

Bound by a sense of service to country, JOE lied about his young age to enlist in the U.S. Navy. Risking his life to defend our country during World War II only marked the beginning of his career in public service. JOE rose through the ranks of local government and was elected to the U.S. House of Representatives in 1972. It has been my distinct honor to work with him the past 22 years, and in that time I have come to recognize him, as have many others, as a man driven by principal and conviction.

During his tenure in the House, JOE has become a renegade for human rights. His desire to find answers to the brutal murders of innocent civilians in El Salvador led a divided country to an eventual peace agreement in 1992. His leadership, his passion and his dedication to civic justice will truly be remembered.

Most significantly, I have admired JOE for his tireless commitment to the people of the Ninth District of Massachusetts. JOE is a member of this body who will truly be missed. While this tribute cannot begin to communicate his greatness as a leader and friend, I can say that this body has been made better by his presence and will be lesser in his absence. Mr. Speaker, I ask all my colleagues to join with me today in celebrating the accomplishments of Congressman JOE MOAKLEY.

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

The SPEAKER pro tempore. The bill is considered read for amendment.

Pursuant to the order of the House of Tuesday, February 13, 2001, 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, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELECTRONIC COMMERCE ENHANCEMENT ACT OF 2001

Mr. BOEHLERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 524) to require the Director of the National Institute of Standards and Technology to assist small and medium-sized manufacturers and other such businesses to successfully integrate and utilize electronic commerce technologies and business practices, and to authorize the National Institute of Standards and Technology to assess critical enterprise integration standards and implementation activities for major manufacturing industries and to develop a plan for enterprise integration for each major manufacturing industry.

The Clerk read as follows:

H.R. 524

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 "Electronic Commerce Enhancement Act of 2001".

TITLE I—ELECTRONIC COMMERCE

SEC. 101. FINDINGS.

The Congress finds the following:

(1) Commercial transactions on the Internet, whether retail business-to-customer or business-to-business, are commonly called electronic commerce.

(2) In the United States, business-to-business transactions between small and medium-sized manufacturers and other such businesses and their suppliers is rapidly growing, as many of these businesses begin to use Internet connections for supply-chain management, after-sales support, and payments.

(3) Small and medium-sized manufacturers and other such businesses play a critical role in the United States economy.

(4) Electronic commerce can help small and medium-sized manufacturers and other such businesses develop new products and markets, interact more quickly and efficiently with suppliers and customers, and improve productivity by increasing efficiency and reducing transaction costs and paperwork. Small and medium-sized manufacturers and other such businesses who fully exploit the potential of electronic commerce activities can use it to interact with customers, suppliers, and the public, and for external support functions such as personnel services and employee training.

(5) The National Institute of Standards and Technology's Manufacturing Extension Partnership program has a successful record of assisting small and medium-sized manufacturers and other such businesses. In addition, the Manufacturing Extension Partnership program, working with the Small Business Administration, successfully assisted United States small enterprises in remediating their Y2K computer problems.

(6) A critical element of electronic commerce is the ability of different electronic commerce systems to exchange information. The continued growth of electronic commerce will be enhanced by the development of private voluntary interoperability standards and testbeds to ensure the compatibility of different systems.

SEC. 102. REPORT ON THE UTILIZATION OF ELECTRONIC COMMERCE.

(a) ADVISORY PANEL.—The Director of the National Institute of Standards and Technology (in this title referred to as the "Director") shall establish an Advisory Panel to report on the challenges facing small and medium-sized manufacturers and other such businesses in integrating and utilizing electronic commerce technologies and business practices. The Advisory Panel shall be comprised of representatives of the Technology Administration, the National Institute of Standards and Technology's Manufacturing Extension Partnership program established under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l), the Small Business Administration, and other relevant parties as identified by the Director.

(b) INITIAL REPORT.—Within 12 months after the date of the enactment of this Act, the Advisory Panel shall report to the Director and to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the immediate requirements of small and medium-sized manufacturers and other such businesses to integrate and utilize electronic commerce technologies and business practices. The report shall—

(1) describe the current utilization of electronic commerce practices by small and medium-sized manufacturers and other such businesses, detailing the different levels between business-to-retail customer and business-to-business transactions;

(2) describe and assess the utilization and need for encryption and electronic authentication components and electronically stored data security in electronic commerce for small and medium-sized manufacturers and other such businesses;

(3) identify the impact and problems of interoperability to electronic commerce, and include an economic assessment; and

(4) include a preliminary assessment of the appropriate role of, and recommendations for, the Manufacturing Extension Partnership program to assist small and medium-sized manufacturers and other such businesses to integrate and utilize electronic commerce technologies and business practices.

(c) FINAL REPORT.—Within 18 months after the date of the enactment of this Act, the Advisory Panel shall report to the Director and to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a 3-year assessment of the needs of small and medium-sized manufacturers and other such businesses to integrate and utilize electronic commerce technologies and business practices. The report shall include—

(1) a 3-year planning document for the Manufacturing Extension Partnership program in the field of electronic commerce; and

(2) recommendations, if necessary, for the National Institute of Standards and Technology to address interoperability issues in the field of electronic commerce.

