such housing, as evidenced by studies in 1998 that found that (A) 5,300,000 households (one-seventh of all rent-

ers in the Nation) have worst-case housing needs; and (B) the number of families with at least one full-time worker and having worst-case housing needs increased from 1991 to 1995 by 265,000 (24 percent) to almost 1,400,000;

(5) the shortage of affordable housing in the United States reached a record high in 1995, when the number of low-income households exceeded the number of low-cost rental dwelling units by 4,400,000;

(6) between 1990 and 1995, the shortage of affordable housing in the United States increased by 1,000,000 dwelling units, as the supply of low-cost units decreased by 100,000 and the number of low-income renter households increased by 900,000;

(7) there are nearly 2 low-income renters in the United States for every low-cost rental dwelling unit;

(8) 2 of every 3 low-income renters receive no housing assistance and about 2,000,000 low-income households remain on waiting lists for affordable housing;

(9) the shortage of affordable housing dwelling units results in low-income households that are not able to acquire low-cost rental units paying large proportions of their income for rent; and

(10) in 1995, 82 percent of low-income renter households were paying more than 30 percent of their incomes for rent and utilities.

(b) **PURPOSE.**—It is the purpose of this Act—

(1) to promote the preservation of affordable housing units by providing matching grants to States that have developed and funded programs for the preservation of privately owned housing that is affordable to low-income families and persons and was produced for such purpose with Federal assistance;

(2) to minimize the involuntary displacement of tenants who are currently residing in such housing, many of whom are elderly or disabled persons; and

(3) to continue the partnerships among the Federal Government, State and local governments, and the private sector in operating and assisting housing that is affordable to low-income Americans.

SECTION 3. AUTHORITY. Provides the Secretary of HUD with the authority to make grants to the States for low-income housing preservation.

SECTION 4. USE OF GRANTS. (a) **IN GENERAL.**—Grants can only be used for assistance for acquisition, preservation incentives, operating cost, and capital expenditures for the housing projects that meet the requirements in (b), (c) or (d) below.

(b) **PROJECTS WITH HUD-INSURED MORTGAGES.**

(1) The project is financed by a loan or mortgage that is—(A) insured or held by the Secretary under 221(d)(3) of National Housing Act and receiving loan management assistance under Section 8 of the U.S. Housing Act of 1937 due to a conversions for section 101 of the Housing and Urban Development Act of 1965; (B) insured or held by the Secretary and bears interest at a rate determined under 221(d)(5) of the National Housing Act; (C) insured, assisted, or held by the Secretary or a State or State Agency under Section 236 of the National Housing Act; or (D) held by the Secretary and formerly insured under a program referred to in (A), (B) or (C);

(2) the project is subject to an unconditional waiver of, with respect to the mortgage referred to in paragraph (1)—

(A) all rights to any prepayment of the mortgage; and (B) all rights to any voluntary termination of the mortgage insurance contract for the mortgage; and

(3) the owner of the project has entered into binding commitments (applicable to any subsequent owner) to extend all low-income affordability restrictions imposed because of any contract for project-based assistance for the project.

(c) **PROJECTS WITH SECTION 8 PROJECT-BASED ASSISTANCE.** A project meets the requirements under this subsection only if—

(1) the project is subject to a contract for project-based assistance; and

(2) the owner has entered into binding commitments (applicable to any subsequent owner) to extend such assistance for a maximum period under law and to extend any low-income affordability restrictions applicable to the project.

(d) **PROJECTS PURCHASED BY RESIDENTS.**—A project meets the requirements under this subsection only if the project—

(1) is or was eligible housing under LIHPRHA of 1990; and

(2) has been purchased by a resident council for the housing or is approved by HUD for such purchase, for conversion to homeownership housing as under LIHPRHA of 1990.

(e) **COMBINATION OF ASSISTANCE.**—Notwithstanding subsection (a), any project that is otherwise eligible for assistance with grant amounts under (b) or (c) and also meets the requirements of the (1) in either of the other subsections—that is, it is a 221(d)(3), 221(d)(5), or a 236 building, or, is subject to a contract for project-based assistance—will be eligible for such assistance only if it complies with all the requirements under the other subsection.

SECTION 5. GRANT AMOUNT LIMITATION.—The Secretary can limit grants to States based upon the proportion of such State's need compared to the aggregate need among all States approved for such assistance for such a fiscal year.