SEC. 103. ELECTRONIC COMMERCE PILOT PROGRAM.

The National Institute of Standards and Technology's Manufacturing Extension Partnership program, in consultation with the Small Business Administration, shall establish a pilot program to assist small and medium-sized manufacturers and other such businesses in integrating and utilizing electronic commerce technologies and business practices. The goal of the pilot program shall be to provide small and medium-sized manufacturers and other such businesses with the information they need to make informed decisions in utilizing electronic commerce-related goods and services. Such program shall be implemented through a competitive grants program for existing Regional Centers for the Transfer of Manufacturing Technology established under section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k). In carrying out this section, the Manufacturing Extension Partnership program shall consult with the Advisory Panel and utilize the Advisory Panel's reports.

TITLE II—ENTERPRISE INTEGRATION

SEC. 201. ENTERPRISE INTEGRATION ASSESSMENT AND PLAN.

(a) ASSESSMENT.—The Director shall work to identify critical enterprise integration standards and implementation activities for major manufacturing industries underway in the United States. For each major manufacturing industry, the Director shall work with industry representatives and organizations currently engaged in enterprise integration activities and other appropriate representatives as necessary. They shall assess the current state of enterprise integration within the industry, identify the remaining steps in achieving enterprise integration, and work toward agreement on the roles of the National Institute of Standards and Technology and of the private sector in that process. Within 90 days after the date of the enactment of this Act, the Director shall report to

the Congress on these matters and on anticipated related National Institute of Standards and Technology activities for the then current fiscal year.

(b) **PLANS AND REPORTS.**—Within 180 days after the date of the enactment of this Act, the Director shall submit to the Congress a plan for enterprise integration for each major manufacturing industry, including milestones for the National Institute of Standards and Technology portion of the plan, the dates of likely achievement of those milestones, and anticipated costs to the Government and industry by fiscal year. Updates of the plans and a progress report for the past year shall be submitted annually until for a given industry, in the opinion of the Director, enterprise integration has been achieved.

SEC. 202. DEFINITIONS.

For purposes of this title—

(1) the term “Director” means the Director of the National Institute of Standards and Technology;

(2) the term “enterprise integration” means the electronic linkage of manufacturers, assemblers, and suppliers to enable the electronic exchange of product, manufacturing, and other business data among all businesses in a product supply chain, and such term includes related application protocols and other related standards; and

(3) the term “major manufacturing industry” includes the aerospace, automotive, electronics, shipbuilding, construction, home building, furniture, textile, and apparel industries and such other industries as the Director designates.

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

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

GENERAL LEAVE

Mr. BOEHLERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 524.

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

There was no objection.

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

During a busy day, most Americans probably do not stop to think about the impact small manufacturing has on all of our lives. In fact, most Americans would be surprised to learn that it is all but impossible to get through a day without using and benefiting from the many products created by our Nation's small manufacturers. Everything from the alarm clock ringing in the morning, to the clothes we wear, to the communications equipment C-SPAN uses to broadcast these House proceedings live can be attributed in part to small manufacturing.

It is not surprising, then, that small manufacturers contribute so greatly to our Nation's economic growth and prosperity. Small manufacturers employ over 12 million Americans, translating to nearly 1 in 10 workers nationwide. It is estimated that a manufac-

turing sale of \$1 results in an increase of total output in the economy of \$2.30. As they seek to remain a driving force in our Nation's economy, one of the greatest challenges facing small manufacturers in the coming decade will be the need to implement successful e-commerce business strategies allowing them to better compete in the burgeoning information age.

It is estimated that sales in electronic commerce alone will reach nearly \$3.2 trillion by the year 2003. Small manufacturers who successfully embrace new technology and all its benefits will be able to capitalize on the growing trend in online sales and have the potential to increase both their productivity and revenues. Beyond online sales, e-commerce can help small manufacturers develop new products and markets while at the same time allowing them to interact more quickly and efficiently with their suppliers and customers.

I am pleased to join the gentleman from Michigan (Mr. BARCIA), the ranking member of the Subcommittee on Environment, Technology and Standards, as an original cosponsor of H.R. 524, the Electronic Commerce Enhancement Act. H.R. 524 will allow the director of the National Institutes of Standards and Technology, which we all know as NIST, to establish an advisory panel comprised of both government and private sector representatives that will provide Congress with a comprehensive report detailing the challenges facing small manufacturers in integrating and utilizing electronic commerce technologies.

The report will also require a 3-year blueprint for NIST's Manufacturing Extension Partnership program, or MEP, in the area of electronic commerce. MEP, with over 400 centers in all 50 States, has been a valuable technology transfer resource for many small manufacturers nationwide. By establishing a 3-year plan, we will have a better idea of how NIST MEP can be most useful in helping small manufacturers overcome the barriers they face in the electronic world.

Finally, H.R. 524 establishes a limited e-commerce pilot program administered through the Manufacturing Extension Partnership program, in conjunction with the Small Business Administration, aimed at assisting small manufacturers to integrate e-commerce business strategies. Last Congress, the House passed legislation mirroring H.R. 524 by voice vote. Unfortunately, Congress adjourned before the Senate could act on the measure. I am hopeful we will be able to get the bill signed into law this year. Accordingly, I urge my colleagues to join me in support of the Electronic Commerce Enhancement Act of 2001.

Let me close my formal remarks by commending my colleague, good friend, and partner, the gentleman from

Michigan (Mr. BARCIA), for his tenaciousness, for his innovativeness and for the hard work that has produced this product.

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

Mr. BARCIA. Mr. Speaker, I yield myself such time as I may consume. I too want to commend my very good friend and distinguished colleague in his, I believe, maiden remarks on the floor here as the new full Committee on Science chairman.

I want to express my gratitude to both the gentleman from New York (Mr. BOEHLERT) as well as the gentleman from Michigan (Mr. EHLERS) for their spirit of bipartisanship which is a continuation of the good working relationship which our committee enjoyed in the last several sessions but certainly bodes well in this new session.

Certainly the fact is not lost that the first action in this new session of the committee is reporting a Democratic bill. For that I am very grateful. I want to say how much I look forward to continuing to work with the gentleman from New York and continuing that great spirit of bipartisanship which the Committee on Science has been so well renowned for and to say how delighted we are that he will be leading our full committee efforts here in committee and on the floor.

Mr. Speaker, I rise in support of H.R. 524, the Electronic Commerce Enhancement Act. H.R. 524 represents a bipartisan effort to assist small and medium-sized enterprises to bringing their businesses online. H.R. 524 is the same text as H.R. 4429 which was reported by the Committee on Science and passed by the House in the 106th Congress.

The bill before us today reflects again a bipartisan consensus. I, the gentleman from New York (Mr. BOEHLERT), the gentleman from Texas (Mr. HALL), and the gentleman from Michigan (Mr. EHLERS), along with other Members, decided to reintroduce this legislation because of the challenges small and medium-sized businesses face in implementing the electronic commerce activities. As large corporations move their business transactions online, small companies in the supply chain must go online as well. However, many of these small companies lack the information they need to make informed decisions on choosing e-commerce products and services. The Electronic Commerce Enhancement Act addresses this problem.

First, H.R. 524 establishes an advisory panel to assess the e-commerce needs of small businesses. This advisory panel should represent an equal partnership between industry, government, and other affected groups. The Manufacturing Extension Partnership, working with the advisory panel, will establish a pilot program at MEP centers to provide small businesses with

the information they need to make informed, intelligent purchases of e-commerce products and services.

□ 1200

This bill also addresses the issue of interoperability in the manufacturing supply chain. Adoption of e-commerce practices within a supply chain can be hindered by the lack of interoperability of software, hardware, and networks in exchanging product data and other key business information.

For example, a recent study indicated losses of \$1 billion in terms of productivity due to interoperability problems in the automotive supply chain. Other industries with complex manufacturing requirements could be expected to suffer similar losses.

The National Institute of Standards and Technology, or NIST, has supported the first phase of an automotive supply chain interoperability study in my home State of Michigan. This program was highly successful and strongly supported by industry. H.R. 524 builds upon this preliminary effort. NIST would perform an assessment to identify critical enterprise integration standards and implementation activities and report back to Congress.

I want to thank also the gentleman from Maryland (Chairwoman MORELLA) for working with me on this legislation in the last Congress and also want to thank the gentleman from Wisconsin (Chairman SENSENBRENNER) for his efforts to bring this bill to the floor in the 106th Congress as well.

Of course, I want to thank our new Committee on Science chairman, as I just mentioned, the gentleman from New York (Chairman BOEHLERT), as well as the gentleman from Michigan (Chairman EHLERS) and the ranking member, the gentleman from Texas (Mr. HALL), for cosponsoring this legislation and supporting bringing it to the floor so expeditiously. I hope this represents the first of many bipartisan Committee on Science bills that we will bring to the floor of the 107th Congress.

Mr. Speaker, the manufacturing extension partnership has a proven track record of helping thousands of small businesses across the country. The National Institute of Standards and Technology has continually worked in partnership with the private sector to make advancements that benefit countless American businesses.

In closing, I believe this bill represents sound and reasonable policy that builds upon the impressive history of these Federal agencies. I urge my colleagues to support this measure.

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

Mr. BOEHLERT. Mr. Speaker, I am pleased to yield 6 minutes to the gentleman from Michigan (Mr. EHLERS), the distinguished chairman of the Subcommittee on Environment, Technology and Standards.

Mr. EHLERS. Mr. Speaker, I thank the chairman for yielding me time.

Mr. Speaker, I welcome the gentleman from Michigan (Mr. BARCIA) to the ranking member position on the Subcommittee on Environment, Technology and Standards; and I look forward to working with him. We have been friends for many years, first in the Michigan House, then the Michigan Senate, and now in the Congress, and especially on this particular subcommittee.