SECTION 6. MATCHING REQUIREMENT.—(a) **IN GENERAL.**—The Secretary of HUD cannot make a grant that exceeds twice the amount the State certifies that the State will contribute for a fiscal year, or has contributed since January 1, 1999, from non-Federal sources for preservation of affordable housing as described in Section 4(a).

(b) **TREATMENT OF PREVIOUS CONTRIBUTIONS.**—Any portion of amounts contributed after 1.1.99, that are counted for a fiscal year, may not be counted for any subsequent fiscal year.

(c) **TREATMENT OF TAX CREDITS.**—Low Income Housing Tax Credits (LIHTC) and proceeds from the sale of tax-exempt bonds shall not be considered non-federal sources for purposes of this section.

SECTION 7. TREATMENT OF SUBSIDY LAYERING REQUIREMENTS.—Neither section 6 nor any other provision of this Act should prevent using the Low Income Housing Tax Credit in connection with housing assisted under this Act, subject to following Section 102(d) of the HUD Reform of 1989 and section 911 of the Housing and Community Development Act of 1992.

SECTION 8. APPLICATIONS.—The Secretary shall provide for States to submit applications for grants under this Act with such information and certifications that are necessary.

SECTION 9. DEFINITIONS.—For this Act, the following definitions apply:

(1) **LOW-INCOME AFFORDABILITY RESTRICTIONS.**—With respect to a housing project, any limitations imposed by regulation or agreement on rents for tenants of the project, rent contributions for tenants of the project, or income-eligibility for occupancy in the project.

(2) PROJECT-BASED ASSISTANCE.—Is as defined in section 16(c) of the U.S. Housing Act of 1937, except that such term includes assistance under any successor programs to the programs referred to in that section.

(3) SECRETARY.—Means the Secretary of the Department of Housing and Urban Development.

(4) STATE.—Means the States of the U.S., DC, Puerto Rico, the Northern Mariana Islands, Guam, the Virgin Islands, American Samoa, and any other territory or possession of the U.S.

SECTION 10. Gives the Secretary authority to issue any necessary regulations.

SECTION 11. Authorizes such sums as necessary from 2000 through 2004 for grants under this Act.

ENGLISH LANGUAGE AMENDMENT

HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. DOOLITTLE. Mr. Speaker, I rise today to introduce the English Language Amendment to the Constitution. It is my belief that this legislation is critically needed at this day and hour. It is time for Congress to stand up and reaffirm that this nation of immigrants requires the unity of a national language.

Mr. Speaker, for over 200 years, America has made a home for immigrants from all over the globe. The newest American citizen is considered just as good an American as the citizen whose ancestors can be traced to the Mayflower. The United States has managed to accomplish what few nations have even dared to attempt: we are one nation even though each of us may have ancestors who fought against each other in generations past.

This has been made possible by our common flag and our common language. The immigrant struggling to learn English in order to become a citizen is an ancestor of many of the Members of this House. The child of immigrants, going to school, learning English and playing baseball is the ancestor of many of us as well. And others here are that child a few years later, having the honor of representing many other Americans as a U.S. Congressman.

Learning English was not always easy. And America has not always lived up to its high ideal that we are E Pluribus Unum—"out of many, one." But for most of our Nation's history, the English language was both the language of opportunity and the language of unity.

During the 1960's, the notion of our common language came under attack. There were those who felt America had nothing worthy of pride. Some of these people gave the impression that they did not think the United States of America itself was a good idea.

While those days are over, many of the ideas of that period are part of federal law. One of the most divisive of those notions was government multilingualism and multiculturalism. These ideas have infiltrated government at all levels. Yet these ideas were opposed and then and remain opposed to now by a vast majority of Americans.

Mr. Speaker, I believe we would all concede that notions like bilingual ballots and bilingual

education were well meant when they were proposed. But also believe that it is time that we ended this failed experiment in official multilingualism.

I believe this experiment should be ended because government multilingualism is divisive. It seems that no amount of translation services is ever sufficient. Michigan offers its driver test in 20 languages. There are 100 languages spoken in the Chicago school system. Yet hard-pressed taxpayers know that they are one lawsuit away from yet another mandatory translation requirement.

There are those who say that this amendment is not necessary. I would remind them that right across the street the Supreme Court will decide whether any official English legislation is Constitutional. Even though we may desire less comprehensive approaches to this issue, the actions of this Court, or a future Court, may well undercut any official English legislation short of the English Language Amendment (ELA).