Mr. Speaker, I rise today in support of H.R. 524, the Electronic Commerce Enhancement Act of 2001. Small manufacturers play a vital role in our society. Each and every day we all rely on the many goods they produce to help sustain and improve our lives. Small manufacturers are an integral part of our communities, employing hundreds of our friends and neighbors and acting as anchors that help to foster growth and prosperity in many small towns across our Nation. In our inner cities, it is often small manufacturers that have helped to spur urban renewal and act as the industrial foundation in our metropolitan areas.

Recently I visited a factory in my district. It is a classic example of what I just described here. A gentleman purchased a faltering plant which was on the verge of bankruptcy. It had 50 employees. He reinvigorated it; and through good management and advanced techniques of manufacturing, including communication, he became a supplier of parts for the Chrysler Corporation, now the Daimler Chrysler Corporation. At the time I visited, he had 250 employees and he said he had work for 500, if he could only find qualified individuals to work there.

He also showed me a machine that was producing parts for the Chrysler minivan. He had produced 2 million of those parts for the Chrysler Corporation, without one single rejection by them for defects. He was very proud of his record. That is the type of thing small manufacturers do so well.

The future success and growth of many small manufacturers such as that will increasingly rely on their ability to adapt to the ever-changing electronic business environment. In a recent survey, nearly 80 percent of small manufacturers reported having a Web page, which is good; but only 25 percent indicated they used the Internet for direct sales. This means that most small manufacturers are missing out on an estimated \$3.2 trillion in e-commerce sales over the next 2 years. They are also missing out on the opportunity the Internet offers to spur new product development and markets while at the same time streamlining and improving their daily business operations.

There are many obstacles preventing small manufacturing from fully engaging in the new electronic-driven busi-

ness environment. Costs associated with integrating even the most basic e-commerce initiatives, coupled with the uncertainty and the fast-paced changes in technology, often hinder small manufacturers' attempts to venture into the electronic world.

Just as an example, encryption is a very important part of business commerce. Very few small manufacturers have the expertise to deal with encryption problems and ensure the security, privacy, and integrity of their transmissions.

In addition to that, we need standardization of protocols between large manufacturers and their suppliers. We have to have enterprise integration and interoperability. If the smaller manufacturers are going to be able to communicate with the large number of manufacturers that they supply, they should not have to be required to put in different systems for every manufacturer they deal with.

In addition to this, a lack of qualified trained technology workers in the marketplace today makes it difficult to successfully integrate technology into the workplace in a meaningful way. Over half the small manufacturers surveyed revealed that human resource shortages were a major problem when trying to implement their e-commerce plans.

I would add parenthetically here that I have introduced legislation to improve K-12 math-science education, which would go a long way toward solving the problems that are indicated in the previous paragraph and that I also mentioned earlier for the manufacturer in my district who could not find the employees he needed.

H.R. 524 is an important piece of legislation because it will help us get a better picture of all of the barriers preventing small manufacturers from successfully implementing electronic commerce strategies by having both government and private-sector representatives take a closer look at the problem.

In addition, the limited pilot program created by H.R. 524 will tell us what is and what is not working in the workplace. NIST's Manufacturing Extension Partnership program, or MEP, working in conjunction with the Small Business Administration, is uniquely suited to assist small manufacturers in this endeavor. The hundreds of MEP centers all across the country have a proven track record in effectively providing small manufacturers with the advice and expertise they need in order to succeed.

I am pleased to join the chairman of the Committee on Science, the gentleman from New York (Mr. BOEHLERT), and the ranking member of the Subcommittee on Environment, Technology and Standards, the gentleman from Michigan (Mr. BARCIA), as an original cosponsor of H.R. 524.

Mr. Speaker, I urge all of my colleagues to join me in support of the

Electronic Commerce Enhancement Act of 2001.

Mr. BOEHLERT. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Speaker, I thank the chairman for yielding me time and for his leadership on this issue.

Mr. Speaker, I rise today in support of the Electronic Commerce Enhancement Act of 2001, a bill that recognizes the importance of the Internet and e-commerce to our economy. This bill also recognizes the importance of business-to-business transactions by small- to medium-sized businesses via the Internet. As technology continues to grow, unfortunately, many small- to medium-sized companies have not been able to utilize the potential of the Internet as a business tool. In order to help these companies contribute to economic growth, this bill assists in developing tools to alleviate the problems of interoperability.

H.R. 524 will help promote electronic commerce in these small- to medium-sized companies by identifying the challenges that they face and establishing programs to assist them in overcoming these obstacles. These programs include the electronic linkage of manufacturers, assemblers, and suppliers that will enable them to exchange product, manufacturing and other business data within the supply chain. By allowing the National Institute of Standards and Technology technology to assist small- and medium-sized businesses to successfully integrate electronic commerce, Congress will promote effective standards for helping these businesses prosper in our economy.

I want to thank the gentleman from Michigan (Mr. BARCIA) and the gentleman from Michigan (Mr. EHLERS) for their work in recognizing the importance of small businesses, the gentleman from Wisconsin (Mr. SENSENBRENNER) for his work in passing this bill in the 106th Congress, and the gentleman from New York (Chairman BOEHLERT) for his new leadership on the Committee on Science and on this issue. I urge my colleagues to support this legislation.

Mr. BOEHLERT. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Maryland (Mrs. MORELLA), the senior member of the committee.

Mrs. MORELLA. Mr. Speaker, I thank the gentleman for yielding, and I certainly want to thank him as chairman of the Committee on Science for bringing this issue to the floor and for his strong support of it.

Obviously, the ranking member of our Subcommittee on Technology for the last years, the gentleman from Michigan (Mr. BARCIA), who introduced this legislation, I wanted to commend him and indicate my very strong support for it.

Introduction of this bill represents a very strong bipartisan effort to assist small- and medium-sized businesses as they move their operations into an e-commerce environment.

Enacted, this legislation will also improve the interoperability of the electronic transfer of technical information in the manufacturing supply chain. The lack of interoperability between software, hardware, and networks in exchanging product data and other key business information obviously is hurting U.S. productivity.

The costs of this barrier are enormous. According to a study conducted by the National Institute of Standards and Technology of product data exchange in the automotive sector alone, the inability to efficiently exchange product data through the automotive supply chain conservatively costs about \$1 billion a year.

Mr. Speaker, this bill was introduced in the 106th Congress, reported out of the Subcommittee on Technology, which I chaired and the gentleman from Michigan (Mr. BARCIA) was the ranking member, and at that time the bill was then passed unanimously by the House.

The bill would also allow the National Institute of Standards and Technology to work with business and industry to develop voluntary standards, standards that will assure that U.S. firms will and can continue to exploit the power of the Internet to collaborate with trading partners and through greater speed and agility to participate in the global markets.

Again, I thank my colleagues for bringing this important issue to the floor. I urge all of my colleagues to support H.R. 524.

Mr. BOEHLERT. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Speaker, I thank my distinguished colleague for yielding me time.

Mr. Speaker, I rise in support of H.R. 524, but I do so with some reservation. I am troubled by the bill on two particular grounds: first, its potential negative impact on e-commerce; and, two, its encroachment on the Committee on Energy and Commerce jurisdiction.

Let me take the negative impact on e-commerce and explain this more fully. H.R. 524 "authorizes the National Institute of Standards and Technology to assess critical enterprise integration standards and implementation activities for major manufacturing industries and to develop a plan for enterprise integration for each major industry."

Mr. Speaker, such an authorization seemingly grants an open invitation to a Federal Government entity, NIST, to meddle in voluntary standard-setting activities by private parties relating to business-to-business electronic exchanges.

□ 1215

Such a governmental intervention could harbor substantial negative repercussions for e-commerce. Voluntary standards-setting activities by private, non-governmental parties have been credited with the vibrancy and innovation associated with our e-commerce industry. Industry enterprise integration or business-to-business exchanges are a critical component of our e-commerce sector. Today, transactions on such exchanges represent 85 percent of the total value of e-commerce.

The Federal government injecting itself into a business-to-business exchange standard-setting activities in our view on the Committee on Commerce holds no other promise but to retard dynamic and innovative change synonymous with e-commerce.

Moreover, authorizing such a government intervention sends the wrong signal to our trading partners in Europe. The European Union Commission is favorably inclined to inject itself into private standard-setting activities. This makes for a bad recipe for the future of global e-commerce.

Too, Mr. Speaker, my other concern is with jurisdiction. As the title of H.R. 524 clearly denotes, electronic commerce is the focal point of this legislation. The Committee on Energy and Commerce is the committee of jurisdiction over matters relating to electronic commerce. The committee's jurisdiction over electronic commerce is perfectly clear. E-commerce is a mere subcategory of interstate and foreign commerce and, as such, is undeniably within the purview of the committee's long-standing jurisdiction.

The committee also has repeatedly dealt with e-commerce issues, as exemplified by its leadership role on the following issues: No. 1, encryption; No. 2, electronic authentication of electronic signatures; No. 3, data security; and No. 4, interoperability.

H.R. 524 is within the committee's jurisdiction and should have been referred to it. The time for such a referral may have passed, but I assure the Members that we, the Committee on Energy and Commerce, will vigorously exert our jurisdiction over interstate commerce irrespective of the medium; that is, electronic or mobile.

The committee will carefully monitor NIST standard-setting activities, as outlined in H.R. 524.

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

Mr. Speaker, I would just like to respond to some of the comments made by the gentleman from Florida.

Obviously, in the last session we dealt with this issue and it passed unanimously through the House as far as the jurisdictional issue. I understand that some of the committee jurisdictions are still, as we speak, being delineated and settled.

I understand the gentleman's concern about having NIST establish structures

in terms of the interoperability issue, but I want to assure the gentleman from Florida that the automotive industry spoke strongly in favor of this legislation, based on their experience in Michigan that they had with a program called STEP, which, as I mentioned, the Manufacturing Extension Partnership based in Ann Arbor, Michigan, had worked with the automotive industry to put in place.

It has been a very successful program, and the automotive industry, which is greatly impacted by this legislation, was very strongly supportive and worked with our leadership of the subcommittee and the full committee to ensure that we would not be setting precedents or addressing some of the issues, perhaps, that the gentleman has concerns about.