In 1996, I spoke with pride on behalf of the official English bill originally introduced by my colleague from the great State of California, DUKE CUNNINGHAM. That was a good bill and would have made a good beginning.

However, given that groups like the American Civil Liberties Union with their legions of lawyers stand ready to haul any official English legislation into court, I believe that we must accept the fact that Congress will be continually forced to revisit this issue until we successfully add the ELA to our Constitution.

The path of a Constitutional amendment is not easy. The Founding Fathers made certain that only the most important issues could succeed in achieving Constitutional protection.

Mr. Speaker, I submit that preserving our national unity through making English this Nation's official language is just such a critical issue. Look around the world. Neighbor fights with neighbor even when they speak a common language. Linguistic divisions swiftly lead to other divisions.

Mr. Speaker, if the ELA is adopted, states like my own will save money. Under our current laws, the minute an immigrant sets foot on U.S. soil, he and his family are entitled to a multitude of government services, each provided in that immigrant's native tongue. When their children start school, we cannot give them English classes—instead California and other States must provide schooling to these children in the language of their parents. Bilingual education alone is an unfunded \$8 billion mandate on State and local taxpayers.

There is a sense in this body when the time has come for certain legislation. I submit that the time has indeed come for the English Language Amendment and I urge its adoption.

INTRODUCTION OF H.R. 168, THE GOLDEN GATE NATIONAL RECREATION AREA BOUNDARY ADJUSTMENT ACT

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 19, 1999

Mr. LANTOS. Mr. Speaker, the Golden Gate National Recreation Area (GGNRA) is a true

national treasure. It provides open space and recreation in the midst of a densely populated urban area, and it is one of our Nation's most heavily used national parks. I urge my colleagues to support my legislation, H.R. 168, which would expand the boundaries of the GGNRA to include an additional 1,300 critical acres of land adjacent to existing GGNRA parkland.

Mr. Speaker, this legislation has the bipartisan support of the entire Bay Area Congressional Delegation. Joining me as cosponsors of this legislation are our colleagues NANCY PELOSI, ANNA ESHOO, TOM CAMPBELL, GEORGE MILLER, LYNN WOOLSEY, PETE STARK, ELLEN TAUSCHER, BARBARA LEE, and ZOE LOFGREN.

H.R. 168, the Golden Gate National Recreation Area Boundary Adjustment Act, will permit the National Park Service to acquire carefully selected critical natural areas in San Mateo County, primarily in the area around the City of Pacifica. National Park Service officials in the Bay Area conducted a boundary study to evaluate the desirability of including additional lands in and around Pacifica within the GGNRA. During the preparation of the Park Service study, a public forum was held to gather comments from area residents, and local input was reflected in the final study. The Pacifica City Council adopted a resolution endorsing the addition of these areas to the GGNRA. The GGNRA and the Point Reyes National Seashore Advisory Commission also urged the addition of these new areas to the park.

Mr. Speaker, this legislation has the strong support of local environmental advocacy and preservation groups. The Loma Prieta Chapter of the Sierra Club contacted me to express support for this important legislation. In a letter endorsing this bill, the Sierra Club wrote that "by expanding the boundaries of the GGNRA, the legislation would allow acquisition of parcels which are natural extensions of the park." The letter continued that this legislation "would protect both views and habitats as well as provide additional recreational opportunities for local residents as well as visitors to the Bay Area. The open spaces and the vistas from these sites are national treasures and it is appropriate to include them in the Golden Gate National Recreation Area. By including them in GGNRA, visitors to the Bay Area will be given a chance to experience their wonder."

H.R. 168 would expand the boundary of GGNRA to permit the inclusion of lands directly adjacent to existing parkland as well as nearby lands along the Pacific Ocean. The upper parcels of land offer beautiful vistas, sweeping coastal views, and spectacular headland scenery. Inclusion of these lands would also protect the important habitats of several species of rare or endangered plants and animals. The legislation offers improved access to existing trails and beach paths and would protect important ecosystems from encroaching development.

The GGNRA Boundary Adjustment Act would also permit the inclusion of beautiful headlands along the coast into GGNRA. The coastal headlands of San Pedro Point, the Rockaway Headland, Northern Coastal Bluffs, and the Bowl & Fish would be included in the GGNRA under this legislation. These parcels would offer park visitors scenic panoramas up