But we will be mindful of that, and hopefully enjoy support on passing this bill.

Mr. Speaker, if I could make one last comment about also my colleague and friend, the gentleman from Michigan, and congratulate him on his ascension to the chairmanship of the Subcommittee on the Environment, Technology, and Standards, of which this morning I was selected as the ranking member.

I just want to say, as my good friend, the gentleman from Michigan (Mr. EHLERS) indicated, we have had the privilege of serving together in the State House in Michigan, the State Senate, and then coming to Congress together.

I want to say that I am delighted to be able to work with someone who has been a long-time friend, and someone who, throughout his tenure both in the Michigan legislature as well as here in Congress, has been recognized as one of certainly the most thoughtful and effective Members of both the State legislature and Congress.

I look forward to working with our new leadership, the new Chair, and of course my long-time friend, the gentleman from Michigan (Mr. EHLERS), of the subcommittee.

I also want to thank our former Chair, the gentlewoman from Maryland (Mrs. MORELLA), for her just absolutely great administration of our subcommittee. I think if we looked at the full committee and our subcommittee, we probably would have one of the best track records of bipartisanship in the entire Congress, and certainly all of us on the Democratic side in that subcommittee really appreciated her role, and the fairness and objectivity and spirit of bipartisanship that she carried throughout her tenure as the chair of the subcommittee. Again, I thank the chairman and the gentlewoman from Maryland (Mrs. MORELLA).

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

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from New York (Mr. BOEHLERT) that the House suspend the rules and pass the bill, H.R. 524.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to suspend the rules and pass H.R. 524 will be followed immediately by a 5-minute vote on the question of passage of H.R. 554, on which the yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 409, nays 6, not voting 17, as follows:

[Roll No. 14]

YEAS—409

Abercrombie	Carson (IN)	Everett	McKinney	Sawyer
Aderholt	Carson (OK)	Farr	McNulty	Saxton
Akin	Castle	Fattah	Meehan	Scarborough
Allen	Chabot	Ferguson	Meek (FL)	Schakowsky
Andrews	Chambliss	Filner	Meeks (NY)	Schiff
Armey	Clay	Fletcher	Menendez	Schrock
Baca	Clayton	Foley	Mica	Scott
Bachus	Clement	Ford	Millender-	Sensenbrenner
Baird	Clyburn	Fossella	McDonald	Serrano
Baker	Coble	Frank	Miller (FL)	Sessions
Baldacci	Combest	Frelinghuysen	Miller, Gary	Shadegg
Baldwin	Condit	Frost	Miller, George	Shaw
Ballenger	Conyers	Gallely	Mink	Shays
Barcia	Costello	Ganske	Moakley	Sherman
Barr	Cox	Gekas	Moore	Sherwood
Barrett	Coyne	Gephardt	Moran (KS)	Shimkus
Bartlett	Cramer	Gibbons	Moran (VA)	Shows
Barton	Crane	Gilchrest	Morella	Simmons
Bass	Crenshaw	Gillmor	Murtha	Simpson
Becerra	Crowley	Gilman	Myrick	Sisisky
Bentsen	Culberson	Goode	Nadler	Skeen
Bereuter	Cummings	Goode	Napolitano	Skelton
Berkley	Cunningham	Goodlatte	Neal	Slaughter
Berman	Davis (CA)	Gordon	Nethercutt	Smith (MI)
Berry	Davis (FL)	Goss	Ney	Smith (NJ)
Biggert	Davis (IL)	Graham	Northup	Smith (TX)
Bilirakis	Davis, Jo Ann	Granger	Norwood	Smith (WA)
Bishop	Deal	Graves	Nussle	Snyder
Blagojevich	DeFazio	Green (TX)	Oberstar	Solis
Blumenauer	DeGette	Green (WI)	Obey	Souder
Blunt	Delahunt	Greenwood	Oliver	Spencer
Boehrlert	DeLauro	Grucci	Osborne	Spratt
Boehner	DeLay	Gutierrez	Ose	Stark
Bonior	DeMint	Gutknecht	Otter	Stearns
Borski	Deutsch	Hall (OH)	Owens	Stenholm
Boswell	Diaz-Balart	Hall (TX)	Oxley	Strickland
Boucher	Dicks	Hansen	Pallone	Stump
Boyd	Dingell	Harman	Pascarell	Stupak
Brady (PA)	Doggett	Hart	Pastor	Sununu
Brady (TX)	Dooley	Hastings (FL)	Payne	Sweeney
Brown (FL)	Doolittle	Hastings (WA)	Pelosi	Tanner
Brown (OH)	Doyle	Hayes	Pence	Tauscher
Brown (SC)	Dreier	Hayworth	Peterson (MN)	Tauzin
Bryant	Duncan	Hefley	Peterson (PA)	Taylor (MS)
Burr	Dunn	Heger	Petri	Taylor (NC)
Buyer	Edwards	Hill	Phelps	Terry
Callahan	Ehlers	Hilleary	Pickering	Thomas
Calvert	Ehrlich	Hilliard	Pitts	Thompson (CA)
Camp	Emerson	Hinchee	Platts	Thompson (MS)
Cannon	Engel	Hinojosa	Pombo	Thune
Cantor	English	Hobson	Pomeroy	Thurman
Capps	Eshoo	Hoeffel	Portman	Tiahrt
Capuano	Etheridge	Hoekstra	Price (NC)	Tiberi
Cardin	Evans	Holden	Pryce (OH)	Tierney
			Quinn	Toomey
			Radanovich	Traficant
			Rahall	Turner
			Ramstad	Udall (CO)
			Rangel	Udall (NM)
			Regula	Upton
			Rehberg	Velázquez
			Reyes	Visclosky
			Reynolds	Vitter
			Riley	Walden
			Rivers	Walsh
			Rodriguez	Wamp
			Roemer	Waters
			Rogers (KY)	Watt (NC)
			Rogers (MI)	Watts (OK)
			Rohrabacher	Waxman
			Ros-Lehtinen	Weiner
			Ross	Weldon (FL)
			Rothman	Weldon (PA)
			Roukema	Weller
			Roybal-Allard	Wexler
			Royce	Whitfield
			Rush	Wicker
			Ryan (WI)	Wilson
			Ryun (KS)	Wolf
			Sabo	Woolsey
			Sanchez	Wu
			Sanders	Wynn
			Sandlin	Young (FL)
			NAYS—6	
			Hostettler	Schaffer
			Paul	Tancredo
			NOT VOTING—17	
			Cubin	Ortiz
			Davis, Thomas	Putnam
			M.	Thornberry
			Istook	Towns
			Lewis (CA)	Watkins
			Mollohan	Young (AK)

□ 1242

Mr. SCHAFFER changed his vote from “yea” to “nay.”

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. PUTNAM. Mr. Speaker, on rollcall No. 14 I was inadvertently detained. Had I been present, I would have voted “yea.”

RAIL PASSENGER DISASTER FAMILY ASSISTANCE ACT OF 2001

The SPEAKER pro tempore (Mr. SHIMKUS). The pending business is the question of passage of the bill, H.R. 554, on which further proceedings were postponed earlier today.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 4, not voting 24, as follows:

[Roll No. 15]
YEAS—404

Abercrombie	Cannon	Edwards
Aderholt	Cantor	Ehlers
Akin	Capps	Ehrlich
Allen	Capuano	Emerson
Andrews	Cardin	Engel
Armey	Carson (IN)	English
Baca	Carson (OK)	Eshoo
Bachus	Castle	Etheridge
Baird	Chabot	Evans
Baker	Chambliss	Everett
Baldacci	Clay	Farr
Baldwin	Clayton	Fattah
Balenger	Clement	Ferguson
Barcia	Coble	Filner
Barr	Collins	Fletcher
Barrett	Combest	Ford
Bartlett	Condit	Frank
Barton	Conyers	Frelinghuysen
Bass	Costello	Frost
Becerra	Cox	Gallely
Bentsen	Coyne	Ganske
Bereuter	Cramer	Gekas
Berkley	Crane	Gephardt
Berman	Crenshaw	Gibbons
Berry	Crowley	Gillmor
Biggert	Culberson	Gilman
Bilirakis	Cummings	Gonzalez
Bishop	Cunningham	Goode
Blagojevich	Davis (CA)	Goodlatte
Blumenauer	Davis (FL)	Gordon
Blunt	Davis (IL)	Goss
Boehlert	Davis, Jo Ann	Graham
Boehner	Deal	Granger
Bonilla	DeFazio	Graves
Bonior	DeGette	Green (TX)
Borski	Delahunt	Green (WI)
Boswell	DeLauro	Greenwood
Boucher	DeLay	Grucci
Boyd	DeMint	Gutknecht
Brady (PA)	Deutsch	Hall (OH)
Brady (TX)	Diaz-Balart	Hall (TX)
Brown (FL)	Dicks	Hansen
Brown (OH)	Dingell	Harman
Brown (SC)	Doggett	Hart
Bryant	Dooley	Hastings (FL)
Burr	Doolittle	Hastings (WA)
Buyer	Doyle	Hayes
Callahan	Dreier	Hayworth
Calvert	Duncan	Hefley
Camp	Dunn	Herger

Hill	McCrery	Sanchez	Foley	Meek (FL)	Thornberry
Hilleary	McDermott	Sanders	Fossella	Mollohan	Towns
Hilliard	McGovern	Sandlin	Gilchrest	Ortiz	Watkins
Hinchey	McHugh	Saxton	Gutierrez	Royce	Young (AK)
Hinojosa	McInnis	Scarborough	Istook	Sawyer	
Hobson	McIntyre	Schakowsky	Lewis (CA)	Slaughter	
Hoefel	McKeon	Schiff			
Hoekstra	McKinney	Schrock			
Holden	McNulty	Scott			
Holt	Meehan	Sensenbrenner			
Honda	Meeks (NY)	Serrano			
Hooley	Menendez	Sessions			
Horn	Mica	Shadegg			
Hostettler	Millender-	Shaw			
Houghton	McDonald	Shays			
Hoyer	Miller (FL)	Sherman			
Hulshof	Miller, Gary	Sherwood			
Hunter	Miller, George	Shimkus			
Hutchinson	Mink	Shows			
Hyde	Moakley	Simmons			
Inslee	Moore	Simpson			
Isakson	Moran (KS)	Sisisky			
Israel	Moran (VA)	Skeen			
Issa	Morella	Skelton			
Jackson (IL)	Murtha	Smith (MI)			
Jackson-Lee	Myrick	Smith (NJ)			
(TX)	Nadler	Smith (TX)			
Jefferson	Napolitano	Smith (WA)			
Jenkins	Neal	Snyder			
John	Nethercutt	Solis			
Johnson (CT)	Ney	Souder			
Johnson (IL)	Northup	Spence			
Johnson, E. B.	Norwood	Spratt			
Johnson, Sam	Nussle	Stark			
Jones (NC)	Oberstar	Stearns			
Jones (OH)	Olver	Stenholm			
Kanjorski	Olver	Strickland			
Kaptur	Osborne	Stump			
Keller	Ose	Stupak			
Kelly	Otter	Sununu			
Kennedy (MN)	Owens	Sweeney			
Kennedy (RI)	Oxley	Tanner			
Kerns	Pallone	Tauscher			
Kildee	Pascrell	Tauzin			
Kilpatrick	Pastor	Taylor (MS)			
Kind (WI)	Payne	Taylor (NC)			
King (NY)	Pelosi	Terry			
Kingston	Pence	Thomas			
Kirk	Peterson (MN)	Thompson (CA)			
Kleczka	Peterson (PA)	Thompson (MS)			
Knollenberg	Petri	Thune			
Kolbe	Phelps	Thurman			
Kucinich	Pickering	Tiahrt			
LaFalce	Pitts	Tiberi			
LaHood	Platts	Tierney			
Lampson	Pombo	Toomey			
Langevin	Pomeroy	Portman			
Lantos	Portman	Price (NC)			
Largent	Price (NC)	Pryce (OH)			
Larsen (WA)	Pryce (OH)	Putnam			
Larson (CT)	Quinn	Radanovich			
Latham	Quinn	Rahall			
LaTourette	Radanovich	Ramstad			
Leach	Rahall	Rangel			
Lee	Ramstad	Regula			
Levin	Rangel	Rehberg			
Lewis (GA)	Regula	Reyes			
Lewis (KY)	Rehberg	Reynolds			
Linder	Reyes	Riley			
Lipinski	Reynolds	Rivers			
LoBiondo	Riley	Rodriguez			
Lofgren	Rivers	Roemer			
Lowe	Rodriguez	Rogers (KY)			
Lucas (KY)	Roemer	Rogers (MI)			
Lucas (OK)	Rogers (KY)	Rohrabacher			
Luther	Rogers (MI)	Ros-Lehtinen			
Maloney (CT)	Rohrabacher	Ross			
Maloney (NY)	Ros-Lehtinen	Rothman			
Manzullo	Ross	Roukema			
Markey	Rothman	Roybal-Allard			
Mascara	Roukema	Rush			
Matheson	Roybal-Allard	Ryan (WI)			
Matsui	Rush	Ryun (KS)			
McCarthy (MO)	Ryan (WI)	Sabo			
McCarthy (NY)	Ryun (KS)				
McCollum	Sabo				

NAYS—4

Flake	Schaffer
Paul	Tancredo

NOT VOTING—24

Ackerman	Capito	Cubin
Bono	Clyburn	Davis, Thomas
Burton	Cooksey	M.

□ 1257

Mr. FLAKE and Mr. SCHAFFER changed their vote from “yea” to “nay.”

Mr. TANCREDO changed his vote from “present” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BURTON of Indiana. Mr. Speaker, during rollcall votes No. 14 and 15 I was unavoidably detained. Had I been here I would have voted “yea” on rollcall vote No. 14 and “yea” on rollcall vote No. 15.

PERSONAL EXPLANATION

Mr. ORTIZ. Mr. Speaker, on rollcall Nos. 14 and 15, I was unavoidably detained. Had I been present, I would have voted “yea” on both votes.

PERSONAL EXPLANATION

Ms. CAPITO. Mr. Speaker, I regret that I was unable to attend the recorded votes today, February 14, 2001. I was traveling with President George W. Bush on his visit to my district in West Virginia. Had I been present, I would have voted “yea” on both rollcall No. 14 and 15.

AFFECTING REPRESENTATION OF MAJORITY AND MINORITY MEMBERSHIP OF SENATE MEMBERS OF JOINT ECONOMIC COMMITTEE

Mr. SAXTON. Mr. Speaker, I ask unanimous consent to take from the Speaker’s table the Senate bill (S. 279) affecting the representation of the majority and minority membership of the Senate Members of the Joint Economic Committee, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore (Mr. SHIMKUS). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 279

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, and specifically section 5(a) of the Employment Act of 1946 (15 U.S.C. 1024(a)), the Members of the Senate to be appointed by the President of the Senate shall for the duration of the One Hundred Seventh Congress, for so long as the majority party and the minority party have equal